

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

105th Legislative Day

June 20, 1990

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine-thirty having arrived, the Senate will come to order. Members will be at their desk. Our guests in the gallery will please rise. Our prayer this morning is by Reverend George W. Loveland, Woodside United Methodist Church, Springfield. Reverend.

THE REVEREND GEORGE W. LOVELAND:

(Prayer given by the Reverend George W. Loveland)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...(machine cutoff)...President, Ladies and Gentlemen of the Senate. I move that reading and approval of the Journals of Tuesday, June 12th; Wednesday, June 13th; Thursday, June 14th; and Tuesday, June 19th, in the year 1990, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as placed by Senator Hall. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Ladies and Gentlemen, the first thing we're going to be doing this morning will be going to the Order of Recalls. The Recall List has been passed out. Messages from the House. Messages of the -- from the House.

SECRETARY HAWKER:

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

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

Senate Bill 1571 with House Amendment 1.

I have alike Messages on Senate Bill 1532 with House Amendment 1; Senate Bill 1571 with House Amendment 1; Senate Bill 1588 with

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House Amendment 1; Senate Bill 1635 with House Amendment 2; Senate Bill 1676 with House Amendment 1; Senate Bill 1904 with House Amendment 1; Senate Bill 2124 with House Amendment 1; and Senate Bill 2131 with House Amendments 1 and 2. Passed the House, as amended, on June 19, 1990.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk. Senator Mahar, for what purpose do you arise?

SENATOR MAHAR:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR MAHAR:

Mr. President, I'd like to thank the Members of this Body, the staff, the secretaries, everybody within earshot, for the kindness that has been extended my dad and I during the past week, since my mother passed away. We really appreciate it, and it's been a -- very much a comfort to us. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, sir. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1256 offered by Senator Lechowicz.
It is congratulatory.

And Senate Joint Resolution 203 offered by Senator Daley and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. While we get -- first order of business this morning will be the Recall List, which has been passed out, and should be on every Member's desk. Schuneman, Ralph Dunn, Jacobs, Keats, Collins, Davidson - those would be the first individuals this morning. Senator Schuneman on the

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Floor?...(machine cutoff)... Resolutions.

SECRETARY HAWKER:

Senate Resolution 1257 offered by Senator Topinka.

It is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. On the Order of Recalls. All right. With leave of the Body, we'll go to the Order of Recalls. House Bill 982. Senator Schuneman. Senator Schuneman seeks leave of the Body to return House Bill 982 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 9-8-2, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 1 simply provides that no legislation enacted after the effective date of -- of this Act, which mandates or requires offering of health care coverages or services, shall apply to any insurer unless the legislation applies equally to employee welfare benefit plans. This is an attempt to equalize the treatment between large employers and small employers as regards mandated coverages. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1681. Senator Ralph Dunn seeks leave of the Body to return House Bill 1681 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 1-6-8-1, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Holmberg and Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg. All right. Senator Dunn.

SENATOR R. DUNN:

I think I have to move to Table Committee Amendment No. 1 first. This replaces it - so move. Withdraw ...(machine cutoff)...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dunn, having voted on the prevailing side, moves to reconsider the vote by which Committee Amendment No. 1 was adopted. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is -- is -- is reconsidered. Senator Dunn now moves to Table Committee Amendment No. 1. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted <sic> (Tabled). Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Holmberg and Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This is an outgrowth of the discussion in committee on how the parental involvement section should be listed on the report card for each school district. And it delineates the kinds of context that can take place during the year to add the total for each teacher. And they include things

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like; parent-teacher conferences, parental visits to school, school visits to home, telephone conversations, and written correspondence. And I would recommend its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2367. Senator Jacobs. Senator DeAngelis. Senator DeAngelis on the Floor? DeAngelis. 2543. Senator Keats. On the -- Senator Keats seeks leave of the Body to return House Bill 2543 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2543, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1 offered by Senators Keats, Zito and Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This amendment actually has two parts, and I'll explain them very briefly. The first part simply deals with the qualifications of the commissioner and deputy commissioner of banks and trust companies. It, in reality, broadens the -- the number of people -- or broadens the field of persons eligible to be considered for the appointment. My understanding - it's not controversial. The second portion, under the new Banking Act - both the federal level and State - this -- there is now an ability for banks to actually lease facilities and

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locations from savings and loans. So this clarifies the relocation - and I stress relocation, not additional location - procedure of a leased savings and loan office which a bank maintains and retains as a branch in connection with the purchase and assumption, merger, et cetera, of the insured deposit transfer. That's bank language for, it allows us to know where these facilities will be as banks, potentially, purchase savings and loans, which is -- which was authorized under the federal savings and loan bailout. That's all both of them do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3058. Senator Collins. Senator Collins on the Floor? 3131. Senator Davidson. Senator Davidson on the Floor? 3202. Senator Thomas Dunn. 3220. Senator Rock seeks leave of the Body to return House Bill 3220 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 3220, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3220 deals with the subject of garnishment, and attempts to put into law all the due process and notice requirements. The amendment that I am offering calls for the

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attorney for the judgment creditor - that is the person who is attempting to garnish the wages of a debtor - to provide written notice by first class mail to that debtor, so that he knows what's going on. I know of no objection. I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of -- of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3273. Senator Rock -- all right. 3371. Senator Macdonald. 3426. Savickas. On the -- Senator Savickas seeks leave of the Body to return House Bill 3426 to the Order of -- of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3426, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. This amendment would delete the text of Amendment No. 3 concerning the issuance of permits for municipal waste facilities. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas has moved the adoption of Amendment No. 4 to House Bill 3426. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

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SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3454. Senator Woodyard seeks leave of the Body to return House Bill 3454 to the Order of 2nd Reading. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3454, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. Amendment No. 1 is the result of a series of meetings between the Township Officials, the Farm Bureau, the Illinois Taxpayers Federation, and Realtors. And there is complete agreement, as I understand it, on this amendment now. The underlying bill allowed townships to make a one-time transfer out of -- out of General Assistance Funds into various human services projects, and the second part of the bill would also have allowed townships to -- that were not levying at the full amount to levy up to the full amount - the ten-cent level - and create a surplus and use that for the funds. That has all been stricken. And this amendment now allows for only a one-time transfer from the General Assistance Fund into the Town Fund, and I know of no opposition to the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Woodyard has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3565. Senator Severns seeks leave of the Body to return House Bill 3565 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 3565, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Severns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. Amendment No. 1 recodifies the Department of Public Aid's Project Chance, and the training and work programs under the FDC Program. It is a result of the federal legislation or the Reform Act that came down last year. This is an agreed upon amendment by DPA and the advocacy agencies. I know of no opposition, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3740. Senator Barkhausen seeks leave of the Body to return House Bill 3740 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3740, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Barkhausen.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Amendment No. 1 to House Bill 3740, which is a Department of Insurance Bill, sets forth certain guidelines and limitations on investments by insurance companies in various types of bonds. The percentage limitations that are embodied in the bill are recent recommendations of the National Association of Insurance Commissioners and the Department. In addition, the amendment clarifies what has been the current practice of the -- the Office of Special Deputy - the special arm of the Department of Insurance which has jurisdiction over the rehabilitation and liquidation of insurance companies. It makes clear that the rehabilitator or liquidator has jurisdiction over unauthorized companies - meaning those entities that are engaging in, or attempting to engage, in the business of insurance, but which are, in fact, not licensed in any jurisdiction. And I ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 1. Is there discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Senator Barkhausen, I don't have the amendment in front of me, but I talked to the Department. Is this the same language that we passed out with the addition in there, and that's all that's in the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

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SENATOR BARKHAUSEN:

Yes, Senator Jones. As the Department appeared before us they were still at their meeting, the NAIC meeting in Baltimore. And so these percentage limitations on investments are the recommendations that came out of that meeting. And then in addition, as I explained, there is this one extra provision that the -- the Office of Special Deputy had sought, clarifying their jurisdiction over unauthorized or unlicensed companies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen's moved the adoption of Amendment No. 1. Is there further discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3834. Senator Berman seeks leave of the Body to return House Bill 3834 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 3834, Madam Secretary, please.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

SECRETARY HAWKER:

Senator Berman.

SENATOR BERMAN:

Thank you. Amendment No. 1 includes everything -- or keeps everything that was in the original bill, and, at the request of the Department of Insurance, adds this amendment that touches on three areas - the areas of managing general -- managing general agents, Medicare supplemental policies and Property Casualty Guaranty Fund. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Berman has moved the adoption of Amendment No. 1. Is there further discussion? Is there any discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. All right. With leave of the Body, we'll go back up to the top of the list. Some Members now have joined us, and indicate they wish to return. With leave of the Body, 2367. Senator Jacobs seeks leave of the Body to return House Bill 2367 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2367, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. Senator -- Senator Jacobs, are you familiar with this? All right. Take it out of the record. 3058. Senator Collins seeks leave of the Body to return House Bill 3058 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3058, Madam Secretary, please.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President. This is an amendment offered by the Department of Public Aid, which they feel clarified the intent of the legislation - that this is, in fact, a demonstration program. And I would move for its adoption.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Davidson seeks leave of the Body to return House Bill 3131 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 3131, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Rea and Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. This amendment has to do with mine subsidence, and clarify the language as to exactly what mine subsidence is. It also adds a third party arbitration, in case of a dispute involving the mine subsidence claim. I would move for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Thomas Dunn seeks leave of the Body to return House Bill 3202 to the Order of 2nd Reading for the purpose

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of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 3202, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Thomas Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This permits an urban sanitary district to dissolve if it has a population of not more than thirty thousand, and it's located in Lake County, and does not include DuPage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Amendment No. 3. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd Reading. We'll now begin on the Order of 3rd Reading. Back to your regular Calendar. House Bills 3rd Reading. It's Page 6. Page 6 on your Calendar. House Bills 3rd Reading. House Bill 309. Senator Weaver. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I was off the Floor -- or had not entered the Floor when 2367 was called, and I thought we were coming back to that on the Recall List.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, we did. We did go back to it. We went back to it twice. We'll get back to it maybe --

SENATOR DeANGELIS:

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Pardon?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll get back to it maybe next year, I don't know. We were back to it twice, sir. House Bill 424. Senator Hall. Senator Hall on the Floor? All right. 493. Senator Dudycz. 498. Let's see... 982 was on the Recall List. 1-0-5-5. Senator Macdonald. 1055. Middle of Page 6. House Bills 3rd Reading is House Bill 1055, Madam Secretary.

SECRETARY HAWKER:

House Bill 1055.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes. This bill amends the Adoption Act. The bill does two major things. It allows the existing adoption registry in the Department of Public Health to be available for disclosure of identifying information to mutually consenting adult biological siblings, not just parents or children. This bill applies only to health information, and to nothing else. It is a bill which Representative Hasara has worked on for over two years. And we think it is a very necessary bill, particularly for adopted children who have health problems to, at least, be able to find out from biological parents or backgrounds what their problems really are. Two amendments were added yesterday; one to protect the Department of Health from lawsuits, and the other was to include psychological information, as well. So I ask for your support of this bill. We think it's very necessary, and we think it has been clarified with the amendments, here in the Senate, to -- to make the bill airtight, so that it will not cause any problems. So I ask for your support of House Bill 1055.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, the question is, shall House Bill 1055 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 1055, having received the required constitutional majority, is declared passed. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I'm so sorry. My -- I intended to vote Yes, and this package had been brought to me and it blinded my -- my button. But please register me with a -- as a Yes vote. I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so reflect. House Bill 1220. Senator Welch. 1268. Senator Marovitz. Page 7. 1504. Marovitz. 1632. Senator Weaver. On the Order of House Bills 3rd Reading is House Bill 1632, Madam Secretary.

SECRETARY HAWKER:

House Bill 1632.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. Senate <sic> Bill 1632 would provide that students and graduates of public high schools, that have selective academic criteria for admissions, may be designated as State scholars. Now this does not carry any monetary award, but an amendment also provides that those who are delinquent in repayment of student loans may be

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suspended -- or a revocation of an insurance license or teaching certificate may be part of the penalty if satisfactory arrangement for repayment of the student loans are not paid. If there's any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1632 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 1632, having received the required constitutional majority, is declared passed. 1681 was on the Recall List. 1784. Senator Brookins. On the Order of House Bills 3rd Reading is House Bill 1-7-8-4, Madam Secretary.

SECRETARY HAWKER:

House Bill 1784.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This creates a Minority and Female Business Acquisition Finance Authority to create a minority and female business in aiding and bonding. It provides them with bonding powers, and authority of bonding powers. So I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Jones.

SENATOR JONES:

Senator Brookins, on the bonding, could you explain what the bonding is, and who handles that? I had some discussion with the -- is this the same as Senator -- I mean, Representative LeFlore

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that came over as relate -- did you amend this to put it under the Department of Insurance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes. Senator Jones, what we did, was amend it to bring it into the compliance with what the original bill that Bob LeFlore brought over. As you can remember, in the early portion of the Session, we brought out an older bill that was not suitable, but what we did to it, was amended it, so it reads exactly like the one that was passed over originally by Bob LeFlore.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator -- I'm sorry. Do you wish to close, Senator Brookins? Senator Brookins. Question is, shall House Bill 1784 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? I'm getting tired. Take it -- take the record. On that question, the Ayes are 30, the Nays are 26, none voting Present. House Bill 1784, having received the required constitutional majority, is declared passed. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Too late, Mr. President. Well, I -- I guess we should verify the vote on that -- on that, if we may. I was trying to get your attention, Mr. President, to make a point, but if you would, I'd like to verify the vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is in order. I -- I apologize. I did not see your light, if it was on.

SENATOR SCHUNEMAN:

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I understand that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There is a verification that has been requested. Senator Schuneman has requested a verification of all Members who voted in the affirmative. Madam Secretary, if you would please call those Members.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Geo-Karis, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Rea, Severns, Smith, Vadalabene, Welch and Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman, do you question the presence of any Member who vote in the affirmative? Senator Schuneman.

SENATOR SCHUNEMAN:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce on the Floor? He's -- okay, right here in front of the Podium.

SENATOR SCHUNEMAN:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco's sitting in -- standing near his seat.

SENATOR SCHUNEMAN:

Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman on the Floor? He is at the back of the Chamber.

SENATOR SCHUNEMAN:

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Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz on the Floor?
Strike his name.

SENATOR SCHUNEMAN:

Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis on the Floor? Senator Geo-Karis on the
Floor? Senator Geo-Karis. Do you know where she is?

SENATOR SCHUNEMAN:

I haven't seen her.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Strike her name.

SENATOR SCHUNEMAN:

That's it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On that question, the Ayes are 28, the Nays are
26. Senator Brookins seeks postponed -- Senator Brookins seeks
Postponed Consideration. Postponed Consideration. 2178. Senator
Jones. Page 8. We're going to keep rolling. 2388. Senator
Jacobs. Top of Page 8. 2389. Jacobs. 24 -- I'm sorry. 2543 was
on the Recall List. 2685. Senator Collins. 2-6-8-5. On the
Order of House Bills 3rd Reading is House Bill 2-6-8-5, Madam
Secretary.

SECRETARY HAWKER:

House Bill 2685.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. House

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Bill -- 2685 is the House version of the Boot Camp Bill, which we passed out of here, which is now in the House. This bill has been amended to be identical to the Senate Bill that we passed. I think we've -- 1518, and we've -- I don't know of any objections, and I would just ask for a favorable roll call. ...(machine cutoff)...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is -- discussion? Further -- if not, question is, shall House Bill 2685 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? No. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2685, having received the required constitutional majority, is declared passed. All right. 2842 is on a subsequent Recall List. 2859. Senator Jones. House Bills 3rd Reading is House Bill 2859, Madam Secretary.

SECRETARY HAWKER:

House Bill 2859.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Member -- Members of the Senate. House Bill 2859 requires that a unit of black history be required to be taught in all elementary and secondary schools in the State of Illinois. The purpose of this -- this bill is to make sure that the history of the contributions that blacks and women made to this country is taught evenly throughout the State of Illinois. We can no longer continue to program our children, rather than educate them. This -- this bill will require that this unit, which will be decided by the local school boards, that

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a unit be taught as to the contributions that they made to this great society. And I'll ask -- answer any questions anyone have as regarding this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall House Bill 2859 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 21, 1 voting Present. House Bill 2859, having received the required constitutional majority, is declared passed. House Bill 2872. On the Order of House Bills 3rd Reading is House Bill 2-8-7-2, Madam Secretary.

SECRETARY HAWKER:

House Bill 2872.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 2872 is fast becoming the Christmas tree for relatively technical Revenue Act proposals. And let me, if I might, briefly describe its current contents. The -- the basic bill, which is really in Amendment No. 1, now requires the Department of Revenue to conduct a study of the use of electronic funds transfer to collect taxes. As originally proposed, it would have mandated that EFT actually be used, this simply requires the Department to conduct a study and report back by March, 1991, because they need a little more time to work out the details of it. Amendment No. 2 is the one that was requested by the Village of Oak Park and Senator Rock, which deals with the Historic Preservation tax freeze -- or assessment freeze, if you

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will, and allows a property, which is under the process of rehabilitation, to continue to realize that benefit even though the community has revoked its participation in the -- in the program, so long as that rehabilitation was under way even though the property had not yet received a certificate that allows it formally to participate. That is really to take care of somebody who is relying in good faith on the program and gets caught in the middle. The third amendment incorporates two bills that were requested by the Cook County Assessor, passed the Senate by overwhelming votes, and have been previously discussed at length. One of them was Senator Jeremiah Joyce's Senate Bill 1776, which also deals with revoking -- with the Historic Preservation process when property has been sold. The second was Senate Bill 2210, which was my bill, which corrects the references to quadrennial assessment, because Cook County is about to embark on a triennial assessment practice. The next amendment, which was proposed by Senator Berman, establishes the salary for the Director of the Office of Taxpayer Ombudsman - an office which we created, but did not provide any compensation for. And whatever our personal feelings about Dr. Mandeville, he certainly should be paid when he assumes that office. It sets that salary at sixty-nine thousand dollars. And finally, the fourth amendment -- or the last amendment, which was requested by Senator Berman, is designed specifically, one must say, for Misericordia, and it allows a -- any agency, which is not-for-profit for developmental disabilities persons, and has residents of more than three hundred a year to have a one-day-a-year fifty thousand dollar cap bingo or pull jar program, but no other days that year. So it is a one-time thing. That -- that, I believe, is the full content of this bill, at the present time. When it is next seen, who knows.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill

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2872 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam -- Mr. Secretary. On that question, there are 47 Ayes, 3 Nays, 9 voting Present. Having received the constitutional majority, House Bill 2872 is declared passed. House Bill 2924. Senator Friedland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2924.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you -- thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 2924 would provide that, beginning December 1st, 1990, each sheriff who operates a county jail would received a stipend, based on the number of beds at the jail. And the -- briefly, the background of this bill is, as you know, several years ago, in order to relieve overcrowding in the State penitentiaries, the Assembly enacted legislation which gave the responsibility for misdemeanor prisoners to the county sheriffs, and at that time there was discussion on how to compensate them for this added responsibility. The bill's a product of several years negotiations. The numbers are small, and we believe that it's fair, and I'd ask for your favorable support. Of course, it's supported by the Sheriff's Association, and passed the Executive Committee 19 to nothing, and I'd commend it for your favorable support.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Discussion? If not, the question is, shall House Bill 2924 pass. Those in favor will vote Aye.

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Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, 2 Nays, none voting Present. Having received the constitutional majority, House Bill 2924 is declared passed. House Bill 2936. Senator O'Daniel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2936.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Madam President and Members of the Senate. House Bill 2936 amends the Illinois Uniform Disposition of Unclaimed Property Act to preserve the patronage capital of the members of the Illinois Electric and Telephone Cooperatives. These cooperatives are locally owned, not-for-profit corporations, which provide electric energy and telephone service to residents of sparsely populated rural areas. And if -- if there's any questions, I'd attempt to answer them. If not, I'd...(machine cutoff)...passage --

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 2936 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, 1 voting Present. Having received the constitutional majority, House Bill 2936 is declared passed. House Bill 2966. Senator Newhouse. House Bill 2967. Senator Daley. Read the bill, Mr. Secretary.

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ACTING SECRETARY: (MR. HARRY)

House Bill 2967.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Daley.

SENATOR DALEY:

Thank you, Madam President and Members of the Senate. House Bill 2967 would give Naperville until 1/91 to bring its impact fees ordinance into compliance with the State of Illinois. Amendment No. 1, adopted in committee, would clarify the General Assembly's intent that if impact fees had to be collected due to the impact the new development will have on State roads, then it should be spent on State roads. Floor Amendment No. 1 -- 2 -- presented by Senator Berman yesterday, addresses a problem throughout the State. And it states that upon a judicial determination that a building has been abandoned by its owners, and has deteriorated into a dangerous condition, a municipality may initiate a procedure to acquire title to the property either before or after demolition. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 2967 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 2667 <sic> is declared passed. House Bill -- at the top of Page 9, House Bill -- House Bill 3001. Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3001.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Schaffer.

SENATOR SCHAFFER:

Madam President and Members of the Senate, this is, as stated, the State Board of Elections budget. Current level of five million seven hundred and twenty-seven thousand nine hundred dollars, down some eighty-two thousand from the House level in compliance with the bipartisan plan.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? Discussion? If not, the question is, shall House Bill 3001 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 3001 is declared passed. House Bill 3019. Senator Marovitz. House Bill 3020. Senator Brookins. House Bill 3024. Senator Savickas. House Bill 3042. Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3042.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rock.

SENATOR ROCK:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 3042 addresses a problem with respect to the immunization requirements in postsecondary schools. It was brought to my attention that the community colleges are already exempt - the students are already exempt from this requirement. And that for those of us, particularly in Chicago, that have a

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large commuter population in private and public institutions - it has been brought to my attention that there is some serious problem with this requirement. House Bill 3042 says, plainly, that we will now allow colleges and universities the option to exempt or not exempt commuter students from this requirement. This -- this amendment -- this proposal has met with the approval of virtually every institution of higher learning, including the University of Illinois, and most particularly, those that enjoy a great commuter population, like De Paul and Loyola. I understand the Department of Public Health is not happy with this - as a matter of fact they are, in fact, opposed - but I think it's a reasonable request, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Madam -- President and Ladies and Gentlemen of -- of the Senate, with all due respect to the very fine sponsor, and what he's trying to do here, I think we should really look at this bill rather carefully. First of all, I don't know why it didn't go to the Public Health Committee, because it really, I think rightfully, belonged there. We are now in probably one of the greatest measles epidemics in northern Illinois that we have ever had. Not only that, it is -- it is leading the country in terms of setting records. This -- this is a -- a type of a -- an illness here, a disease that -- that can be accommodated by the law as it now sits. We've had numerous cases in the past that have involved colleges, even those that have a commuting population, where people have died. Where Rubella has occurred. Eighty-six - thirty-seven cases reported at -- at Wesleyan Illinois University. Principia College - three deaths occurred there. That was from measles. Considering, I mean, even as we speak to this bill, we're having an epidemic that -- that applies

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right here. I think the Department of Public Health is -- is in keeping here with what is, indeed, best for the public in keeping the law as is. And I really think we ought to look at this and oppose this bill, at this time, and maybe rethink the proposition.

PRESIDING OFFICER: (SENATOR COLLINS)

Mr. Joe Howard has request permission to photograph. Is leave granted? Leave is granted. Further discussion? Senator Raica.
SENATOR RAICA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I, too, have to reluctantly stand in opposition to this bill. In committee, we heard testimony regarding students that would not reside in the dormitory would -- but would be students that commute to the colleges. The problem is, if we do something like this, we're saying that the students that commute to these colleges are not those that carry diseases. The State of Illinois was number one in the country in 1989, and led, as far as the measles epidemic was concerned. There were three thousand two hundred confirmed cases of measles. One of the complaints were that when the students come into these colleges that they have to stand in long lines at the Board of Health to try and get their -- their records. And because they are either twenty-six, twenty-seven, thirty, forty years old, that some of these records are not intact. Proposals were made that, possibly, we can have people immunized by the time they are freshmen in high school. Those are all good ideas. But an idea to come out and say that the college can either/or accept someone who doesn't have the paperwork, or someone who does, is probably a bad idea. And lastly what we have to take a look at is that, what is the -- the legality, as far as, should an epidemic break out in a college, if a college does not -- or if the college does accept someone who doesn't have this paperwork in order, what if there is a measles epidemic, and there are cases where someone would die, perhaps of

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that illness, or that epidemic. Would that college be liable because they chose not to accept the paperwork that that student needed? And I would have to, at this point, say that I think there could be some other alternatives that could be offered, but this may be the bad way to go.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you. Senator Rock, this seems so contrary to your basic philosophical beliefs. I really have problems understanding your direction here. My son's going to go to Bradley this next year and -- and he has not complied with the immunization requirements, and -- and, weekly, Bradley contacts us about the fact that he needs to get this done before school starts August 28th. I see on the information sheet that last year a hundred and twenty-five cases of measles were reported at Bradley University. I mean, I'm concerned about this as a parent, and I think that what Bradley's doing, and the other universities are doing, and the requirement that the Department of Public Health and we have now is really a good item, and it's something that we should maintain. And I -- I really think this is a step in the wrong direction, and I think we ought to vote No on this.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Madam President, Members of the Senate. I have several of my friends over here opposing this bill, but it passed out of committee with only one - I believe - one dissenting vote, and maybe one Present. The idea being that if commuter kids and commuter students in the Chicago area - sixty-five thousand of them, they say, or more - if this was mandatory, they probably wouldn't be able to go to community colleges. It would cost them

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so much, they wouldn't be able to find their immunization records from their childhood. And as I understand it, the schools can still require the change from "shall" to "may." And I think it's a pretty good bill, and I'm going to vote for it. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rock, to close.

SENATOR ROCK:

Thank you, Mr. President -- Madam President and Ladies and Gentlemen of the Senate. Senator Watson, I agree with you, and that is the point of this legislation. If, indeed, you are a -- in a residential setting, yes, this requirement is not at all unreasonable. What we're talking about, however, is that when we pass this, we specifically exempted out the community colleges, all two hundred and fifty thousand of those who attend community colleges, on the basis that their profile, as they are a little older, and they are commuters. And all I'm saying to you is there are many universities in this State, including the University of Illinois, that have a large number of commuter students who really ought not be subjected to this, because the fact of the matter is, the way the law reads, if they can't come up with proof of immunization, they can't register. And the fact of the matter is that both De Paul and Loyola, they have, literally, taken bus loads to the Chicago Department of Public Health, and say, "We want to comply. Immunize these young people, right now." One, they didn't have the serum; and two, the volume was too great. And all we're saying, and I say to Senator Raica, in all deference, no, there is no liability question. What we are saying to those commuter students is that we want to put you in the same position, if the board at the University says so, you're in the same position as those young adults, and adults who attend community colleges. This is a requirement for residential schools, and whatever Senator Topinka said, and I sat with Dr.

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Turnock at great length, every epidemic has happened in a residential setting, not a commuter setting. I think this is a reasonable exemption and one that we ought to leave to the discretion of the Governing Board, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 3042 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 38 Ayes, 18 Nays, none voting Present. Having received the constitutional majority, House Bill 3042 is declared passed. House Bill 3074. Senator Weaver. I'm sorry, Senator Weaver. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Madam President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR COLLINS)

State your point.

SENATOR GEO-KARIS:

Madam President and Members of the Senate, we have eight distinguished ladies and gentlemen sitting in the President's Gallery - retired school teachers from Lake County represented by Senator Schaffer, Senator Barkhausen, Senator Keats and yours truly. And I'd like to mention their names and welcome them here. They are Ruth Pester, Mabel Michelinski, Will Hemeyer, George Hughes, Jr., Lawrence Rouse, Roman Miller, Ogden Poole and Earl Young. And I'd like you to all welcome my constituents, and our colleague's constituents here.

PRESIDING OFFICER: (SENATOR COLLINS)

Will our guests please rise and be welcomed by the Senate. Welcome.

SENATOR GEO-KARIS:

And I'm sorry I didn't have the names of the other four to

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introduce, too. Thank you so much for coming.

PRESIDING OFFICER: (SENATOR COLLINS)

Okay. On the Order of 3rd Reading, House Bill 3074. Senator Weaver. Read the bill, Mr. President -- Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3074.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. House Bill 3074 would provide sanitary districts with an alternative to issuing bonds for small sewer projects. The bill allows for persons who pay for the building of a sewer that's dedicated to a sanitary district to be reimbursed from fees made and collected from owners of property who did not contribute to the benefit. If there's any questions, I'll be happy to try to answer them. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 3774 <sic> pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 52 Ayes, 4 Nays, 1 voting Present. Having received the constitutional majority, House Bill 3074 is declared passed. House Bill 3090. Senator Watson. House Bill 3109. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3109.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

Thank you. House Bill 3109 requires that one unit of instruction be granted in grades nine through twelve in the areas of parenting and family education. This is a area that, I think, each one of us recognizes is sorely needed for our young people. Many times young men and young women become parents too soon. This is an important area. It's very flexible, as far as what the requirements will actually be. A unit is really -- defined by each local district. I will be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR GEO-KARIS:

There was an amendment made on this bill removing the word "relations," is that correct?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

Yes. That was Senator Kelly's request.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. I rise in support of House Bill 3109. And I wanted to explain to the Members, especially on my side of the aisle, who might be looking at the roll call in committee and wondering why we seem to be all

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over the place on this bill. Let me just explain from my vantage point something that Senator Berman touched on briefly. The unit of instruction is one that is to be determined by a local school board. So this kind of a mandate - if that's what you want to call it - is certainly different from the mandates we have considered in this Chamber, and in some cases passed, which have mandated a specific and entire course. What this does is send a message across the State to school boards, that someplace in their curriculum they ought to incorporate parenting and family education. That's far different from mandating a course, and it happens to be the particular reason why I can support this measure. I certainly understand those of you who still don't believe it's our job to be sending any of these kinds of messages back to local school districts - I happen to think it does, and for that reason I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I guess this is a new milestone. This is an unfunded, unspecified, undefined mandate. Obviously, I think all of us would agree that the subject matter is something that we would like the children of Illinois to be conversant in. And now if you're on the school board, you have this mandate that you have to define, and if somebody's unhappy with, they can sue you on, that you're not complying with the law. I guess my objection is, it's another unfunded mandate. It's a -- no matter how you cut it, the money isn't here to pay for it. It's going to take time away from reading, writing and arithmetic, or whatever. And on top of that, the county -- the school boards are going to be subject to litigation by people who feel the unit that they have determined is either too short or too long. You know, I know that it's a tough thing to vote against, because we all believe that children

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ought to have these skills. But if it's so important, I think the school boards of this State are smart enough to do it without big brother, here in Springfield, telling them they have to do it, but not sending any money - which seems to be the hallmark of our activities in this Body, and the one across the hall.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senator Berman, what's the cost of this mandate?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman indicates he will yield to your question.

SENATOR BERMAN:

There is no cost.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dudycz. Further discussion? Senator Geo-Karis, for the -- for the second time.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I speak in favor of the bill, because parenting and family education, I think, are very important items to discuss. Maybe we can remove some other course that isn't as important, because we've had loads of teenage pregnancies in this State. And I think we ought to do something, and at least -- so we can educate our young people to the responsibilities of parenting and family education at an early age. Perhaps there'll be fewer teenage pregnancies. And I support the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Berman, to close.

SENATOR BERMAN:

Thank you, Madam President. Ladies and Gentlemen of the Senate, part of the job that we are charged with, when we run for

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office, and take our oath of office in this Chamber, is to set policy for the State of Illinois. I would respectfully suggest that my good friend, Senator Schaffer, is throwing around a red herring regarding lawsuits because of the length of the unit. That hasn't happened. We've required units to be utilized in the education of policy determinations in our schools before, and I'm not aware of any litigation regarding the definition of a unit. What we are saying by this bill, is that the General Assembly thinks it's important - important - to undertake the parenting and family education in children in our high schools. A major portion of our budgets, that we're going to be voting on in the next few days, are required because of a lack of parenting and family education being taught in our schools. I strongly urge an Aye vote to set State policy with great flexibility in our school districts, but setting State policy that this is what we want our children to learn. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 3109 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 32 Ayes, 22 Nays, 3 voting Present. Having received the constitutional majority, House Bill 3109 is declared passed. Senator Schaffer, for what purpose do you rise?

SENATOR SCHAFFER:

Could we have a verification of the positives, please?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Schaffer has request a verification of the -- of the affirmative vote. Will the Secretary please read the names of those voting in the affirmative.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman,

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Brookins, Carroll, Collins, Daley, D'Arco, del Valle, Dudycz, Ralph Dunn, Fawell, Geo-Karis, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, Kelly, Kustra, Lechowicz, Luft, Macdonald, Marovitz, Netsch, Newhouse, O'Daniel, Raica, Severns, Smith, Vadalabene, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Schaffer, do you question the presence of any Member voting in the affirmative?

SENATOR SCHAFFER:

Senator Zito.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Zito on the Floor? Senator Zito is in his seat.

SENATOR SCHAFFER:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Jeremiah Joyce on the Floor? Senator Joyce on the Floor? Strike his name, Mr. President <sic>.

SENATOR SCHAFFER:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Marovitz on the Floor? Senator Marovitz is at the back of the Chamber.

SENATOR SCHAFFER:

Senator Severns on the Floor? Yes, I see her.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Severns is right in the aisle.

SENATOR SCHAFFER:

Senator Rea. Pardon me -- pardon me. Senator Luft.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Luft on the Floor? Senator Luft is in the back of the Chamber.

SENATOR SCHAFFER:

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That's all.

PRESIDING OFFICER: (SENATOR COLLINS)

The roll has been verified, and the Ayes are 37 -- I mean, 31, 22 voting Present -- 22 voting Negative, and 3 voting Present. Having received the constitutional majority, House Bill 3109 is declared passed. House Bill 3131 was on the Recall. House Bill 3136 is on the next Recall. House Bill 3133 <sic>. Senator Carroll. Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3143.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the operation of the third branch of government. With the cooperation of the Office of the Courts for the Supreme, Appellate and Circuit Court Systems, we have been able to reduce their budget to within the bipartisan Senate guideline at some 7.4 million below the introduced level - a reduction of 4.1 percent, appropriating approximately a hundred and seventy-three million seven. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 3134 <sic> pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, 2 voting Present. Having received the constitutional majority, House Bill 3143 is declared passed. At the top of the Page 10, House Bill 3146. Senator

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Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3146.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. This bill does two things. Number one, it extends the eligibility for receiving veteran scholarships from six months to eighteen months, for those veterans returning to the State of Illinois. The second thing it does is provide a -- provide for the State to authorize a supplementary payment to school districts in Franklin County, who were impacted because of -- effect of the EAV formula for coal. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 3146 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 3146 is declared passed. House Bill 3152. Senator Jacobs. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3152.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam Chairman, Ladies and Gentlemen of the Senate.

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House Bill 3152, as amended, strictly seeks to modify and clarify the sales tax exemption already provided for manufacturing in an enterprise zone, and includes the process of graphic arts production into the process, and adds seven new additional enterprise zones. I know of no known opposition. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President, Members of the Senate. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR WOODYARD:

Senator Jacobs, for a matter of clarification, and certainly to establish legislative intent, I have two questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR WOODYARD:

Next bill. Go ahead.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Thank you. The -- the legislative intent in this bill is clear. I think it's the next bill that we have to establish some legislative intent, at the request of the Department of Revenue.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 31 pass -- 3153 <sic> pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, none voting Present. Having

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received the constitutional majority, House Bill 3153 is declared -- 52 is declared passed. I'm sorry. House Bill 3153. Senator Jacobs. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3153.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam Chairman. Again, this bill strictly is some cleanup, in regards to some problems we've had in the service use and the -- the sales tax of the personal property used in fulfilling maintenance agreements. And it addresses that problem, as well as takes care of a specific problem that is -- is being -- had some problems in Joliet, and that's on this bill also. I know of no known opposition to this one, either.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President and Members of the Senate. And I do apologize, Senator Jacobs, on the previous bill. But we do need to establish legislative intent and clarification with the two questions; what is the intent of the legislation, and will extended service contracts, or maintenance service agreements, be taxed?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator Woodyard. Yes. This legislation seeks relief in the Department of Revenue's ruling that sales tax be applied to the maintenance service agreements. Passage of this

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legislation will keep the tax on tangible personal property tax -- property transferred by service persons. And then as far as will the extended service contracts of maintenance service agreements be taxed, the tax will not be assessed on the extended service contract or maintenance agreement policy itself, but on the personal property transferred by the service person. And since tax liability cannot be determined, or -- or even reasonably estimated when a service of maintenance agreement has begun, the tax on tangible personal property to be used should be paid by the service provider to their vendor. It was never the intent of the General Assembly during sales tax reform to tax a service or maintenance policy itself, but to keep the tax on personal property transferred by a service person.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Madam President. My remarks are addressed to the first part of the bill, not to the amendment that was offered subsequently - the -- the basic bill. And I think it -- it's not entirely fair to say, Senator Jacobs, that there is no controversy at all about it. At initial blush, it looked okay - it looked like just another clarification of the changes that we had brought about in enacting the sales tax reform legislation. But on second thought and second reflection, some of us realize that what is now happening, and it is not just in this bill, it's in several others, is that the attempt to make a rational tax out of the Service Occupation Tax, and to fit it into the reformed sales tax structure, is slowly being whittled away. We did it with respect to two groups last year. This is another one, and there is still another one to come this year that is probably going to pass, I must admit. I should point out that as a result of that, Senator Rigney and I have written to the Director of the Department of

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Revenue, and asked that there be convened a working task force on this very subject, so that we can try to get some order before we totally destroy the -- the efforts that we made to both, clarify and -- and strengthen, if you will, the taxing of what we would call services - that is it's not a service tax, but those things that are -- are transferred as part of a service arrangement. And what worries me about this one, is that as we looked at it subsequently, I think this is a major gap, and a major breakthrough in undoing that kind of attempt that we were making. So, it's -- I realize it's going to pass. And I realize we let it get too far, without realizing its long-range implication, but I want to make that point, 'cause I think it is very important. And before we totally destroy this tax, we're going to have to stop and take a look at it. And for that reason, I will not be supporting your bill today.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion?

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR KARPIEL:

Senator, in my analysis there are four municipalities in DuPage County that are listed as opponents to the bill. Has their

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problems been taken care of with the amendment - do you know?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

The -- the number -- the members that you mentioned were at the committee meeting. I told them if they had any problems, or any further discussion to get a hold of me. To this date, I have not received any -- any further communication from them. So, whether they are still opposed or not -- what their concern was - I can tell you what their concern was. Their concern was that -- that it could, in fact, decrease the amount of -- of sales tax they may receive. However, in most cases, that's not going to be the case. But, you know, it's a fear that most municipalities would have at the upstart. But I have heard no -- no question since that time.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Would that affect home rule communities more than any others?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Not to my knowledge. It shouldn't make any difference one way or another. What this really amounts to -- excuse me. Go ahead, Senator.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

...they reconciled that the -- in November or the following year or something, they get --

SENATOR JACOBS:

It's - it's not my...

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SENATOR KARPIEL:

There was a lag. For home rule communities there was a lag, I understand. But you've taken care of that now, haven't you?

SENATOR JACOBS:

That is being taken care of, yes. The lag is being taken care of by -- by Senator Dunn's amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. I rise in strong support of this bill, as amended. In response to Senator Karpriel, for home rule communities I do know, at least being advised by mayor -- my mayor, Decatur Mayor Gary Anderson, that the speed up collection will mean that home rule communities at least receive those payments probably as much as four months earlier than what they receive them now. For that reason alone, I plan to support this bill, and hope that everybody casts a green light. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rigney.

SENATOR RIGNEY:

Well, Madam President, I think what's at stake here - if we try to boil it down so everyone can understand what we are talking about - it just depends on whether you want to tax this at the purchase price of the item as it comes from the manufacturer, or it you want to -- Illinois wants to collect its tax on the retail part. Now, you know, let's be honest about it. What we're talking about here is giving some tax relief, again, through kind of a backdoor method, where we'd no longer be concerned about taxing on the retail price on these maintenance agreements. So that's kind of what's at stake here. And in this type of a year, do we want to give away any of our taxing power -- any of our

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money to this type of an arrangement?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Netsch, for the second time.

SENATOR NETSCH:

Yes. Thank you. I -- I just wanted clarify one thing. Remember, there are two parts to this bill now. The first part, which was the original proposal as it went through committee, Senator Jacobs' bill. And, Senator Karpel, at that time the Municipal League opposed the bill, and a -- some individual municipalities, I believe, also signed in against it for the very reason that Senator Rigney has pointed out. It is going to cost them something. The amount is totally undetermined. We have no way of measuring that. But it does change the structure of taxing certain types of service transactions, and it will have a revenue impact. That is why they opposed it. The second part of the bill, which is the part that Senator Severns just referred to, was added by amendment on the Floor. And I think there the home rule communities would be very supportive, because it takes care of a problem that they would otherwise have as we go through the transition on the collection by the State of their home rule sales tax money. So, you know, you have two different components to this. One, the municipalities would - many of them - oppose. The second, the home rule municipalities would presumably support.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I may have a conflict of interest on this bill, and others until the end of this Session. And I just want to declare it now. And I plan to vote my conscience.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs, to close.

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SENATOR JACOBS:

Thank you, Madam President. You know, there's two questions that really have to be answered in this bill, and that's all. And one is, in this particular case, who is the end user. And it's my -- my opinion whenever you buy the product, you become the end user. And secondly, and perhaps more -- more importantly, it's a matter of Fairness Doctrine. Why should you have to pay fifty percent of a service agreement whenever maybe your -- your parts only amount to ten percent of what you are using in that service agreement. I know, and one of the problems that exist, is I had a problem in my area of a hospital supply company that got hit with this same type of ruling from the Department of Revenue, and they now are out of business. And I think that's something that we cannot allow our Deeres, and our Caterpillars, and our Case, tentacles to do. And I ask for your support.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 3153 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, 3 Nays, 1 voting Present. Having received the constitutional majority, House Bill 3153 is declared passed. House Bill 3161 will be on the next Recall List. House Bill 3167, the same Recall List. House Bill 3171. Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3171.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

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

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- Senator Netsch, in particular - this is the ordinary and contingent expenses of the Office of the Comptroller. It -- in working with that office, we have reduced the budget some ten million dollars, or eighteen percent under the budget book level as introduced, applying the bipartisan Senate guidelines. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 3171 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 51 Ayes, 3 Nays, none voting Present. Having received a constitutional majority, House Bill 3171 is declared passed. House Bill 3183. Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3183.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. -- Madam President. What this bill before us - 3183 - will do is require that newspapers start doing something to help the environment, instead of just writing editorials about how -- how all the rest of us should do something about it. What the bill requires is that newsprint used by newspapers published in the State of Illinois contain an average recycle fiber content of twenty-two percent by January 1st of 1991, twenty-five percent by January 1st of 1992, and twenty-eight percent by January 1st of 1993. The newspaper must certify, annually, to the Department of Energy and Environment, by March 1st of each year, the amount of

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newsprint used, and the amount of recycled fiber content used. They shall calculate that percentage of recycled content and submit it to the General Assembly, annually, by May 1st, so that we can see if the newspapers are complying with this Statute. The Department of Energy and Natural Resources can audit the newspapers to determine if they are complying, and if they are being truthful, as to how much recycled newsprint they are actual using. A list of all the suppliers of newsprint must be compiled and all newspapers that are going to be regulated under the Act. Quality standards for all grades of newsprint is going to be set by ENR. And the comparable quality of recycled newsprint to virgin newsprint is also going to be studied by that Department. The standards that we set will to be reviewed every two years, and updated as we need to update them. After --

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion?

SENATOR WELCH:

After January 1st of 1992, the Department of Energy and Natural Resources shall conduct a survey of the paper industry to assess the availability or quality and market for all recycled paper. Anyone who is a supplier who provides a false certificate as to the recycled content of paper is subject to prosecution for fraud. An amendment that we added to this bill provides that a study be done by the same Department of Energy and Natural Resources, concerning the feasibility of waste oil collection and disposal within the State of Illinois and define problems. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka.

SENATOR TOPINKA:

Yes. Madam President, I have a question of the sponsor, if I may.

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PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR TOPINKA:

There was some concern brought forward by the Illinois Press Association, when this first came up, that there might not be an adequate supply and flow of recycled newsprint, so that a daily paper, or a three-time-a-week, or whatever you have, that needs to have some continuum in the flow of the production of this newspaper, that they might be able to function. Have you solved that problem with the IPA? I mean, can you guarantee that a newspaper in general circulation is going to have the availability of paper to be able to conduct its business and just get out, you know, the daily rag?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

The original bill would have set standards all the way up to 1995. That was a major objection of the Illinois Press Association, because the standards kept getting tougher as we went to later years, such as 1995. What we did was we reduced the impact of the bill to 1992. The Illinois Press Association has withdrawn their opposition. They are now neutral on the bill. And what we have also included in the bill, to take care of the situation as to whether there is adequate supply of recycled newsprint - a clause in the bill says the department shall review its standards at least once every two years, and determine whether they should be adjusted to reflect changes in industry standards and practices, and if so, the Department shall set new standards. The thought being that the Department will advise us as to whether there is sufficient paper available.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka.

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SENATOR TOPINKA:

Just one other question, though. I mean, if this problem becomes imminent, and cannot wait for the two-year study for review, and, you know, to see if this is doable, does this leave the newspapers in a catch-22 situation, where, literally, they might not be able to get production out? I mean, that is, I think, of concern, and should be of concern to all of us here.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

The newspaper industry, right now, is pretty close to meeting the standards. So this really isn't a new burden imposed upon them. They are -- they agree that they can meet these standards.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Welch, to close.

SENATOR WELCH:

Madam President, I'd like to say that this bill is a -- one of the few environmental bills we've been able to get out for a vote this year. Many of the others ones have been stuck in committee, or are still being negotiated. This is a good opportunity for all of us to cast a vote for recycling, for keeping newsprint out of landfills - at least for a while - and try to do something about the crisis we have in the environmental community at this time. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 3183 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Having received a constitutional majority, House Bill 3183 is declared passed. House Bill 3196. Senator Vadalabene. Read the bill, Mr.

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Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3196.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. Thank you, Mr. -- Madam President and Members of the Senate. House Bill 3196 - this legislation would direct the Director of Department of Mental Health to convey, by quitclaim deed, to the Bethalto Community School District 8, all of the State's rights, title and interest in a seventy-two acre parcel upon payment, including a release from the requirement that the land be used for a public purpose of school purposes. Bethalto has now determined that the seventy-two acres are no longer needed for school purposes. Moreover, as one of the districts on the State Board of Education's financial watch list, the district would like to be able to sell this unneeded property. And I would appreciate a favorable vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3196 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 5 Nays, none voting Present. House Bill 3196, having received the required constitutional majority, is declared passed. 3197. Senator Savickas. 3202. Senator Dunn. I'm sorry, Senator Dunn, it was on the Recall List, I've just been informed. 3228. Senator Jones. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

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House Bill 3228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. House Bill 3228 is a pension vehicle bill. It doesn't do anything at this particular time, but we will be negotiating in conference on what will go into the bill. And that's all it does, just a pension vehicle -- vehicle bill. Ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 3228 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 3 Nays, 8 voting Present. House Bill 3228, having received the required constitutional majority, is declared passed. 3231. Senator Demuzio. Read the bill, please. 3-2-3-1.

ACTING SECRETARY: (MR. HARRY)

House Bill 3231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Bill 3231 was on the Recall List this morning, but there was an amendment to be offered, and I withdrew that amendment. This is the appropriation for the Auditor General. It's within the Senate guidelines. And I would ask for your support.

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PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3231 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. House Bill 3231, having received the required constitutional majority, is declared passed. 3264. Senator Carroll. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3264.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the Office of the State Treasurer, which, as with the other constitutional officers, is in line with the bipartisan guideline. And I would ask for a favorable roll call - appropriating twelve million one hundred fifty-four thousand.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3264 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3264, having received the required constitutional majority, is declared passed. Top of Page 11. 3271. Senator Hall. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

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House Bill 3271.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is merely a -- a one-dollar bill, and it's a vehicle bill. So, therefore, I move for -- ask for favorable support of this. 3271.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall House Bill 3271 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On the question, the Ayes are 58, the Nays are none, none voting Present. And House Bill 3271, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 3272. Senator Hall. Read the bill, please, Madam Secretary. I'm sorry. Out of the record. House Bill 3273 was on the Order -- it's on the next Recall List. We'll move to House Bill 3288. Senator Kelly. Out of the record. House Bill 3310. Senator Fawell. Senator Fawell. 3310. 3318. Senator Smith. 3310. Senator Fawell. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3310.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

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Thank you very much. This has become a little bit of a Christmas tree. The original bill was the tax levy for the forest preserve of DuPage and for Cook. It -- there's a couple of amendments added to it. One was the -- that the peace officers, which are the forest rangers, will be able to control the territory that is owned, leased, or licensed by the district, and the property over which the district has easement rights. Once they get out of the forest preserve, however, they must adhere to the wishes of the police, or of the municipality, or the sheriff. And, then there were -- there was an amendment added by Representative Steczo, and this one was the amendment that was a technical cleanup for the fire district -- for their levy. If there's any questions, I'll be happy to answer --

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Keats.

SENATOR KEATS:

Okay. I'm trying to follow all this in looking at the amendments. And I -- I got two or three questions. The first one, it does appear that this does allow for a increase in levying powers - that's what one of our explanations says, is that correct?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

No. I -- I took that out.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

That -- that isn't what ours says. If you look at Amendment No. 1, that corrects what would have been in the original bill, it still says this is an additional power. That's what our Amendment 1 says. Could you look at the same thing I'm looking at. ...if

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you would differ with that answer.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

If you look at Amendment 1, the last -- the last sentence says "this amendment removes any possibility that the bill could allow for a tax increase." I removed that.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion?

SENATOR FAWELL:

That language.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

The next one has to do with the forest preserve police. Does it -- does this apply to Cook County.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

The -- the problem that we've had in -- and, no, it's a DuPage amendment - the problem that we've had in -- in DuPage is that part of our forest preserve are in the municipalities. And, under the present law, the forest preserve rangers only had authority in the county. The kids, particularly in Downers Grove, found out where the -- the line was in Downers Grove. And they were sitting on the Downers Grove portion of the forest preserve and being obnoxious. And the forest preserve rangers couldn't do anything, because they -- they didn't have the authority. Now they have the authority for the entire forest preserve land.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

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Okay. Back to the first line. The part your saying, I understand. The first line of that same amendment - Amendment No. 2 - and at the bottom, it says -- Amendment No. 2 provides that -- that forest districts shall appoint peace officers, et cetera. Now that sets up a separate police force. Again, now I'm stressing - is this DuPage only? Because what you -- that was your answer, but I find nothing that tells me that it's a DuPage only. And I -- if this applies to Cook, to me that's a very major provision.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

What I have been told is that your forest preserve is under another section in the Statutes.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

But our forest preserve police aren't.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Keats, is that a question?

SENATOR KEATS:

Yeah. I -- I hate to do this to a fellow Senator. But could we pull this out of the record long enough to get the staff to clarify, 'cause this is a big issue.

PRESIDING OFFICER: (SENATOR LUFT)

Take the bill out of the record. On the middle of Page 11, on the Order of 3rd Reading is House Bill 3318. Senator Smith. Out of the record. Senate -- House Bill 3325. Senator Maitland. Senator Maitland. House Bill 3326. Senator Keats. Out of the record. House Bill 3330 and House Bill 3337 were on the Recall List. At the bottom of Page 11, on House Bills 3rd Reading is House Bill 3338. Senator Maitland. Read the bill, please, Madam

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Secretary.

SECRETARY HAWKER:

House Bill 3338.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. House Bill 3338 does contain the OCE of the Department of Public Health and the Governor's Council on Health and Physical Fitness. Department of Public Health is -- stands at three hundred and two million dollars eight hundred and fifty-nine thousand. And the Governor's Council on Health and Physical Fitness stands at eight hundred and fifteen thousand six hundred dollars.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall House Bill 3338 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 59, the Nays are none, none voting Present. And House bill 3338, having received the required constitutional majority, is declared passed. Page 12. Top of Page 12. On the Order of House Bills 3rd Reading is House Bill 3-3-3-9. Senator Etheredge. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3339.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Etheredge.

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SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the appropriations bill for the Comprehensive Health Insurance Plan. It is in the amount of eighteen million seven hundred and ninety-nine thousand two hundred dollars. I move for its adoption.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall House Bill 3339 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wished? Take the record, please, Madam Secretary. On that question, the Ayes are 58, the Nays are none, none voting Present. And House Bill 3339, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 3340. Senator Hawkinson. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3340.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill contains the annual appropriation for the Health Care Cost Containment Council. It's within the Senate guidelines. And I would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall House Bill 3340 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, please,

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Madam Secretary. On the question, the Ayes are 56, the Nays are 1, none voting Present. And House Bill 3340, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 3341. Senator Maitland. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3341.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. House Bill 3341 does contain the OCE for the Department of Public Aid for FY'91. It now stands at four billion two hundred and twenty-one million one hundred and eighteen thousand.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? If not, the question is, shall House Bill 3341 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? All voted who wished? Take the record, please, Madam Secretary. On the question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3341, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading is House Bill 3342. Senator Schaffer. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer.

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SENATOR SCHAFFER:

Mr. President and Members of the Senate, the Department of Mental Health's budget at nine hundred and fifteen million four hundred thousand eight hundred - down some seventeen million from the level it arrived from the House, but in compliance with our program. And I might add, no longer funded through the Amnesty Program, but funded through normal GRF sources.

PRESIDING OFFICER: (SENATOR LUFT)

'Discussion? If not, the question is, shall House Bill 3342 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, please, Madam Secretary. On that question, the Ayes are 59, the Nays are none, none voting Present. And House Bill 3342, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 3343. Senator Raica. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3343.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Raica.

SENATOR RAICA:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 3343 appropriates the OCE for the Medical Center Commission for Fiscal Year 1991. Senate Amendment No. 1 reduced GRF by some twenty-four hundred dollars - current level's at nine hundred sixty-nine thousand one hundred dollars. And I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? If not, the question is, shall House Bill 3344

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<sic> pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, please, Madam Secretary. On the question, the Ayes are 59, the Nays are none, none voting Present. House Bill 3344 <sic>, having received the required the constitutional majority, is declared passed. ... (machine cutoff) ... Okay. On the Order of House Bills 3rd Reading is House Bill 3344. Senator Maitland. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3344.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. House Bill 3344 does contain the FY'91 appropriation for the Department on Aging. It stands at one hundred fifty one million four hundred and ninety-four thousand - down some thirteen million from the House.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? If not, the question is, shall House Bill 3344 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, please, Madam Secretary. On the question, the Ayes are 59, the Nays are none, none voting Present. House Bill 3344, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading, House Bill 3386. Senator Savickas. Out of the record. House Bill 3390. Senator Karpel. Read the bill, please, Madam Secretary.

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SECRETARY HAWKER:

House Bill 3390.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3390 amends the Corridors of Opportunity and Development Act to allow DCCA to use up to eight percent, rather than the present five percent, of appropriations for administrative expenses. When the Corridor -- when this program was introduced, eight corridors were established. Since that time the number of corridors has increased to twenty-two. Thus, the Department feels they need more administrative expenses to allow for the increase in training activities, attract staff, coordinate joint industrial activities, etc. There is also an amendment -- committee amendment, which adds that -- that's not it. I'm sorry. It also added -- Senate Amendment No. 1 added an additional wild card enterprise zone. And it also extended -- it also -- Senate Amendment 2 extended the sunset for the Inter-Agency Services Fund for two years.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall House Bill 3390 pass. Sorry. I'm sorry. Senator Demuzio.

SENATOR DEMUZIO:

I - first of all, I'd like to know, Senator, I enjoyed the explanation of this bill. I'd -- I'd like to know why we are increasing the administrative cost, although I think you covered part of that. Can you tell us, in terms of revenue, how much that amounts to - increased administrative costs?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpziel.

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SENATOR DEMUZIO:

And also -- could you also tell us - why we're extending the sunset?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpel.

SENATOR KARPIEL:

Well, I don't have a figure on how much the difference between the five percent and the eight percent would be. I don't believe we're increasing the cost. I think they're just going to be using more for administrative costs.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

How many new positions does it fund?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpel.

SENATOR KARPIEL:

I don't know that it funds any more positions at all. It's just -- since the corridors have increased from eight to twenty-two over the last four years, they need more money to administer the programs.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Tell me about the sunset. Why are we extending the sunset by two years?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpel.

SENATOR KARPIEL:

Because we always do that. If I could find the proper amendment, I would help you out here. It's been -- it's been extended every -- every two years for the last ten years. They

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have to have -- the federal monies have to be put in this particular fund. And for some reason, instead of just making it a permanent fund, it's -- it's always sunsetted in two years, and then we extend the sunset every two years. And this is just doing that. And frankly, Senator, I don't know if there's a conspiracy here, but I was off the Floor in a meeting, and I come back on the Floor and I have more distractions over here to try to -- and trying to answer your questions. I'm sorry I can't be more definite.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

Probably because it's such a bad bill, they don't want you to get too confused when you present this bill. It's probably the rationale. I --

PRESIDING OFFICER: (SENATOR LUFT)

Further --

SENATOR DEMUZIO:

I finally found the explanation now for the -- for the -- for the sunset provision. Since we always do it - I know it just extends it - so since we always do it, I don't know why we -- why we have sunset in the first place.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Because -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I would think, also, we would not want to extend it this long, at this time. You've got the ability to play with these funds without bringing them back to the General Assembly. I don't think that would be what a General Assembly would want, no matter who wins the Governor's Office. It will be a new occupant in that office. And I think the - no matter - you like that

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better, huh? No matter who wins the Office of the Governor, I think the General Assembly would want to know where the priorities of spending are. And to allow a unforeseen or unknown to the General Assembly transfer of funds, I don't happen to think it's a good idea. I believe we should keep it on a very short leash, so that priorities can be as set by joint action of a Chief Executive and the requisite votes of the General Assembly. I do not think we should be passing this legislation to -- to allow this to continue that long when we have a new Chief Executive coming in. And I would urge opposition to the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Further discussion? Senator Karpiel, to close.

SENATOR KARPIEL:

All right. Thank you, Mr. President. I always hesitate to bore the -- the Body with long explanations of things that are really not all that technical. But, I will read the explanation of this amendment. "General statutory authorities having requirements applicable to all agencies, offices and boards that administer federal funds relating to collecting and depositing indirect cost recoveries from such federal funds" -- are spelled out in Chapter 127, Paragraph 122. That's - C - that Section requires the attempt to collect all such applicable recoveries from the State from federal funds, and requires deposits of recoveries into the fund that originally financed the cost. In the case of DCCA, the Statutes authorizes such costs to be financed from the Inter-Agency Services Fund, and also directs the deposit of recoveries of such costs from federal dollars back into this Fund. Such authority has always been created in laws, subject to a date certain expiration. The authority has been renewed and date extended three times since 1983. The current end date for the authority is September 1990. The amended --

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amendment extends the authority for another two fiscal years. If we do not pass this bill with this amendment on it, they do not have this Fund in which to put the cost recoveries - the federal monies. This is not taking anymore money; asking for anymore money; costing anymore money. This bill was passed unanimously in the House. It was passed out of committee unanimously, I believe. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LUFT)

The question is, shall House Bill 3390 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Last time. Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 30, the Nays are 27, none voting Present. House Bill 3390, having received the required constitutional majority, is declared passed. Senator Carroll, for what purpose do you seek recognition?

SENATOR CARROLL:

To request verification of the affirmative votes.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Carroll's requested a verification. All Senators please be in their seats. And will the Secretary please read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Barkhausen, Brookins, Collins, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpel, Keats, Kustra, MacDonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Schaffer, Schuneman, Watson, Weaver and Woodyard.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Carroll, do you have any questions of the Members?

SENATOR CARROLL:

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Yes. Senator Brookins.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Brookins. Senator Brookins. Senator Brookins.

SENATOR CARROLL:

He's here. Senator Collins.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Collins here? Senator Collins. Strike her name, please, Madam Secretary.

SENATOR CARROLL:

And Senator Jones.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones. Senator Jones. Strike his name, please, Madam Secretary.

SENATOR CARROLL:

That's sufficient.

PRESIDING OFFICER: (SENATOR LUFT)

Any further questions? All right. On a verified vote, there are 29 Ayes, 27 Nays, none voting Present. And House Bill 3390, having failed to receive a required constitutional majority, is declared failed. All right. On the Order of 3rd Reading is House Bill 3391. Senator Severns. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3391.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. This bill simply amends the Treasurer's FY'90 appropriation by reducing contractual services for the Home Ownership Made Easy Program by

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twenty-six thousand dollars, and appropriating this amount for permanent improvements in that program.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? If not, the question is, shall House Bill 3391 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 3391, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 3392. Senator Carroll. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3392 is the ordinary and contingent expenses of the Office of the Treasurer - I made an explanation earlier in error - of some twelve million. It is a reduction from the original request in line with the bipartisan Senate guidelines. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? If not, the question is, shall House Bill 3392 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, please, Madam Secretary. On the question, the Ayes are 58, the Nays are 1, none voting Present. House Bill 3392, having received the

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required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 3393. Senator Carroll. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3393.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the authorization bill for Build Illinois bonds. It is reduced so that it will go back to the House and end up in conference, so that we can adjust it to whatever the number is that is ultimately out there. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he'll yield.

SENATOR KEATS:

When you're going to conference committee with a bond bill, they have a tremendous tendency to come back as a Christmas tree. Would you like to give us a hint, in advance, what manure will be on this bill when it returns?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Carroll.

SENATOR CARROLL:

It would come back as a Hanukkah bush, not a Christmas tree, number one. Number two, this is merely the bond level of funding,

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not the pretty things that go on to those funny trees. That's in the actual capital bill. This just says how many dollars of bonds can be authorized. At this stage, I would guess that will be a very low number.

PRESIDENT ROCK:

Very low is the best you can do. Further discussion? If not, the question is, shall House Bill 3393 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 5 Nays, 1 voting Present. House Bill 3393, having received the required constitutional majority, is declared passed. 3394. Senator Carroll. Top of Page 13, Ladies and Gentlemen. 3412. Senator Berman. All right. 3426 was on the Recall. 3453. Senator Alexander. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3453.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. This is the standard OCE budget for the State Appellate Defender's Office. The budget, as it presently stand, has been reduced by 14.8 percent from its introduced amount - or one mill two. And I'm asking for your favorable vote in the passage of this budget.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3453 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 54 Ayes, 2 Nays, none voting Present. House Bill 3453, having received the required constitutional majority, is declared passed. Senator Etheredge. 3457. Read the bill, please.

SECRETARY HAWKER:

House Bill 3457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the appropriations bill for the Capital Development Board operations. It has been amended to conform with the bipartisan Senate guidelines. And I would move for its approval.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3457 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3457, having received the required constitutional majority, is declared passed. 3458. Senator Etheredge. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you very much, Mr. President, Ladies and Gentlemen of

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the Senate. This is the new projects bill for the CDB, and I would ask for its favorable consideration.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3458 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, and one voting Present. House Bill 3458, having received the required constitutional majority, is declared passed. 3459. Senator Etheredge. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3459.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the CDB reappropriations bill. I would move for its adoption.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3459 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's 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, 2 Nays, 1 voting Present. House Bill 3459, having received the required constitutional majority, is declared passed. 3460. Senator Luft. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3460.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This is a vehicle bill. It's my understanding it will come back, somewhere along the line, with the capital projects for the colleges.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3460 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 2 voting Present. House Bill 3460, having received the required constitutional majority, is declared passed. 3461. Senator Watson. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3461.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the reappropriation bill for the Department of Transportation. Current level is two billion two hundred and eighty-five thousand -- two hundred and eighty-five million nine hundred and sixty-five thousand two hundred and ninety-eight. Ask for your support.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3461 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. House Bill 3461, having received the required constitutional majority, is declared passed. 3462. Senator Watson. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3462.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the appropriation bill for the Department of Transportation - current level of two billion seven hundred and forty million four hundred and thirty-eight thousand eight hundred dollars. Negotiations continue to go on with the Department in hopes to trim the budget even further, if at all possible. But, well, that will have to be a later date. Thank you.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3462 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3462, having received the required constitutional majority, is declared passed. 3463. Senator Davidson. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3463.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is the annual appropriation to the Historical Preservation Agency. It's been amended in the bipartisan guidelines. Appreciate a favorable vote.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3463 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3463, having received the required constitutional majority, is declared passed. 3464. Senator Donahue. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3464.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Mines and Minerals. All it does is -- it's at a reduced level at seventy-six thousand seven hundred dollars. And I would move for its passage. ...(machine cutoff)...

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3464 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3464, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, there's been a request to shoot some additional film by Mr. Howard. He would also ask that the lights be turned up for that purpose. With leave of the Body, leave is granted. Top of Page 14 is House Bill 3465. Senator Etheredge. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3465.

Secretary reads title of bill.

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Racing Board. It has been amended to conform with the bipartisan Senate guidelines, and I would ask for its approval.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill -- I'm sorry. Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDENT ROCK:

Indicates he will yield, Senator Keats.

SENATOR KEATS:

I apologize, Senator Etheredge, but I'm making the mistake of occasionally reading these analyses. Why are we shifting six people from the regulation - in other words the guys from the field - and putting them in the bureaucracy in the main office? It sounds to me like we could use an explanation.

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PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. The purpose of that move is to put all the people who are responsible for regulation in the same spot, so that they can interact with one another, and do a better job of regulating.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

No function change, just a line item change?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

That is correct, Senator.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall House Bill 3465 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 2 Nays, none voting Present. House Bill 3465, having received the required constitutional majority, is declared passed. 3466. Senator Etheredge. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3466.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

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

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This is the OCE for the Department of Insurance. It, too, has been amended to -- in conformity with the bipartisan Senate guidelines. And I would ask for its approval.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3466 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3466, having received the required constitutional majority, is declared passed. 3467. Senator Philip. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

-> House Bill 3467.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3467 is the ordinary and contingent expenses of the Lieutenant Governor. It's nine million 2-0-2. It's a reduction over last year of two hundred and six thousand dollars. Be happy to answer any questions, and I ask for your favorable consideration.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3467 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. House Bill 3467, having received the required constitutional majority,

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is declared passed. 3472. Senator Etheredge. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3472.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Financial Institutions. It also has been amended to conform with the bipartisan Senate guidelines. And I would ask for its approval.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3472 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3472, having received the required constitutional majority, is declared passed. 3473. Senator Donahue. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3473.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Agriculture. And -- gosh, I don't know if there's an easy way to explain this. It is -- the

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change from the introduced level is down twelve million, seven hundred and three thousand five hundred dollars. And I would move for its passage.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3473 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3473, having received the required constitutional majority, is declared passed. Senator Raica. 3474. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3474.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Illinois Criminal Justice Information. Its current level is twenty-three million six hundred forty-nine thousand two hundred dollars. It reduces the House add-ons by some 2.6 million dollars, and I just ask for an Aye vote.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3474 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3474, having received the required constitutional majority, declared passed. 3534. Senator Weaver. Read the bill, Madam Secretary,

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please.

SECRETARY HAWKER:

House Bill 3534.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the OCE for the Department of Energy and Natural Resources. It's been amended to conform to the Senate guidelines, and I move its approval.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3534 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3534, having received the required constitutional majority, is declared passed. The Chair inadvertently skipped 3492. 3528 is on the Recall List, I'm told. 3492. Read the bill Madam Secretary.

SECRETARY HAWKER:

House Bill 3492.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. House Bill 3492, as amended, provides the public -- amends the Public Utilities Act, and requires each telecommunications carrier to provide telecommunications devices capable of servicing the voice impaired person, as well as the hearing impaired person.

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And I know of no opposition. Ask for a favorable vote.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3492 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3492, having received the required constitutional majority, is declared passed. Senator Raica. 3535: Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3535.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3535 is the OCE for the Illinois Emergency Services and Disaster Agency. Current level is forty-one million nine hundred ninety-two thousand eight hundred. It increases it by a hundred and eighteen thousand six hundred dollars. And I just ask for an Aye vote.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3535 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3535, having received the required constitutional majority, is declared passed. 3536, Senator Philip, they tell me needs an amendment. 3537. Senator Madigan. Read the bill, Madam Secretary, please.

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SECRETARY HAWKER:

House Bill 3537.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 3537 makes the annual appropriations for the ordinary and contingent expenses of the Property Tax Appeal Board. As amended, it reflects the Senate bipartisan agreement. And I would ask for its adoption.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3537 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3537, having received the required constitutional majority, is declared passed. 3538. Top of Page 15. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3538.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Pollution Control Board. It has been amended to -- in conformity with the bipartisan guidelines. And I would move for its adoption.

PRESIDENT ROCK:

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Discussion? If not, the question is, shall House Bill 3538 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3538, having received the required constitutional majority, is declared passed. 3539. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3539.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Sports Facility Authority, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3539 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 15, 2 voting Present. House Bill 3539, having received the required constitutional majority, is declared passed. House Bill 3540. Senator Karpziel. On the Order of House Bills 3rd Reading is House Bill 3540, Madam Secretary.

SECRETARY HAWKER:

House Bill 3540.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3540 is the OCE for the Department of Professional Regulation. The total budget has been approved at twenty million nine hundred and ninety-seven thousand three hundred dollars. That's a decrease from as originally introduced - a reduction of two hundred and fifty-two thousand three hundred dollars. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3540 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 3540, having received the required constitutional majority, is declared passed. House Bill 3541. Senator Maitland. Madam Secretary, House Bill 3-5-4-1.

SECRETARY HAWKER:

House Bill 3541.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 3541 does contain the OCE for the Department of Corrections for FY'91. It does contain the Senate guidelines. It now stands at five hundred and ninety-four million two hundred forty-three thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any other -- any discussion? If not, the question

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is, shall House Bill 3541 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are -- the Ayes are 58, the Nays are 1, none voting Present. House Bill 3541, having received the required constitutional majority, is declared passed. House Bill 3543, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3543.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Mr. President, the Local -- House Bill 3543 is the OCE for the Local Governmental Law Enforcement Officers Training Board. Current level is at ten million fifty-six thousand seven hundred. Reduces it by thirty-seven thousand seven hundred. I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3543 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3543, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3544, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3544.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Department of Revenue. It, too, has been amended in conformity with the bipartisan guidelines. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3544 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes 57, the Nays are none, none voting Present. House Bill 3544, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3545, Madam Secretary.

SECRETARY HAWKER:

House Bill 3545.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Arts Council. It, too, has been amended to conform with bipartisan guidelines. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3545 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

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that question, the Ayes are 51, the Nays are 4, none voting Present. House Bill 3545, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3546, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3546.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the Educational Labor Relations Board - down some twenty-eight thousand dollars from introduced levels, in compliance with the plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That's the largest break we've had so far. Is there discussion? If not, the question is, shall House Bill 3546 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3546, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3547, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3547.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

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

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House Bill 3547 is the ordinary and contingent expenses of the Judicial Inquiry Board. It's some three hundred and sixty thousand eight hundred. It's up fifty-one thousand dollars. It's in accord with the bipartisan guidelines. Ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Keats. Question is, shall House Bill 3547 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 3547, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3548, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the OCE for the Liquor Control Commission. It, too, has been amended in conformity with our guidelines, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3548 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 3548, having received the required constitutional majority, is declared passed. House Bills 3rd

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Reading is House Bill 3549, Madam Secretary.

SECRETARY HAWKER:

House Bill 3549.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE for the Commerce Commission. It has been amended in conformity with our guidelines. And I would ask for its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR COLLINS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, ma'am.

SENATOR COLLINS:

I -- I suggest we move on with the bill, and then put me on for a point of personal privilege, if you would like.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3549 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3549, having received the required constitutional majority, is declared passed. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes. We have in the right gallery a group of citizens from

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the west side of Chicago down here today, of course, in the interest of the Energy Assistance Program. It is a group of organizations including Midwest Community Council. And we'd just like to have them -- to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests will all rise and be recognized by the Senate. Welcome to Springfield. All right. Top of Page 16. House Bill 3562. On the Order of House Bills 3rd Reading is House Bill 3-5-6-2, Madam Secretary.

SECRETARY HAWKER:

House Bill 3562.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. House Bill 3562, as amended, permits hospitals to provide sick day care program for employees, and set minimum standards for such. Many hospitals throughout the state currently have this program, but this gives them the authority to do such. Also, it includes in there the language as relate to bypass, and that is for the Department of Public Health shall set minimum standards and adopt written hospital rules and protocol for the transport of patients by ambulance to hospitals other than the nearest hospital. And there's some concern as it relate to one part of the amendment - as it relate to a clinical psychologist being on the board, but I will be discussing this with the Hospital Association and the Medical Society. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill -- all right. Ladies and Gentlemen, let me just caution you,

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while the bright lights are on, it's difficult for me to determine when our lights are on down here. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Ask the sponsor a question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Does the sponsor yield? Sponsor indicates he will yield. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Jones, do you have the language regarding that bypass procedure, 'cause I -- I don't have it here? Was it an amendment that was adopted, or what? Or was that the original language to this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes. It's the original language that came over from the House - that was in House Bill 3317. No changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Senator Jones, I guess there was a -- I don't have a copy of it here, but in the original language there was a provision saying that the Department of Public Health can -- has new language added on regarding providers and participants. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The Department supports this bill. There has been no new language. As I'm informed that the bill you have in the House, the same language has been amended onto that bill that's in this bill - identical language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Further discussion? The question is, shall House Bill 3562 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3562, having received the required constitutional majority, is declared passed. 3565 was on the Recall List this morning. 3580. Senator Smith. House Bills 3rd Reading is House Bill 3-5-8-0, Madam Secretary.

SECRETARY HAWKER:

House Bill 3580.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3580, with its amendment, deletes all and inserts House Bill 3584, which extends due process protection to private agents, foster parents, in administrative appeals. And I would like to say that I did serve on the summit of this bill. And I'd ask for your approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My circuit clerk did have an objection to this bill. Senator Smith has satisfied that objection, and I hope we'd all vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? If not, the question is, shall House Bill 3-5-8-0 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, and the Nays are none, none voting Present. House Bill 3580, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3585, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3585.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. This amends the Illinois Coal Technology Development Assistance Act. Increases the amount of revenue to be deposited in the Coal Technology Development Assistance Fund - something very badly needed in terms of the acid rain legislation that is occurring at the federal level, which puts a responsibility -- a heavier responsibility back on the State, with Illinois being the leader in coal reserves. And under this House Bill 3585, it also includes a tax credit allowed on expenditures for pollution control equipment, which would be increased from five percent to ten percent. And the measure would also include construction costs as well as equipment costs by establishing a five percent credit on expenditures for construction pollution control devices and an increase from twenty percent to thirty percent would also be allowed for the tax credit on donations to the Illinois Center for Research on Sulfur in Coal. I would ask for your approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not -- Senator Welch.

SENATOR WELCH:

I've got a question of the sponsor.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Rea, what will be the cost of this bill, including the tax break that's going to be given to utilities? ... (machine cutoff)...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Well, you will not have an exact figure until you know who takes the tax break, and that will be, of course, for the cleaning equipment or technology there that -- on the tax break, and so we wouldn't have an exact figure on that. But I can tell you this, that in terms of the jobs that it would save and the use of Illinois coal, the returns will far exceed whatever the expenditures will be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Well, I'm not sure why we're passing this at this time. Senator Davidson has a bill in the Energy and Environment Committee that was agreed to be held so that we could hold hearings on this very issue. The Clean Air Act has not passed. When I had a bill here dealing with the Clean Air Act, I was met with the opposition of several groups - including the groups who are now supporting this bill - because my bill was premature. The Clean Air Act had not passed. Well, lo and behold, now they like bill -- this bill because it gives them a tax break before the Clean Air Act is even passed. So I'm not sure why we're -- why we're bailing out utilities, when we don't know what the requirements are going to be. The argument against my bill a couple weeks ago was that well, there is a provision spreading out

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the cost throughout the country, that they're going to try to pass again. So if that provision does pass - the one that requires all states to bear a share of the burden of the acid rain provision - this -- this really wouldn't be necessary. This would be a -- a double break for the utilities. I've got no beef with helping coal miners, but I don't think that throwing money at the utilities is a way to help the coal miners. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Ralph Dunn.

SENATOR R. DUNN:

Thank -- thank you, Mr. President and Members of the Senate. I am co-sponsor with Senator Rea on the bill, and it certainly is an opportunity for us to make some potential use of Illinois coal, if, and when the acid rain legislation does come effective. We all know it's about to be here. This will be our last opportunity to help this, and I'd urge that we vote Yes - Aye vote, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator -- if not, Senator Rea may close.

SENATOR REA:

Thank you, Mr. President. You know, there's thousands of Illinois jobs that are at stake. And this will give us an opportunity to prepare when the President acts on the legislation, which is going to go forth. There's no question that he is going to have legislation there, and it is going to be signed off. We cannot take that wait-and-see attitude. We've got to move immediately on this and be prepared. And Illinois can be the leader, because we are the leader in coal reserves here in this State, and it plays a very important part in our economy. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3585 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take -- take the record. On that question, the Ayes are 49, the Nays are 9, none voting Present. House Bill 3585, having received the required constitutional majority, is declared passed. 3590 is on the next Recall List. 3598. Senator D'Arco. On the Order of House Bills 3rd Reading is House Bill 3-5-9-8, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3598.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. 3598 authorizes DOT to adopt policy concerning rules for the movement of special permit vehicles, including manufactured and modular home sections, upon highways within its jurisdiction. It's a very simple bill. It really doesn't do much. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3598 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3598, having received the required constitutional majority, is declared passed. House Bills -- House Bill 3-6-1-3. Senator Severns. House Bills -- 3614. Senator Topinka. 3645. Senator D'Arco. On the Order of House Bills 3rd Reading is House Bill 3-6-4-5, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3645.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The -- 3645 renames the Public Accounting Fund and -- and Registered Certified Public Accountants' Administration and Disciplinary Fund. Continuing education shall be given by sponsors registered by DPR, rather than simply approved. And it establishes registration criteria for such sponsors. In effect, that was the amendment to the bill on 2nd Reading. And I would ask for your approval.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3645 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, then the Nays are none, none are -- none voting -- Present. House Bill 3645, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3646, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3646.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is the annual appropriation for Secretary of State. It's been amended to the bipartisan guidelines. It's two hundred and forty-nine million plus. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3646 pass. Those in favor will vote Aye. Those opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3646, having received the required constitutional majority, is declared passed. House Bill 3649. Senator Jerome Joyce. J.J. Joyce. Page 17. Top of Page 17 is 3655. Senator Zito. Senator Zito on the Floor? 3658. Senator Joyce. 3658. Senator Jerome Joyce. 3675. Senator Rea. 3683. Senator Raica. On the Order of -- of House Bills 3rd Reading is House Bill 3-6-8-3, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3683.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3683 deals with the rights of all pharmacists to participate in HMO plans under the terms established by the HMOs. This is the same concept which left the Senate -- or left -- left the Senate to the Governor's Office with forty-four affirmative votes one year ago, which was House Bill 90. The

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Governor approved this legislation, but the problems have developed with implementation. House Bill 3683 has been introduced because it has been determined that House Bill 90 did not cover HMOs as intended. This makes clear that HMOs, like other health care plans, must allow pharmacists to participate in prescription plans. Last year we provided an exemption for HMOs operating under their pharmacies. I believe that our adoption of this amendment is a clear indication that we meant to cover all HMO situations. The same amendment has been placed on this bill again, to provide this limited exemption. This bill also includes a two-year sunset provision, so that we can carefully monitor affects of the concept of the cost and quality of -- of pharmacy services. And I just ask for an affirmative Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President and Members. I know that this legislation is similar to proposals that we've had before us on at least two occasions in the past. I would like just to take a brief moment to express some of the misgivings that I have, and I know some others have -- have voiced before. I think I understand what this legislation is attempting to do. But at the same time, I think we have to again be mindful that one of the great problems that plagues society, and -- and therefore requires our attention as -- as Legislators, is the continuing escalation of health care costs. The contracts that apparently exist today between HMOs and other large scale payers of health care and of pharmacies or chain pharmacies, of one kind or another, are an attempt to provide, on a high volume basis, a low cost service. If we are to legislate that anyone can step into one of these contracts and -- and provide the product on the same terms, including the same price as has been negotiated between the -- the HMO and -- and the large

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scale provider, there is, clearly, going to be less incentive for that provider to offer the same low price that they might otherwise if they can be assured of being able to provide this high volume of -- of service and of goods. Based on the experience in other states, which has been studied and documented by the Federal Trade Commission in reports that they have given to us and to legislators in other states of these laws, they, clearly, have both a -- a restraint of trade and -- and an inflationary impact. The fact that this bill apparently now has a two-year sunset is -- maybe makes it somewhat less bad. But I think, clearly, that the legislation flies against what should be our efforts to come up with ways to provide health care on a lower cost basis. And for that reason, I urge your opposition.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, with all due respect to the prior speaker, I disagree with him. This bill seeks to get the result originally intended by -- with House Bill 90. And that's to provide the smaller pharmacies the ability to participate in insurance and HMO contracts. I don't think it's fair to just restrict the HMO contracts to the big drug companies. I think it's fair to let the little pharmacies make a dollar too. They have to make a living. And by supporting this bill, we are supporting the small businessman, and I am all in favor of it.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any further -- Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Obviously I have a conflict of interest here, but I am going to vote my conscience, because my conscience is in the right place here. This is truly a small pharmacy piece of legislation. It is a little guy approach to a

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problem that could, and does, exist. And I'm -- just to tell you a little bit about this, and I did this last year so -- at least so you'll know what's happening out there in the drug stores of these small communities throughout Illinois. The individual brings in a prescription; they want to get it filled at your drug store; and you say, "Well I'm sorry, I don't -- I can't fill that prescription. We are not contracted with this particular HMO or provider, or whoever, and you have to go somewhere else." Well then -- then -- then they say, "Well that's over in Edwardsville, or that's over somewhere thirty - forty miles away." As a result, they don't want to drive over there; they say, "I'll just get it filled here." And they don't then get the benefit that they should rightly deserve. So now -- what happened last year, is that there was some concerns about how this affected and the impact it had on HMOs. Many HMOs are mail order - mail order. So what happens in this case is, somebody who's got an infection - somebody who needs immediate treatment - they'd come into your drug store, and they say, "I want this prescription filled," but no you got to mail this to wherever. And to get that prescription filled so they can mail it back to you, they say, "Well, I can't do that, I've got to have it today." So they get it filled, they pay the price, and they go on their way. And they don't get the benefit that they rightly deserve under their -- their contract with their employer. So what we're trying to do is just give the little guy an opportunity to participate in these contracts for thirty days. Open the window. Those that want to participate, fine. Those that don't, don't have to. But it just gives the little man an opportunity to play in the same ball game with the big guy. And I think it's a -- a good provision, and it's something -- should pass. Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

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SENATOR DeANGELIS:

Well, if I hear this referred to one more time as the little guy bill, we're going to call this the Harlan Rigney Bill. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield. He indicates he'll yield.

SENATOR DeANGELIS:

Well, thank you. In the event that the program is a capitation program, how do you handle that in the situation that Senator Watson was talking about?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Raica. Senator -- oh.

SENATOR RAICA:

Is -- Senator DeAngelis, is capitation part of the contract? Is it in the contract?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

A lot of your drug HMO contracts are capitation contracts. There are a flat amount of dollars for all pharmaceutical care for a subscriber in the program. How do you handle that? And that's where my fear all along has been - is this cherry-picking process that might occur -- might occur, because it is, in fact, a capitation program. I just want to know how it would be handled, that's all.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Raica.

SENATOR RAICA:

According to the bill, Senator DeAngelis, it states, "a statement that no pharmacy shall restrict in any manner the enrollees to be served or the pharmaceutical benefits to be provided under the contract...."

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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

We are clear on the legislative intent, that any person who, in fact, accepts a subscriber to an HMO under a capitation contract, is obliged to accept any other subscriber, else that person be thrown out of the program.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Raica.

SENATOR RAICA:

That is my intent, Senator.

SENATOR DeANGELIS:

Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I -- I stand in support of this legislation. If you remember last year, we had a lot of discussion on a similar type bill, and -- and in that -- at that time there was a lot of comments being made by the -- the large retail merchants and by the labor unions. To this point I haven't heard from either party, so I would assume that by your bill, and by your amendments, that you have taken care of those problems. So I stand in strong support of this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Raica, to close.

SENATOR RAICA:

Thank you, Mr. President. We've tried to get together with everybody and -- and put the provisions in that were in House Bill 90 to make this a fair bill. This bill allows consumers to utilize convenient pharmacy services of their choice, and will

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allow the local independent pharmacies to conserve -- continue serving their long-term patrons and patients. In my previous statements, I meant to say -- well it doesn't make a difference. I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall House Bill 3683 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, 2 Nays, none voting Present. And House Bill 3683, having received the required constitutional majority, is hereby declared passed. 3690. Oh, I'm sorry. Senator Fawell.

SENATOR FAWELL:

Thank you very much. I have an extreme honor today. It just so happens that in -- in Glen Ellyn we have an abundance of excellent teachers, but this year the teacher of the year was chosen from Glen Ellyn. She teaches at the Benjamin Franklin School. As -- as some of you may remember, we passed a resolution last year congratulating her when she was originally chosen. I had the privilege of attending a banquet where she was honored, and I would like to introduce teacher Joyce Carry from Glen Ellyn, and allow her to say a few comments to us. Thank you very much.

JOYCE CARRY:

(Remarks by Joyce Carry)

PRESIDING OFFICER: (SENATOR D'ARCO)

Thank you very much. House Bill 3695. Senator Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3695.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3695, as amended, basically does three things. It includes the inspection area - would include all of Cook, all of DuPage, all of Lake, all of Kane, and all of Will. It changes the amount of times, or frequency, on when you have to have your car tested. As you know, now we have to have it tested yearly. This goes from three years, five years, seven years, and after that, every year afterwards. So that would -- that would not affect your warranty. In other words, you'd have your car probably tested twice before it went out of warranty. If it -- you could take it back if it was not operating properly. Secondly -- thirdly, I should say, a fleet of more than fifteen cars - they can have on the spot inspection in their facility. This -- these amendments have been worked out with the Illinois EPA. I'd be happy to answer any questions. I would hope I would see some considerable Yes votes up there.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3695 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 46 Ayes, 10 Nays, none voting Present. And House Bill 3695, having received the required constitutional majority, is hereby declared passed. House Bill 3699. Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3699.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 35 -- 3699 is a bill that would set up a mechanism for county treasurers to establish a training program for -- for county treasurers. It would require the treasurers to apply for admission, and for a program that would take within -- they would have to apply within sixty days after assuming office. The Comptroller's Office would be the office that would be providing for the training, and it also increases a stipend, from the stipend that they already received, from thirty-five hundred to five thousand if they complete the course. I know of no opposition. Would ask for your support.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 3699 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 50 Ayes, 4 voting Nays, none voting Present. And House Bill 3699, having received the required constitutional majority, is hereby declared passed. House Bill 3720. Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you -- thank you, Mr. President. Senate Bill 1370 <sic> came out of the Audit Commission. It's a bill designed to limit the authorities of the Sports Facility Authority in the issuance

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of any further bonds, particularly if they are for the construction of another stadium. It was amended to allow some leeway to the Authority to, in fact, issue bonds in the event it had a disaster or in the -- for its own facility, or to, in fact, allow the completion of the Comiskey Park facility.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 3720 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 41 Ayes, 10 Nays, 1 voting Present. And House Bill 3720, having received the required constitutional majority, is hereby declared passed. 3722 is on the Recall List. 3727. Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3727.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate, Senator Keats in particular. This is a bond authorization bill. It is to keep it going. It has been reduced, so that if, in fact, there's any capital that ends up in the budget - that -- that bonds to pay for those that have been agreed to can be actually sold and utilized. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 3727 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question,

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there are 50 Ayes, 7 Nays, none voting Present. And House Bill 3727, having received the required constitutional majority, is hereby declared passed. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Mr. President, just so the record will show on 3699, I voted in error. I should have had a No vote on that vote, and I just want the record to show that I would have voted No.

PRESIDING OFFICER: (SENATOR D'ARCO)

I don't know. The record will so reflect. House Bill 3755. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3755.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3755 permits the Department of Public Aid to address the needs in skilled nursing facilities and intermediate care facilities, to accommodate those facilities that have kosher kitchens. The amendment that was adopted provides for the reimbursement of an additional amount of money, to the extent of fifty -- fifty cents per resident per day, in those facilities. I'll be glad to respond to any questions, and ask a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Netsch. Any discussion? Any discussion? If not, the question is, shall House Bill 3755 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished?

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Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 3755, having received the required constitutional majority, is hereby declared passed. Senator Netsch, for what purpose do you rise?

SENATOR NETSCH:

Thank -- thank you, Mr. President. I had tried to get your attention to make the same point, that I think Senator Davidson had made on another bill, with respect to 3727. It was my intention to vote No or Present, and I hit the wrong button.

PRESIDING OFFICER: (SENATOR D'ARCO)

The record will so reflect. 3771. Senator Holmberg. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well the point of personal privilege, I guess. If we had any more of that, maybe we ought to take another roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. 37 -- 3771. Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3771.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This is the bill that sets up the procedures by which on-site child care services for State employees are needed, when a State agency has constructed, acquired, or leased all of a substantial portion of a building in which more than fifty persons shall be employed, other than a renewal of an existing lease. The bill is consistent with recommendations of the Governor's 1987 Task Force on day care -

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that as a major employer in Illinois, the State should develop and implement a plan to expand child care opportunities for all State employees, and that it should assume a leadership role in providing child care support. The Governor has established a special advisory panel to assure implementation of that report. As it came out of committee, there were some suggestions for how we might be able to meet some of the questions that CMS had. And we've talked to all of the concerned parties, and we -- it now requires a demonstration of need for child care services, before the employer commits to on-site services. And it also specifies what compromises <sic> (comprises) that proof of need. And at this time, I know of no objections.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Keats.

SENATOR KEATS:

First, the administration is -- is opposed to the bill. Secondly, a question as I was reading the analysis. It says, "Unreimbursed expenses." We set these up. Does this set up any mechanism for the people who are using these facilities to pay - just like in the private sector, do they pay for it? Does it mandate it, or just make it possible?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Holmberg.

SENATOR HOLMBERG:

Yes. Once the site has been acquired, it is up to those participating to carry the full expense by the amount they pay per child.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Keats.

SENATOR KEATS:

So you are saying these are not subsidized facilities, but the State does pay for the facility and construction, et cetera, but

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the ongoing cost. So they're subsidized in terms of capital, but not subsidized in terms of ongoing operations. Okay. With that, I would still stress the administration is opposed to it, and the subsidy's limited, then, only to the capital costs, and not to the operation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Philip.

SENATOR PHILIP:

Well, you know, we're starting a new program now. You know -- tell me one State of Illinois building where we have enough space in. Has anybody looked at what we rent outside of our own facilities? Now what you are saying, that every facility has to contain space for a day-care center. And you know who's paying for that? The taxpayers of the State of Illinois. It's a bad idea. We shouldn't vote on it. There are a lot of independent people who have day-care facilities who are out there paying taxes, employing people, with a very good service. And what you intend to do to these poor people who are running these small businesses is put them out of business. We should not be in the business of day care in the State of Illinois. It should not be our policy. It's the wrong way to go. And the administration is once again right, and we ought to say No.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Holmberg. To -- you can close, Senator Holmberg.

SENATOR HOLMBERG:

Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

I'm sorry. Senator Keats.

SENATOR KEATS:

Excuse me. I apologize. Question of the sponsor. It has to do with liability, you know, if a private facility exists, and has day-care facilities, they have liability - they pay insurance. I

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mean they're business people, just like everyone else offering a service that's needed. I don't see anything in here that says the State has a liability. So in reality, we are - the State - competing against private people, and giving ourselves an advantage, by making sure that they have to pay the liability insurance, and we don't. That's what it appears to be.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Holmberg, to close.

SENATOR HOLMBERG:

If I may respond first of all to Senator Keats, and to Senator Philip. The State now has one day-care facility at the -- at the Willard Ice Building, Department of Revenue. That was bid on by private contractors. We are not putting the independents out of business, we're allowing them to bid for the contract, and to accept the liability, to be part of those facilities. I think the bill, as amended, is fair. And it is only based on when there is a need that comes from the employees in a request. It does not automatically trigger that CMS must put one in every single building. We worked very hard to take that language out of the bill. This legislation simply recognizes that the work force has changed. That office setups do not reflect the change in society. The family no longer consists of the father as the sole breadwinner, with the mother remaining at home to care for the family. Today, seventy-three percent of women of childbearing age are in the work force. The typical family is now headed by a single parent, and two working adults. Certainly the State should respond to the Governor's Task Force and begin to implement this kind of policy and provide space that private contractors can bid on to provide day care in our State agencies.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall House Bill 3771 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open.

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Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 39 Ayes, 15 Nays, none voting Present. And House Bill 3771, having received the required constitutional majority, is hereby declared passed.

PRESIDENT ROCK:

Top of Page 18. On the Order of House Bills 3rd Reading is House Bill 3793. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3793.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. House Bill 3793 would give the RTA a continuing appropriation which has parallel treatment with cities and counties. Currently the RTA's receiving annual appropriation. The bill also changes the Department of Revenue's payment of RTA sales tax. Instead of processing a once-a-month check, the Department would prepare a single advance payment from the RTA sales tax receipts each March. And subsequent years, the size of the annual payment would be -- would be reduced by previous year payments. I'd be happy to answer any questions.

PRESIDENT ROCK:

Any discussion? If not, the question is, shall House Bill 3793 pass. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3793, having received the required constitutional majority,

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is declared passed. 3815's on the Recall. 3816. Senator Berman.
Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3816.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Ladies and Gentlemen -- Mr. President, Ladies and Gentlemen of the Senate. House Bill 3816 provides that first-time offenders who commit residential burglary may be sentenced to a term of probation including home confinement and restitution. This bill is the product of a number of organizations and individuals who have tried to address the problems of overpopulation in our prisons, and, yet, to provide a method for rehabilitation, so that we don't just send somebody away; they serve some time; they come back out, and their back committing crimes on the street. I'd be glad to respond to any questions, and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I rise in opposition to this bill. Wasn't too long ago that we passed, with almost unanimous vote, the mandatory sentence on conviction of home burglary. Because at that time, established across the nation on a first-time conviction, they got probation. The average person had committed eighteen to thirty felonies of -- house burglary before they were convicted. Some were caught the first time, some are never caught. After we passed this, there was dramatic decrease - decrease - in the number of home burglaries. This is

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changing what you people, in your judgment, felt was a good bill not too many years ago - four or five, I forgot just which it is, maybe six. But this is not the right approach. If you've been subject to a home burglary, as I and many other Members sitting in this Chamber or in the gallery have, I think you understand. I recall very vividly, my neighbor whose home was broke into when she was -- went to the hospital to pick up her husband, who was being discharged from a heart attack. The place was totally, almost destroyed. And to the day the gentleman passed on, you could bang hard on his door and he would jump, just from the fear that still existed from a home burglary. I urge all of you to vote No.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. If I may, I'd like to ask -- ask the sponsor a question, and then have a comment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR RAICA:

Senator Berman, has there to this date that you know about, are there any statistics that show first-time burglary offenders? And how many of these people are repeat offenders? So if someone wants to come and burglarize my house, and we'd let him go on something like this, they'd be on probation, what are the chances of him coming back and doing it to someone else? Do we have any statistics that -- that we have currently to show us how many first-time offenders are incarcerated because of a second offense?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman. Senator Berman.

SENATOR BERMAN:

I'm -- Senator Raica, I'm -- I'm reading over a memorandum

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that I have here from the Justice Fellowship Advocates. The -- the numbers that I have on -- on this memorandum - let me give them to you, and I'm not sure that they directly respond. The Illinois Department of Corrections indicates in the period of July to March of Fiscal 1990 there were seven -- seven hundred and fifty-five residential burglars initially classified at their reception centers. Forty-eight percent of them were first-time prison commitments. Of that number, fifty percent were first-time adult felony convictions. It is that category - the fifty percent of the fifty percent, which would be one-fourth - who this bill is addressed at. The -- they have statistics that shows that intensive probation, which is this bill, versus incarceration is very effective. Over sixty percent of those offenders who -- who successfully complete intensive probation supervision do not return to a life of crime. Whereas, on the other hand, over sixty percent of those offenders released from prison - and I think this is the answer to your question - over sixty percent of those offenders released from prison commit new offenses within the first nine months after being released. That's the reason for this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I -- I really have a -- a concern, Senator Berman. In my area where I reside, in the southwest side of Chicago, burglaries have increased dramatically. And I feel for the police officers that are out there trying to do a good job, every day. And I don't want the police officers to think that something that I can do here, where they go out and they risk their lives every day, and they arrest an individual for burglary, and the potential of that individual being released once again to commit a new crime

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is, as far as I'm concerned, not a pat on the back to the police officers in the State of Illinois. Everyone wants to protect their home and -- and their family, and -- and I just want to keep the police officers back home doing a good job. And therefore, I'm going to have to ask that we defeat this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Thank you very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

There's nothing in this bill that prohibits a judge from sentencing anybody to jail, is there? I mean, for instance, I -- I -- if there was a case such as Senator Davidson was talking about, couldn't that person be sent to jail?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Recently, I had someone break into my house, and I happened to be home at the time - they didn't realize I was. It was three kids. I told the police to scare the living daylights out of them, but then drop it. Because I knew, under the present law, these kids probably would have been sent to jail, is -- is that correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman. Berman.

SENATOR BERMAN:

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Yes.

SENATOR FAWELL:

So, what you're saying is in some cases let the judges use their own judgment. If it's a sixteen-, seventeen-, eighteen-, nineteen-year-old kid, that's breaking in for whatever reason, and -- and chances are this is the first and only offense, particularly if the police do scare the living daylights out of them - which they did in my case - they'll probably not repeat their offense. If they go to prison, they're just going to learn how to do it better and not get caught.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR WATSON:

Senator, what -- a residential burglary -- would attached garage -- is that part of the residence?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Yes.

SENATOR WATSON:

What happens in a situation where you have a - and you're going to have to advise me on this - an age limit of a young kid comes in and takes a bicycle? Is he now subject to incarceration?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

If he's tried as an adult, he would have to receive, under our existing law, a four-year prison sentence.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

When would he be tried as an adult? Is there an age limit, or just exactly when does it get established?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

I believe it's between -- between the ages of fifteen or eighteen, there is some discretion as to whether he's tried as an adult -- or seventeen, I'm sorry. Fifteen to seventeen, there's some discretion. Over seventeen, he's an adult. Under fifteen, he's a minor. And from fifteen to seventeen, there's some discretion.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

So we're talking about putting a kid away - seventeen-year-old - who maybe comes in and takes a bicycle, lawn mower, whatever it is -- has no prior record. You know, I -- I'm usually a law and order guy, and -- and I'm usually somebody who will push the green button on -- on putting people away for a crime, but when we are talking about a -- a young man - young woman for that matter - seventeen years of age, no prior record. With the prison population problems that we have now, I mean they're continually escalating, maybe this isn't -- in normal times the legislation I would support, but certainly under current situations that we are finding the Department of Corrections under, I think maybe is something that ought to be looked at. So I would think a green light would be appropriate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let me just point out to the Membership that joining us this

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afternoon is Governor James Thompson. Governor, welcome to the Senate. The Gentleman from Cook, Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm not going to get into a long speech about this one, although I probably could for several hours. But I was a Chicago Police Burglary Detective for six years, and Senator Berman and Senator Watson, I understand what you're trying to do here. Boy, you're going about it the absolute wrong way, and I think that -- I think we should vote No on this one. This is a bad way to go. This is not a -- a good way of giving the message out there. We're talking about hypothetical situations where a seventeen-year-old kid may be sent away, but in the real world, in my experience, every break is given to every offender. And before someone is convicted of a residential burglary, my experience has shown that they were absolutely -- every benefit of the doubt was given to the arrestee, and I think this is absolutely the wrong way to go. And I think we should all defeat the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR COLLINS:

Senator Berman, in this Intensive Probation Program, will that person be required to participate in community services, or some kind of rehabilitation-type programs? Counseling?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Yes. And in addition, let me point out, in addition to those

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good progressive types of programs, there is a mandatory six-month incarceration, either in local jail, under the sheriff's jurisdiction, or in federal -- in the State prisons.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

Well, I rise in very strong support of this bill. It's similar to the Intensive Probation Program that we introduced here last year and year before last. We cannot continue on the course that we have in this State in relations to locking up, and constantly building more jails and more prisons. If we don't attempt to address this problem, and save some of these young people when they first -- on their first commission of a minor crime -- and I'm not underestimating -- estimating the importance of the invasion of someone's private property. I know that that is serious, and we all do care about it. But whether it is that or some other first time offense, if we have the opportunity to try and rehabilitate and turn that person around, so that that person does not proceed into a career of crime, which has been the case in most instances --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me. Let's give the Lady your attention, please. Please continue, Senator Collins.

SENATOR COLLINS:

-- because we don't have any other viable alternatives. Maybe this is not the best idea, but it is working in other states. And I think we, in the absence of having anything better, that we owe ourselves and the people out there - the citizens who pays the costs with their taxes, for incarcerating many of these people for the rest of their lives, because we didn't make an attempt in the beginning to give this program a chance. And so I would urge all of you to at least give these young people a chance, and vote Aye.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman, to close.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, when we passed Senator Davidson's bill, several years ago, that imposed a mandatory four-year minimum prison sentence for first-time offenders of residential burglary, we passed that in order to deliver a message. We wanted burglars - potential burglars - to know that they were going to go to prison; no ifs, ands or buts. And we were -- we felt that that would be a strong deterrent to residential burglaries. It hasn't worked. Let me give you some statistics. The Department of State Police -- the number of arrests for residential burglaries in 1988 went up by five hundred and fifty from 1987. The number of reported offenses, excluding Cook County, went up between 1987 and '88 by three thousand seven hundred and nine. Adding the mandatory prison sentence has not been a deterrent to residential burglary.

This bill applies only to first-time offenders. If it's a heinous situation, the judge still has the option of sending that first-time offender away to State prison for four years. This bill adds a new dimension of options for first-time offenders of residential burglary. It's a period of probation, which shall include at least six months of incarceration at the local jail or at a State prison, and a period - and restitution and programs to try to prevent recidivism, which is rampant today, even with, and even more so with, the Davidson bill. This bill was presented not by a bunch of do-gooders or people that -- whose heads are in the clouds. You know Bob Cook of Cook-Witter. He has been one of the leading forces in what is called the Illinois Justice Fellowship Task Force. This bill is, in addition, supported by the Illinois State Bar Association, the Illinois Correctional Association, the Illinois Probation Association, the John Howard Association, the

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Illinois League of Women Voters, the Illinois Council of Churches, the Illinois Catholic Conference, the Metro Counties Urban Council, the Illinois Rural Council, the Illinois Urban Council. I suggest to you that what we passed isn't working, let's give the judges an option - an option, not mandatory, but an option - to try to prevent recidivism in first-time offenders. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 3816 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 23 Ayes, 31 Nays, none recorded as Present. This bill, having failed to receive the constitutional majority, is hereby declared lost. House Bill 3832. Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3832.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 3832 has two parts to it. One changes the schedule for establishing the variable rate for special fuel for commercial vehicles, from July 1 of the year, to January 1. And it also closes that loophole - when we enacted the Sales Tax Reform Act of 1988, we omitted the sales tax on motor fuel. What we, effectively, do with this part of the bill is to bring that from five percent, up to six and a quarter percent, the sales tax that is established on all other products in the State of Illinois.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Any discussion? The question is, shall House Bill 3832 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 55 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 3838. Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3838.

(Secretary reads title of bill)

It's the 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Bill 3838 adds an additional ninety-day good time that a prisoner may receive when he is incarcerated in our State prison. This bill was amended, because there was a feeling that certain crimes should be excluded from awarding a prisoner an additional three months of good time. So, originally it provided that first degree murder was excluded. Criminal sexual assault was excluded. But a lot of people felt that child molestation should be excluded. So we excluded that. Then they felt that reckless homicide while driving under the influence of alcohol should be excluded. So we excluded that. Aggravated battery of a spouse with a firearm - aggravated battery of a child - we excluded aggravated criminal sexual abuse. All of these crimes, and more, were excluded in the amendment we adopted yesterday. The reason we need this bill in Illinois, is because of the tremendous overcrowding situation in our State prisons. Ladies and Gentlemen, right now we are five thousand prisoners above capacity. In 1991 we will be an additional four thousand prisoners above capacity. We cannot continue to house the

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criminal population in the State of Illinois without experiencing dire adverse effects to the people of the State of Illinois - to our constituents in the State of Illinois. Ladies and Gentlemen, this bill adds an additional three-month good time to an already existing Statute that provides for three-month good time, in addition to day-to-day good time, that a prisoner receives. The Director of Corrections has been lobbying for this bill because he understands the nature of the crisis. No matter how many prisons we build - and there are two more on line today - we are still going to experience a seventy percent increase over capacity in our State prisons; that's a phenomenal figure, Ladies and Gentlemen. This is the only way to deal with the problem. Get this guy out three months earlier than he would have gotten out, and solve some of the overcrowding problems in our State prisons.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

WTTW requests leave of the Body to permit to shoot pictures. Hearing no objections, leave is granted. Is there any discussion? The Gentleman from St. Clair, Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I agree with Senator D'Arco. I was just -- you know what a serious problem we got now trying to do the budget, that we're working on now. With all the prisons that we have built, and it seems like we have been building one every year. But I understand from reliable source, in order to just keep pace-in the next four years we're going to have to have eight hundred million dollars for new prisons. And where are we going to get this money? I think that it's well-thought-of, well-deserved to say to increase this good time, so I would add, and ask for an affirmative vote for this legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Dudycz.

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SENATOR DUDYCZ:

Yes, Mr. President, question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DUDYCZ:

Senator D'Arco, I notice that you have an extensive list of the crimes that have been excluded, like the murder, the sexual assaults and the battery of the spouse. I don't see, like -- crimes like armed robbery or robbery -- robbery on your -- are they excluded?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator D'Arco.

SENATOR D'ARCO:

No. You know, the point -- the point is you can't exclude -- if you exclude every crime in the world, what's the purpose of the bill? We tried to confine ourselves to some of the most heinous crimes. You know, if you exclude every crime then the bill is meaningless.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dudycz.

SENATOR DUDYCZ:

Well, I think that armed robbery, Senator, is just as heinous as some of these others that are -- are listed. Under current law, inmates can earn good conduct credit for each day of credit -- that is reducing the inmates period of incarceration by one day. And our staff analysis says that, "The inmates may also be awarded up to ninety days of good conduct credit for meritorious service." That's -- that's in there now. With this bill, it would increase the amount of credit which they may be awarded for meritorious service to a hundred and eighty days, which amounts to six months. Ladies and Gentlemen, under this proposal, someone sentenced to two years -- two years in the federal -- or in the State

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penitentiary - could end up serving only six months in prison. I don't think this is the way that we want it to go. I don't think this is the message that we want to give. I think we should defeat this one, just like we did on Senator Berman's 3816. And let's give it all a red vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I was prepared, originally, to vote against this bill, until the amendment come on. I think the amendment makes this truly a get-tough-on-crime bill. Because, instead of allowing everyone to get out, at least, we're just going to make sure that those that get the early release are going to be of minor crimes. And, you know -- and we keep talking about keeping 'em in prison, and good Lord only knows, maybe we should kill 'em all. Who knows. But the issue is, we're not doing a very damn good job, the way it is, of rehabilitating, whenever they're in that extra six months, or that extra ninety days. And if an extra ninety days is going to make a difference between rehabilitation, and not, then maybe we better just start sentencing everybody to ninety days, and work hard at it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DeANGELIS:

Senator D'Arco, who makes the decision on whether this is to be allowed or not?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator D'Arco.

SENATOR D'ARCO:

The warden, I would assume.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, this is a tough bill to vote for, because you're going to be perceived as being a little soft on crime. But there is no disputing the fact that the longer the people stay in prison, the more likely they are to return. And if there is somebody that might show promise of rehabilitation, keeping that person there longer is not going to keep that person from coming back. In fact, it might encourage that person to return. So I'm going to support this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I -- Mr. President, Ladies and Gentlemen of the Senate. I wasn't going to speak, but crime is crime, it's just like pregnancy. You're not a little pregnant, you're either pregnant or you're not at all. So I -- I'm forced to speak against the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator D'Arco, to close.

SENATOR D'ARCO:

I'm trying to follow the debate, but that one lost me.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You're not the only one.

SENATOR D'ARCO:

As -- Senator Dudycz, if you received a two-year sentence today, and you were able to get out in six months, under this bill, without this bill you'd be able to get out in nine months.

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So the point that I'm trying to make, is that we are talking about an additional three months time only. We're talking about if a man gets out in two years, instead of getting out in a year and a half, or two years, he gets out in an additional three month earlier time. That is the whole bill. It's not like we're giving him so much more time than the amount of time that he was originally incarcerated for. All we're adding is three months to the meritorious good time that he presently can receive under the Statute. This bill is necessary because of a tremendous overcrowding population in Illinois prisons. Ladies and Gentlemen, standing behind me is the Director of Corrections. He is taking a very keen interest in this bill, because he is faced with this problem every day that he attempts to administer a prison population that is on -- on the brink of a tremendous overcrowding problem. That's what he's faced with every day. We can sit here in this Chamber and talk about crime, and talk about how we have to put hardened criminals behind bars - which we do. Everybody agrees, if a man deserves to be incarcerated then he should be incarcerated. But this man is facing the practical, everyday realities of what incarceration means. And he's telling us - I've got figures to show you people - "that the prison population -- population is bugeoning <sic> (burgeoning) to the point where it is becoming uncontrollable and unworkable for me to administer." And he's asking us to do something about the problem. And that's what this bill is all about. An additional three months good time for somebody, in order to make his job more controllable and reasonable. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 3-8-3-8 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On this question,

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there are 36 Ayes, 18 Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 3-8-4-3. Senator Fawell. 3-8-4-3. Senator Fawell. Hello. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3843.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This bill does five things; requires a fifty-dollar fee for filing a demand for a jury trial in ordinance violation cases, which are punishable by fine only; two, authorizes various additional fees for clerks in the circuit court in counties over six hundred and fifty thousand in population; three, authorizes counties to impose -- and circuit clerks to collect court document fees for the expenses of a document storage system; four, allows DuPage to exempt DuPage traffic citations, because they charge a similar fee for the same thing; and five, accelerates the circuit court clerk's pay raises. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 3-8-4-3 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 55 Ayes, 1 Nay, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 3852 is on the Recall List. 3853 is on the Recall List. House Bill 3874. Senator Madigan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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House Bill 3874.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Logan, Senator Madigan.

SENATOR MADIGAN:

Mr. -- thank you, Mr. President and Members of the Senate. House Bill 3874, as amended, now does three things. It retains the original language of the bill, which would allow a member of the public to serve on the 911 Board. It also exempts small telephone companies with fewer than twenty-five thousand customers from the rate making provisions of the Act, which that limit is currently fifteen thousand. And lastly, it adds language to clarify the ICC's responsibility and authority regarding the consideration of alternative forms of regulation for telecommunication carriers. This is permissive language. It does not cause any change in the commissions normal and present procedures, but merely clarifies the commissions responsibility and authority. Be glad to try to answer any questions, and after that would ask for adoption of this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 3874 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, none Nays -- no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 3-8-9-6. Senator O'Daniel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3896.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. House Bill 3896 excludes from the definition of sale of service, servicemen engaged in graphic arts production. The bill is an initiative of the Illinois Press Association and the Printing Industry of Illinois, who point out, that as printers, unlike other service persons, cannot sell -- sell property apart from their service. Any questions, I'll attempt to answer them, if not, I'd ask for its passage.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 3-8-9-6 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as -- and 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. On top of Page 19 appears 3-9-0-2. It's on the Recall List. House Bill 3-9-1-4. Senator Watson. Watson. House Bill 3-9-4-0. Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3940.

(Secretary reads title of bill)

It's the 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3940 is -- the special education groups had come in and made a request - and I think it's a reasonable request - to tie the reimbursement -- their reimbursement to an annual escalator,

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so that they don't have to come in here, like we do generally, and -- and pursue new legislation each year. What this would do, would require the reimbursement for personnel in special ed at twenty-six percent of the previous year's Statewide average special education salary. And the reimbursement for noncertified employees would be twenty-nine hundred annually per employee. The bill came out of committee unanimously. I know of no opposition at the moment. The fiscal impact next year is something like six hundred and nineteen thousand dollars, if my memory serves me correct. And I would ask for your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from McLean, Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. I rise in support of House Bill 3940, and would only suggest to you that there is no fiscal impact in FY'91, and FY'92 is the first fiscal impact of some six hundred and thirty-nine thousand dollars. And I seek your support as well.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio, to close. The question is, shall House Bill 3-9-4-0 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 3-9-5-2. Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3952.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

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SENATOR J.J. JOYCE:

Thank you, Mr. President. This does exactly that, it creates the Organic Labeling Act, so that folks who wish to buy organic foods will know that that is exactly what they're buying. Currently, you can label it whatever you want to. Also, this asks the Department -- or tells the Department of Agriculture to put ginseng in their marketing program. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, it's very -- very difficult to decide where you're going to start to attack something of this kind, but frankly, I think some words should be said on the other side of this issue. What's being asked for, in this particular legislation, is to set up some type of a system whereby we guarantee something to folks that really doesn't mean anything. Now we have grading systems for beef and meat products - and I think in certain states we even have those for vegetables and fruit products and so forth - whereby the consumer, if something is listed as being choice, or grade A, or something of that kind, it -- it means something - it means a quality standard. Here there is no quality standard. Here we're talking about only the conditions under which a product will be grown. Which really do not contribute, in any way, to the final product. They do not contribute to the quality. Does not contribute to the purity, or the flavor, or the wholesomeness. Nothing like that is being suggested, only the system under which it is grown. Some people have the feeling that maybe if you use certain chemicals on products that they're not wholesome - simply not true. I think, without question, our government -- our people in -- in this country do have the most wholesome products, the finest products

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of any place in the world. And to suggest that we need somehow, to set up some kind of a standard, to provide some artificial means, to proclaim something that really is of no value, it seems to me we're kind of violating some truth in labeling. So, since it really doesn't do anything, since we're -- we're -- we are implying that somehow maybe this product is better than other products, which is a falsehood, I don't know why we want to get into this kind of a system. I think it's time that we stood up and -- and particularly our land grant colleges, and others, and proclaim the wholesomeness of the product that we are producing at the present time, and be proud of what we're doing, and not try to give some source of comfort to some folks that maybe don't even understand how you produce wholesomeness and goodness in -- in an agricultural product. So I think it's just simply legislation that's not worthy of adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McLean, Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. I -- I personally believe this may be one of the most important votes that this Chamber may cast this Spring, and I -- I mean that. And I -- I -- I try to distinguish whether or not I make that statement because I'm a farmer or not. But I think I, indeed, make it, just because I have a strong belief in the system that we have, and the kind of products that are grown, whether they are grown by Maitland or somebody else. When this bill was first debated in committee, I, quite frankly, thought I might support it, until I heard one of the people testifying in support of the bill who said, Ladies and Gentlemen, who said, "That we want to be able to identify the pure food from that that's something other than pure." And I take offense to that, as a livestock producer, as a grain farmer, I really do. I think I am

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an organic farmer. I mean how else do you grow -- how else do you grow crops? And the chemicals that I use on my crops are designed and manufactured so as to not cause injury to anyone - either the grower, or the person who is consuming that food. If we didn't grow food the way the American farmer -- the American producer does today, folks, we wouldn't have a food supply. And I really resent, and you should resent, someone making the implication that the way in which we're feeding our country is something other than pure, and we ought to identify food grown organically in some other fashion. I -- I strongly urge your consideration of this bill, and to vote in opposition.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Jefferson, Senator O'Daniel.

SENATOR O'DANIEL:

..Thank you, Mr. President and Members of the Senate. I think Senator Rigney and Senator Maitland both are overreacting a lot. This bill doesn't do anything like that. All it does is -- is identify the food -- if it's organically grown. You know, it -- it doesn't say a thing like what they are talking about. The bill -- there's a certain part of our society -- or people that -- that want food that's raised without chemicals, or anything of that nature. Myself, I love food that's raised with chemicals, and doesn't have wormholes in apples, and things of that nature. But this bill doesn't do anything, other than just identify the food - that it's been grown without any chemicals, herbicides, pesticides, fertilizer, and if people want to do that, so be it. This bill doesn't do anything to create anybody any problem.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentleman of the Senate. I -- I don't know, I guess I was in a different committee meeting

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than what some of my colleagues on the other side of the aisle were.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me, Denny. Please proceed.

SENATOR JACOBS:

There -- you know, during the committee I never heard some of the language that is being thrown around - and maybe some of the other people did - as to pure versus unpure. I think what we had in that case was a young lady who, by her own preference, felt that the organic growing of -- of crops and the feeding of that to animals is more pure. I don't think that there is any -- any -- any attempt to -- to put an image on the food that we grow, or the crops that we grow, or the cattle that we feed to be unpure, or to be less wholesome. I don't think that's the case at all. However, if we want to get into that issue, we can raise the fact that there are some countries that we cannot sell our -- our animals to, because of steroids and a number of other things that we use. I just think that in -- in all candor it's a good bill. It's one that we should -- should support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

I -- I gather, basically, what we're talking about is -- is if a food has got certain chemicals on it, then that could not have the label as being organically -- grown. Is that -- is that --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

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Well, as -- as best I can hear - which is not very well, I have such a cold - but all this bill does is sets up a system, that will be governed by the Department of Agriculture, saying that this food is organically grown. And it's no different than how food is labeled whether it's kosher or not. It is exactly the same thing. It has nothing to do with anything else. It doesn't have -- it doesn't say that Senator Maitland's food is grown with chemicals - and this isn't. All this does is say, "Yes. This food, right here, is certified organically grown." That's all.

SENATOR FAWELL:

Okay. How -- then how in the world -- who is going to guarantee that? Is it the State? Because -- or are we going to have to have somebody watching to make sure that it is not?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR FAWELL:

That there are not chemicals sprayed on it.

SENATOR J.J. JOYCE:

Well, if you have the label, it has to be. The Department of Agriculture supports this. They are the ones that will set up the -- this structure on how this will be organically grown.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is -- Senator Joyce, to close.

SENATOR J.J. JOYCE:

Well, thank you, Mr. President. I -- I -- I feel that some people are taking this bill to mean something it truly isn't. We're talking about Illinois agriculture. We're probably the best in the world. Mainly because we happen to be in the best climate in the world, and have the best soil in the world. But, you know, some of the folks in here think that just because this is the way we do it, that has to be the way it's done. Let me tell you, we can't export meats to the Common -- to the European Common Market,

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right now, because of the -- this -- the steroids that we're putting in them. Some people don't want to buy meat with that in it. Some people don't want to buy apples that are sprayed. Some people don't want to buy their food that has some sort of chemicals on it. You know, I don't particularly go along with that train of thought, but if that's what they want, that's fine. We have all kinds of great soil, and a great climate, in this State, and our farmers ought to be able to grow whatever they want to, and sell to whatever customer they want to. And if people want to buy that kind of a product, I think we ought to provide them with the -- the assurance that that is what they're going to buy. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 3-9-5-2 pass. All in favor, vote Aye. All opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 38 Ayes, 21 Noes, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 3-9-5-9. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3959.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. House Bill 3-9-5-9 is the same bill that I passed out of here some weeks ago as Senate Bill 2058. And it does, really, one other thing, in response to a request by Senator Donahue. It does address two school districts in her legislative district, and

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allows for the consolidation grants. I know of no opposition. I would be happy to answer any question, would -- and would otherwise seek your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 3-9-5-9 pass. All in favor -- I'm sorry, Senator Joyce. Senator Joyce.

SENATOR J.E. JOYCE:

Yes. Thank you, Mr. President. The -- it allowed consolidation grants, is that what you said? To school -- two school districts?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir, that is correct.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.E. JOYCE:

Is there any money for that in the -- in the fund that's -- that we have, right now?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir, there is.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.E. JOYCE:

I've had some school -- a school district that's been trying to get money from this for the last two years, and the Governor vetoes that, and says there's no money in that particular fund.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland.

SENATOR MAITLAND:

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I don't know really what you're talking about, Senator Joyce. There -- there -- there was a time when we were deficient in that fund, but I think in the last two or three years we have actually overappropriated - that's -- that's the case this year. There's about six million dollars in that line item. Right now, we have obligations of about 4.7 million dollars. This obligation is about three hundred thousand dollars.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce. Any further discussion? The question is, shall House Bill 3-9-5-9 pass. All in favor, vote Aye. All opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 3962 is on the Recall. And let's go back to -- with leave of the Body, we'll get back to House Bill 3-9-1-4. Senator Watson. Read the bill, 3-9-1-4.

ACTING SECRETARY: (MR. HARRY)

House Bill 3914.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Would the candidates please sit down over there?

END OF TAPE

TAPE 4

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson. Senator Watson, please.

SENATOR WATSON:

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Thank you, Mr. President. Appreciate you going back to this order of business. What's going on in my particular area, is a situation in which St. Clair County has been negotiating with Citicorp in an attempt to bring that particular home office to Illinois' side of the river. This -- this legislation has several restrictions in it. It would have to have, at least, one thousand full-time jobs, and a minimum private investment of fifty million dollars in order to -- to comply. The application then must be signed off by the Department of Commerce and Community Affairs. This has no impact at all on State revenue. This is only a property tax TIF district. What we're trying to do, is enable the local county of St. Clair County to provide some incentives to Citicorp, who is looking at two other states besides Illinois. And obviously, we're -- we're talking about a major impact in employment, in economic development for the entire Metro-East area. They're talking -- or in the neighborhood of two thousand jobs and a seventy-million-dollar project. So, it's -- it's a big issue in our area, and of course, is supported by all the legislators from the Metro-East area. I'd be glad to -- well, we had several amendments that we offered. One, as I mentioned, included, for Senator Dunn, the Will County area. Another addressed an issue that is of concern to many communities that have TIF districts, in that in a -- a existing industry or existing business could not move from the current municipality into a TIF district and have a negative impact on the sales tax flow to that community. That's a concern that many communities throughout this State have addressed, and we tried to correct that language in this particular bill. I'll be glad to answer any questions. Otherwise, I would appreciate your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from St. Clair, Senator Hall.

SENATOR HALL:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Watson is absolutely right in what he says. But I just want to add this, and many of you may not know, St. Clair County is the oldest county in the State of Illinois. At one time, Chicago was in it. And then -- it at one time went all the way to Canada. It's great history with this St. Clair County. Watson, you're doing a great job. I hope everybody supports it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Watson, I --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea. Rea.

SENATOR NETSCH:

-- I apologize for this late indication. We have no trouble with the basic bill, that's all been worked out, as you understand. The one concern I have is my -- I gather that the amendment that was put on yesterday, which applies everywhere, having to do with TIFs and enterprise zones -- the -- Chicago thought they -- it might have some impact on its operations, and wanted, simply, an opportunity to examine it because it's a fairly complex issue. And I thought we were going to hold it until we'd had a chance to have some of the communities look at it. We have not heard back from that. Is it possible for you to take it out of the record and just -- I know, it's -- I'm sorry, but I didn't know you were going ahead and call it right now -- until we have a chance to find this out. There should be no problem with the other parts of the bill. We just would like an opportunity to see about that impact.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

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Thank you, Mr. President. Well, I just -- you know this is the first I heard that we wanted to make a request to hold it. I -- I -- I agree with Senator Watson on the bill, and urge the Members on my side to vote for this bill. If Senator Watson wants to hold it, that's fine. If he wants to run with it, I think we ought to run with it. It's up to Senator Watson.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson, to close.

SENATOR WATSON:

Well, I appreciate Senator Netsch's concern. And -- and we have, I understand, sent the information to the attorneys in Chicago to try to get their feeling. And what we're trying to do actually is correct, I think, the concerns that they may have had in that amendment - that was our -- our intent. And from what I understand also, is that this only affects the county TIF districts, so really it would have no impact on TIF districts that have already been established. So that -- that addresses that particular issue. And I -- I would like to just go ahead with the bill, and -- and appreciate the support of -- of the Senate. This is a -- piece of legislation that has -- will have a real positive impact on the unemployment concerns that we have in the Metro-East area. Metro-East in one of the highest areas of unemployment in this State. We're trying to attract some two thousand jobs. So I think it's a step in the right direction, and appreciate your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 3-9-1-4 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, none recorded as -- no Noes, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill

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3-9-6-6. Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3966.

(Secretary reads title of bill)

It's the 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Could we have your attention, please? The noise level is rather high here. Thank you. Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. House Bill 3966 is the -- the After-parts Disclosure Bill. And what it does, is that if a automobile is to be repaired, and one takes the automobile in to have it repaired if it was involved in an accident or a crash parts, the person -- the owner of the automobile must be notified in writing as to what the -- the parts are on that -- being replaced on that automobile. It is a disclosure bill only for the exterior of an automobile - after-crash parts. The biggest competitor to the major automobile manufacturer in -- in this company - Keystone Automobile Industries - in a letter to Jim Firth, the Automobile Wholesalers of Illinois, and he states simply, "It is simply a disclosure to the consumer that "non-OEM" parts are being used in the repair." And similar bills have been passed in thirty states throughout this country, and I see no problem with the bill. It doesn't deal with internal parts only after -- only the exterior of the car, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

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SENATOR GEO-KARIS:

Now you're asking for disclosure of the non-original equipment manufacturer parts. In other words, the parts that are not made by Chrysler, Ford or General Motors, isn't that right?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Yes, if it is a Oldsmobile, if it's parts other than --

SENATOR GEO-KARIS:

No. You were -- no you...

SENATOR JONES:

-- if it's parts other than those that are manufactured that is currently on the car.

SENATOR GEO-KARIS:

That's right, in other words. But you're not asking for disclosure where those parts come from when they're used by General Motors, Chrysler and Ford. So if those parts come from Taiwan, if they come from West Germany, Italy, France, Australia, Japan, the Philippines or Singapore, you don't want General Motors or Ford or Chrysler to disclose that, isn't that right?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Senator Geo-Karis, your amendment went further than what my bill intended for it to go. This bill, if -- if General Motors, Chrysler, Oldsmobile, Ford, if they are using foreign parts, and so forth, in the original manufacture of the car, this bill doesn't deal with it. This bill deals with - deals with - those parts which are not originally manufactured and placed on the car. And I think the consumer should know whether or not those parts are not original parts.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the -- of the Senate, the sponsor just answered my question. He said, of course, they don't have to tell you - the -- the big automobile companies - where those parts come from. The fact that they're in the car. The fact that they deprive citizens of Illinois from jobs when they're made overseas doesn't make in any difference to him. Let me read you a letter that I got from a lady from United Auto Supply Company in -- hold on just a minute -- it's NAPA, Pinckneyville Auto Parts Company. "If you vote for this bill, you will tell their -- the car manufacturers to have a real monopoly. I am a small jobber in southern Illinois with only three employees. I do a good job for my customers by selling quality NAPA parts, and those are parts that are certified. My parts are as good as the original equipment manufacturer's parts, and many times better. They have to be for me to exist. My prices are better. They have to be. And my service is better, too. I am open more hours and more days for -- of the week than the car dealers. My business was started by my father twenty-seven years ago. My husband and I carry on the business, and some day hope to have our children continue. If the car manufacturers can get a law that discredits my products, my future is surely limited. Maybe this is Ford and General Motors planning with the State law in their origin -- originally equipment manufacturer repair shops that can force me out. I only hope and pray that you don't let them get away with this. I most sincerely ask you to vote No on House Bill 3966," signed Helen Nelson, Secretary/Treasurer. Ladies and Gentlemen of the Senate, what we're doing, if we allow this bill to pass, is create a monopoly in the automobile manufacturers, so they can squeeze out the five percent of the -- of the business they don't get. And you know,

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and I know, when you buy the -- the original equipment manufacturer's parts, they're not always the best. But also, they are more expensive. So you're not helping the consumer, you're hurt -- you're hurting the small business people. And I plead with you, don't vote for this bill. You're hurting labor of Illinois, because many of those parts don't come right from the United States manufacturing, they come from overseas. I ask you to vote against this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, we just passed out a bill that did exactly this. And that's on the organic food. All we're doing is saying notify. We're not saying you cannot still buy those NAPA parts. And, Senator Geo-Karis, I think that the young lady that indicated that to you is wrong in her approach. All we're saying, is that they either have to say that they are either original, parts or non-original parts, and that's it. Where they come from is immaterial. And as far as hurting labor, this is a bill that is strongly supported by the UAW.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Will -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR SCHUNEMAN:

Senator, under -- under Senator Geo-Karis' amendment, which I think was superior to what you're offering, the preparer of the estimate - the -- the body shop - was required to -- to notify the consumer as to who manufactured the parts. Now under your

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bill, who has to disclose? Who has to make the disclosure?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

We're not dealing with Senator Geo-Karis' bill. Under this bill, the -- whoever is doing the work must inform the consumer that that part, that is being placed on his car, if it is non-original, they must so inform the customer.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I beg your pardon, that's not what your bill says. Your bill refers to the insurer, and says that the insurance company must make the disclosure. Now I bring up the issue, Mr. President, that this bill is drawn in such a way that -- that it doesn't apply if the consumer does not have insurance on his vehicle. For example, some of the largest fleets in this State are not insured or they're self-insured. So this bill doesn't apply to them. The other thing this bill doesn't do is -- is require a disclosure if a part, for example, for a Honda is made in Japan and everything is made over there. Then nobody requires that -- that you have to make any disclosure on a part like that. So the idea that somehow this is a buy-American bill or, you know, American pie and -- and motherhood, is -- is silly. And I think that it gives the wrong impression to the consumer. What -- what they're seeking to do -- the large auto manufacturers are seeking to somehow downgrade every other part that's made. Furthermore, if you really want to protect the consumer, why don't you get into the area of brakes? Why don't you get into the area of testing whether these parts are really good or bad? This bill doesn't do any of these things. It's a pure and simple attempt on the part of the world's largest manufacturers, who already have about

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ninety-five percent of this business, to try to squeeze out everybody else, and try to eliminate competition. And it's just a step in the wrong direction.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Raica. Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have never seen a bill that has probably been more misunderstood than this bill. Senator Jones, correct me if I'm wrong. All this bill says, is that if your car goes in for repairs, if they are not going -- if they are not going to have original parts put back on, they have to tell you that they are non-OEM parts, right?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

You are correct.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

Mr. President, to the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Please proceed.

SENATOR RAICA:

Through the three years that we've been working on a bill such as this, there have been insinuations that other bills have been trying to be passed regarding whose part is better, OEM or non-OEM. When I was struck a couple of months back and my car went in for repairs, I received the estimate, and on the estimate it said, some parts were original manufacturer's and other parts were non-OEM. That was good for me to know. When I insisted that I wanted original parts on my automobile, they told me the

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insurance company that was paying this did not mandate original parts, that all they wanted, or all they considered, were non-OEM parts to go on that automobile. But for me, the consumer, it was a good idea for me to know which was original parts, and which were not. This doesn't say whose parts are made out-of-state, if they're made in this State, all it's simply saying is that if there is a part other than the original manufacturer's part going on the automobile, they have to tell you. There's nothing magic about it. They just have to tell you. And to say that these other people are going out of business -- I don't go to GM to buy my oil. I don't go there to buy my oil filter. I go to my parts guy to buy oil, to buy fuses, and anything else that I may need for my car. This isn't a bad bill. It's a fair bill. I want to know what's -- what's original part, what isn't. That's all this bill says, and I just ask for an Aye vote. I'm with Senator Jones.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Lake, Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Mr. President and Members, I have some sympathy for the views of the opponents of this bill. And -- and like some of my colleagues, particular -- particularly those who serve on the Senate Insurance Committee, who have seen this issue come before us in various forms for the last few years, we'd like, if we possibly can, to put the issue to rest. The -- the debate has primarily, up to this point, been one that has taken place between the manufacturers on the one hand, and insurance companies, responsible for paying for the repairs of automobiles, on the other. The third party and interest that is involved here is the -- is the, apparently, the Automobile Wholesalers, or the wholesalers of automobile parts, and maybe, to some extent, the repair facilities, as well. What we have here, at long last, is

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at least a compromise between the manufacturers on the one hand, and the insurance companies on the other. And I can't for a moment understand why the insurance companies, who have to pay the bills and -- and who, after all, have -- have interest in trying to keep the cost of repairs down, would agree to this bill if, in fact, it was noncompetitive, or if, in fact, it would have an inflationary impact on the cost of repairing vehicles. This is simply a disclosure bill. It is, apparently, in the eyes of those who are going to have to work with it, a workable proposal and compromise. And therefore, in the interest, finally, of trying to put this issue behind us, I urge your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones, to close.

SENATOR JONES:

Yeah. Thank you, Mr. President. You know, at least a broken clock would give you the correct time twice a day. And those who have risen in opposition to this bill have not one time given us a correct answer or statement. All the bill does, simply, is inform you, as a consumer, your right that you should know what you're having placed on your car. That's all the bill does. It doesn't say one part is better than the other part. But I think you should know. And if it's being repaired by the insurance company, don't you think you would want to know what is on that car? What you are paying for, even if you had to pay for it yourself? That's all the bill does, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 3-9-6-6 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 39 Ayes, 20 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

3-9-9-4. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3994.

(Secretary reads title of bill)

It's the 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Rock Island, Senator Jacobs, for what purpose do you seek recognition? Jacobs.

SENATOR JACOBS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Please proceed. State your point.

SENATOR JACOBS:

Sitting in the balcony on the Democrat side of the aisle is my former second-grade teacher, Miss Poole, and I'd like to have her stand and be recognized.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Miss Poole, would you please stand and be recognized by the Senate. Welcome to Springfield. Make sure he takes you out to dinner. The Gentleman from Cook, Senator Marovitz. Marovitz. You read the bill, right?

SENATOR MAROVITZ:

Okay. Thank you very much, Mr. President and Members of the Senate. The Federal Government has two major federally subsidized programs in the country; they are Section 221d3 and 236 - the National Housing Act. Portions of the Act provide that the owner of subsidized housing can prepay a mortgage after twenty years. And we're only talking about these two very limited housing programs. If the option to prepay is exercised, then the Federal Government will have no more control over the property. And after twenty years, if the mortgage is prepaid, the owner can raise

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rents and evict all the low-income tenants in the units. This legislation is aimed -- another step in trying to preserve a tenant's right from being evicted in this federally subsidized program. And we passed legislation before, this just clarifies that an owner cannot sell or dispose of the housing unless six months prior to the sale or disposal of property the owner submits to all tenants the notice of intent to sell or dispose of the property.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Stephenson, Senator Rigney.

SENATOR RIGNEY:

I want to make sure that I understand, you know, what all is in your bill. I'd like to ask the sponsor --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz. He indicates that he'll yield.

SENATOR RIGNEY:

Is it true that, in your bill, the amount of money that this landlord derives from the rent would not be taxable?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

That's correct. The purpose of that -- and again, these very limited federally subsidized -- specifically federally subsidized units are -- and it only applies to senior citizens who have lived there over the term of the subsidy. It only applies to them, and there's also specifics that there cannot be a double deduction. If they've taken a deduction on their Federal or State Income Tax, there can't be a double deduction. The purpose is to keep the senior citizens in these limited housing units from being evicted from their homes where they've lived for the last twenty years.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Rigney.

SENATOR RIGNEY:

Have you got any feeling of what the fiscal impact to the State would be? You know, I -- I can't think of any -- many places where we create tax-free income.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

I don't have a specific number for you, Senator Rigney. I know what your concern is. But the number is so limited - it's -- it's so extremely limited. This applies to a very few -- very few buildings, limited number of units, and only those which fall under the specific subsidy programs mentioned here. The impact on the State would be very, very minimal.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Yes. Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR WATSON:

This is the same bill, I guess, with some revisions, possibly made, that we had -- that was defeated once, and then came back on Postponed Consideration, and then did pass on the last day of passage for Senate Bills. Is that -- is that correct, Senator?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

No, it's not the same bill. It's a similar bill, but it's not the same bill.

SENATOR WATSON:

Yeah. Well, that -- that's why I say with some revisions.

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But what we're...

SENATOR MAROVITZ:

With -- with some -- guards --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

-- with some additional safeguards about no double deductions and provisions so that regarding somebody's right to sell -- giving notice to the tenants if they're going sell - that they can't sell unless they, in fact, give notice. So there's some additional provisions and some safeguards, regarding the funding provisions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. Well, then where is that particular bill that passed then - over in the House? Is that still in Rules? Or is it tied up somewhere? Or is it still alive?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

That's still in Rules. They decided they wanted to go with one bill, and one bill only. But there also is a sunset provision in here, which wasn't in the -- the earlier bill. There's a sunset provision in here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Thank -- thank you, Senator. To the bill. You know, I don't know how many of you are involved in the ownership of apartment buildings, but the people that -- that are tell me, you know, we might as well turn the whole thing over to -- to -- to the public.

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We might as well let the taxpayers subsidize - take care of all of the -- the housing of all of our people - because in -- in situations like this - here we go again - we're asking for the -- a restriction on those private facilities owned by private individuals. We are really tying the hands of those people who are out there that are actually to provide some housing for -- for the senior citizens - for the residents of our community. So I just think, we can't continue to restrict those people that are in the private sector, so I think that a No vote is proper. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, I'm not sure -- I don't remember this bill in committee, and maybe I was out of committee at the time, but does -- was this apply -- does this apply in an instance like this, where a housing development for senior citizens is constructed by a private developer with -- with subsidized rentals, and in those cases where the rent is subsidized for a period of years, then the seller -- or the owner of that property might decide for various reasons to want to sell it, does this bill restrict the property rights of that person to sell a building, if he has been guaranteed and paid subsidized rental?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Absolutely not. Does not apply in that instance at all.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Schuneman.

SENATOR SCHUNEMAN:

Well, then would you tell me why it does not? What -- to what federally subsidized housing does it apply?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

There's no restriction in this, legislation of any kind at all. It's an incentive, but there is no restrictions in this whatsoever. The owner, and again, it only applies to the National Housing Act - the subsidies granted under the National Housing Act. This doesn't limit the owner's right to sell, whatsoever, at whatever price he can get. It --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, doesn't it require him to give six months notice before he can sell? Whereas, otherwise, he wouldn't have to give notice?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Yeah, it does -- it does require -- we already have a law that requires them to give notice. That's already on the books. Okay? This says he's not going to be able to sell, because, in fact, when he does that, there's a good chance that all those people are going to be evicted. So, in fact, what we want to do is give these people a chance to move out - give them notice of a chance to relocate before the building is sold. Or if they can buy the building at the market price - the same price that that owner can get it at - we're going to give them first chance so that they don't have to relocate, and don't get removed from their homes. But it isn't going -- it isn't going to restrict the owner in any

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way from selling his building.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, you know, all due respect, Senator, I -- I wish you wouldn't promote your bill, just tell me the answers to the questions. The bill does something. I mean you're -- you keep telling me the bill doesn't do it -- it doesn't make any restrictions on the owner. But it seems to me, that if an owner, who now has the right to sell a property without giving anybody a notice, is then going to be required to give six-months notice to everybody, that it does restrict property rights. So just -- you know, tell me what the bill does -- if it's -- I'll decide whether it's good or bad.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Be glad to tell you. The law today, without changing this, already says that with these type of units that owner must - must - give notice to the tenants before he sells the property. That's the law today.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, I've gotten interested in this. What then -- according to our analysis, this bill requires six-months notice to the tenant. You're saying we already have, in law, notice. How much notice is in -- is it today, that the owner must give?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Six months.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpiel.

SENATOR KARPIEL:

Then could you just itemize for me what this bill does that the present law, just now, doesn't do? And when you're talking about present law, are you talking about Senate Bill 2304?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

I'm talking about the bill that's before us. I -- I don't know what other -- I'm talking about the bill that's before us now. ...(machine cutoff)...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

The fact is that the law today says that the -- that the owner of these type of buildings must give notice to the tenants if he -- if he is going to sell, or propose for sale, that property. Now this says that -- that he can't -- he can't actually sell it, unless he gives it. That was a loophole in the law. And this just adds that he can't sell it unless and until he gives that notice, so that the people who live there will have a chance either to move, or to put together the tenants to buy it at the market price.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpiel. Don't get a headache, now.

SENATOR KARPIEL

I'm getting one. Thank you. Could you explain the portion of the bill that deals with the Illinois Income Tax Act?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

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I'll be happy to do that again. This provides a deduction, without any double deductions, for income derived from the rental of a low-income housing unit - again, in -- only in these certain type of subsidized buildings, when -- when it was financed by a federally subsidized mortgage, and on which the mortgage has prepaid. The housing unit must be occupied by a tenant who's over sixty years old, and who was a tenant prior to prepayment, and whose rent has not increased by a total of more than five percent for each year since the year when the mortgage was prepaid. So the -- the point of it is...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close. Oh, Senator Netsch, you want to add to this debate? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Let me just add a word on the income tax deduction part of the bill. I think all of us agree that if we can find other ways of achieving purposes sometimes this is not the appropriate way to go, but this -- is different in a very important respect. For one thing, it does not permit the deduction of the rent for the units that are already subsidized to be taken two times - that is as a regular business deduction on Federal or State Income Tax and, again, for this purpose. So that the -- the double deduction component is eliminated. Let me add this additional word. For almost as long as I have been in the General Assembly, we have been trying to find some way to help make it possible for private developers, who are willing to build housing with some rent-controlled units in it - that is subsidized housing in a broad sense, to be able to make it. We tried to do it back, I think, when Cecil Partee was still here with redefining assessed valuation. We have tried a lot of different things. It is an objective that I think all of us share. And the problem is to find some way that doesn't make mishmash of all of our other

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laws to help make it financially feasible. It seems to me that this is one of the more modest and more reasonable approaches to helping the developers be able to make it possible to maintain this kind of housing, in this case, limited to senior citizens of low income. So I think it's worth a try. And I think some of the concerns really are misdirected, at this moment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. The U.S. Conference of Mayors, which is currently meeting in Chicago, came out over the last two days and said, one of the -- in addition to drugs, which we all know is the number one crisis in our cities and our country, one of the major crises is the housing crisis, and people who are being evicted from their homes because of these federal subsidies which come due, and then the buildings are sold, mortgages are prepaid, and people are forced out of their homes. The U.S. Conference of Mayors said, and it was on radio just yesterday, that this is one of the big crises. This deals with that very problem. There really is a very small number of people who will be affected because there aren't that many of these federally subsidized buildings across the State, number one. Number two; even of those buildings, very few of those have said that they're going to prepay their mortgage. So this only applies to those who are going to prepay their mortgage. And even of those, it only applies to senior citizens in those buildings, who have lived there for the termination -- for the -- for the period when the subsidy occurred. So it only applies to a limited number of buildings, and a limited number of people, but it will prevent seniors from getting kicked out of their homes, and it will give them an opportunity to stay in their homes, or at least get notice about when they are going to be terminated. And I would ask for

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an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 3-9-9-4 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 31 Ayes, 20 Nays, 3 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 4-0-2-4. Senator Weaver. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4-0-2-4.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 4024 contains a number of technical and clean-up changes requested by the University of Illinois after a compliance audit by the Auditor General. Also, there was an amendment added yesterday by Senator Watson to provide that the Department of Conservation may offer a cash incentive program for builders in concession complexes at resort hotels and other recreational developments at -- for the State parks presently specified in the Statutes. If there's any question, I'll be happy to try to answer them. Otherwise, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 4-0-2-4 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no

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Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 4-0-2-7.

Senator Rea. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4-0-2-7.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. House Bill 4027 is basically the same as, in fact is the same as, 1916 -- as Senate Bill 1916, which passed out of the Senate, which prohibits the State from contracting with private contractors or vendors to manage correctional facilities in the State. And it also requires the -- the Department of Central Management Services to pay interest on back wages, which was a Back Wage Claim Fund that was established. And I would ask for the -- an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Cook, Senator -- Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR KEATS:

As I'm reading the analysis, it does -- it doesn't say that this is identical to the bill that passed the Senate, that many of us had reservations on, and that you did -- were kind enough to make substantial amendments to. It appears there must be a State cost to this. In the first -- in terms of reimbursement which wasn't part of the original bill we passed, what is the State cost to this reimbursement?

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea.

SENATOR REA:

Well actually, Senator, if -- if the Department of Central Management Wage Claim Fund, first of all, is properly funded for a full year, then, naturally, there would be no cost, whatsoever. But this -- it's only being funded until September; it has not been fully funded in the past. So even if there is a cost, there is no additional appropriation that would be necessary. Because what this means is that there'd just be a claim or two that would not be funded. And so we're not talking about any additional cost -- any additional appropriation whatsoever.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Keats.

SENATOR KEATS:

Mandates -- and what's the fund we're fully funding? I'm sorry, I just -- I'm -- I'm -- did not understand what you said, I apologize, and it's not written in our explanation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea.

SENATOR REA:

The source of funding? There is a Back Wage Claim Fund that has been established, and that is your source of funding.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea, to close.

SENATOR REA:

I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 4-0-2-7 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 36

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Ayes, 17 Nays, 2 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 4-0-3-6.

Senator Holmberg. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4036.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Holmberg.

SENATOR HOLMBERG:

Yes. Thank you, Mr. President. This is the bill that provides that College Savings Programs investment earnings are exempt from Illinois income taxes, and -- and also authorizes payroll withholding for such investment purchases. A change was suggested by the Economic and Fiscal Commission and Bond Council for the Illinois Student Assistance Commission. And so here in the Senate, we amended it to say that only income up to two thousand dollars annually per account is exempt from State tax. And it changes the maturation date of the bonds to forty years. And I would be happy to answer any questions. Otherwise, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 4-0-3-6 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 4-0-4-9. Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4-0-4-9.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Good afternoon.

SENATOR MAROVITZ:

House Bill 4049 says that after a judicial sale, payment of arrearages of common expenses extinguishes the lien of the association, based on a failure to pay such arrearages. And the board would have to provide a new unit owner with the mailing address of the principal officers of the association. And within fifteen days of the mortgage of a unit, the mortgagee shall inform the association. Also with the support of the Chicago Bar Association, the Illinois State Bar Association, and the Women's Bar Association of Illinois. Tenancy of the entirety is also repealed. Ask for a -- a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Thank you very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

Senator Marovitz, can you explain to me exactly what tenancy in the the entirety are -- is?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

It's a joint tenancy between husband and spouse of real -- real property.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. Didn't we, just last year, put this in so that some of the women can be protected from their husbands being able to go in -- it's another way of -- of titling property so -- to protect women who have been -- whose husbands have gone in for second mortgages and that type of thing, without bothering to tell their wives that they have done so. Doesn't this stop that practice that has become fairly common in some instances?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

An honest answer would be, no, it doesn't. And that's why the Women's Bar Association - the Women's Bar Association - is supportive of this. From a practical point of view, Senator Fawell, the Statute is unnecessary, because purchasers, attorneys and title insurers, already require both spouses to execute a deed conveying homestead property.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, my understanding is that in tenancy by the entireties, both people have to sign before they give up an interest in real estate. And that bill was passed last year, by Senator Barkhausen, to protect the very problems that Senator Fawell brought up. And I don't know why it was brought into this bill to repeal it. The fact the Chicago Women's Bar Association supports it, doesn't mean it's entirely right. I happen to be a member of them, but I don't agree with them. I think we should protect the people, not leave loopholes for them.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Lake, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, I rise in opposition to the amendment to this bill that apparently took the form of -- of two separate pieces of legislation, neither of which came out of the Senate Rules Committee. To remind those of you who might have an interest in this subject -- as has been mentioned by Senators Fawell and Geo-Karis already, we acted last year to -- to recreate, under Illinois law, tenancy by the entireties. And we did that after the representation to the General Assembly that our aim was to protect the interest of both spouses, that those spouses think they are getting when they place property into joint tenancy. But what -- what tenancy by the entireties permits, or I should say prohibits, which joint tenancy allows, is the ability of -- of one of the joint tenants - in this case one of the spouses - to sever -- or to terminate the joint tenancy by conveying or by encumbering, such as through a mortgage, the one spouses -- or one parties interest in the property. Under -- under tenancy by the entireties, you can't do that. And we made this law, last year, we made it effective as of October 1st of this year, so that this new law hasn't -- hasn't yet taken effect, and yet, some people, for some reason, think that we ought to already be repealing it. Now it -- it -- it may be -- I've corresponded with a number of the individuals that have an interest in this subject matter - and it -- it may be that -- that one or more of the provisions need -- needs to be tinkered with somewhat. I, frankly, haven't been convinced of that. Last year when we passed this law, Chicago Title and Jake Toronto with Chicago Title, who's -- was one of the -- is one of the real experts on Illinois Real Estate Law, took a thorough look at our proposal, and without committing Chicago Title pro or con, decided

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that at least our proposal was technically correct. So I don't see where the proponents of this legislation are coming from. I am convinced that we are doing something to protect the interest of spouses that -- that current law - there is certainly joint tenancy does not permit. And none of those who are now advocating the -- the repeal of this law have -- have brought their points of view to me and may -- tried to make a case as to why we ought to be taking this action now so quickly on the heels of having passed what we felt was an important reform last year.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. The -- the idea that holding property as tenants by the entirety is going to protect a spouse from the debts of the other spouse is really illusory, since the single greatest financial risk to the family home is the expense that a family would incur if a -- if a member of the family suffers a catastrophic illness or an injury and didn't have and didn't obtain adequate insurance to cover that illness or injury. Under the Family Expense Statute, these expenses are chargeable to both spouses, or either spouse, and the property held by both of them, or either of them. All the lawyers - women, men - the title insurers, have all taken a look at this law and said that it -- it's not necessary. It clouds the execution of a deed conveying homestead property. It isn't necessary. And I know it's a rather complex issue, and many of you are sitting here not really knowing what to do, but the fact is, both the male and the female bar association say "we don't need that tenancy of entirety to protect people, we have the laws to do that now, and it only clouds up the homestead issue." I think we ought to listen to those people who deal with this on a day-to-day basis, both male and female members of the bar. And I would solicit an

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Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 4-0-4-9 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 37 Ayes, 19 Noes, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Top of Page 20 - appears House Bill 4-0-5-3. Senator Collins. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4-0-5-3.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. This bill is to respond to a problem that we attempted to address last year, in which we did when we passed the -- prohibiting the beepers from being used by students on school property. However, they found a more expensive way to get around that by now -- the use of cellular phones. So what this bill simply does, it prohibit the use of cellular phones on school property, and it also amends the Controlled Substances Act to make the use of -- of cellular phones in the commission of a drug offense a misdemeanor with a fine of one thousand dollars. I know of no objections, and I would -- any objections, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 4-0-5-3 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

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Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 4-1-2-4. Senator Marovitz. 4-1-2-4. Read the bill, Madam Secretary. 4-1-2-4.

SECRETARY HAWKER:

House Bill 4-1-2-4.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz. Okay. Take it out of the record. Recall. 4-1-2-6. Senator Joyce. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4-1-2-6.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.E. JOYCE:

Thank you, Mr. President and Members of the Senate. House Bill 4-1-2-6 comes to us from the State's Attorney, as a proposal to deal with situations where defendants are delaying their trials to the detriment and inconvenience of witnesses. Deals with the Four-Term Act, and when that can be extended. And it deals with the election of trial by jury. I know of no opposition to this, and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 4126 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the

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constitutional majority, is hereby declared passed. 4-1-2-8.
Senator Alexander. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4128.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. For the want of remembering this individual's name, I will relate this story, as it appeared in a Chicago newspaper several years ago. This young lady was sitting on a stoplight because the train was passing, and as she sat there enjoying her day and waiting for the train to pass, the side window of her car was bashed in. And in fright, she took her foot off the brake, and it slipped on the gas pedal and accelerated her into the side of the passing train, and she was immediately killed, because the car took and caught on fire. This bill is known as the Snatch, Smash and Grab Bill, this is commonly known. Where individuals will crack your window while you're sitting at a light or a stop sign ...(inaudible)... and in fright, reach in and hit you and snatch your personals out of the car. And this bill will deal with this situation - that these persons should be imprisoned. It amends the vehicular invasion, and is recommended by Cecil A. Partee, our State's Attorney in Cook County. It requires for a person convicted of this incident a Class I felony, and I would desire your help in putting these kinds of cases, and persons who commit these cases, where they properly belong.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 4128 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please

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take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 4129. Senator Alexander. Read the bill.

SECRETARY HAWKER:

House Bill 4129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Alexander.

SENATOR ALEXANDER:

Thank you very kindly, Mr. President. 4129 creates the crime of aggravated discharge of a firearm. It is also recommended by our Cook County State's Attorney. And for aggravated discharge of a firearm - that is shooting it in the direction of, or in the proximity of, it would require the -- becomes a Class I felony. And it would also eliminate aggravate -- no it does not eliminate aggravated assault - it -- the bill was amended to put that part back in, which had been erroneously omitted. I would ask your Aye vote for this particular piece of legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 4129 pass? All in favor, vote Aye. All opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 4148. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4148.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4148 touches on a subject that we looked at when we had Senate Bills, but is much more restrictive. House Bill 4148 allows the Evanston High School School District and the Evanston Township Elementary School District to opt out of the jurisdiction of the Township Trustees in the town, and to appoint its own School Treasurer. Because of circumstances beyond our control, the bill that touched on entire suburban Cook could not move along in the House. This bill is limited to Evanston. And it -- the Cook County School Treasurer's Association, which had previously opposed this legislation, has withdrawn its opposition. I know of no remaining opposition. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The Gentleman from Cook, Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. Well, just to reiterate what Senator Berman said. Initially this bill was opposed by the Cook County School Treasurers, and in removing their opposition because of its very limited impact, I think we ought to be able to give this a clear green vote. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman, to close. Question is, shall House Bill 4148 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, 2 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 4149.

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Senator Joyce. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Out of the record. I'm sorry. I'm sorry -- read the bill,
Madam Secretary.

SECRETARY HAWKER:

House Bill 4149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.E. JOYCE:

Mr. President, I believe there's been filed, with the
Secretary, a request to have my name removed as sponsor, and have
Senator Marovitz's name put on as sponsor of that bill; it's going
to be taken back to 2nd for an amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any objection? Senator Marovitz will be listed as the chief
sponsor of the bill, and asks leave to have that matter placed on
2nd Reading. Hearing no objection, put that bill on 2nd Reading.
Leave of the Body. Okay. 4178. Senator Jones. Read the bill,
Madam Secretary. 4169 is on Recall. 4178. Senator Jones. Read
the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4178.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. President and Members of the Senate.

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4178 is merely a vehicle bill that the Nursing Home Industry and the Department of Public Aid plan to use this fall. We -- it's our intent to pass the bill. The Houses will nonconcur, and during the Fall Veto Session we will work on this legislation, as it relates to nursing homes. So I ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 4178 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, none voting Present. House Bill 4178, having received the required constitutional majority, is declared passed. All right. If I can have your attention, Ladies and Gentlemen, we will proceed to the Order of House Bills 2nd Reading. We'll proceed to the Order of House Bills 2nd Reading, and I would encourage those who have bills on 2nd that this is the appropriate time to move them. In addition, the Secretary has passed out the Recall List. So we will do House Bills on 2nd Reading, and then go to the Recall List to accommodate those Members who wish to have their bills recalled. On the Order of House Bills 2nd Reading is House Bill 950. Senator Mahar. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 950.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health, Welfare and Corrections offers Committee Amendment No. 1. ...(machine cutoff)...

PRESIDENT ROCK:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This bill, and the three that

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follow, are a result - and introduced on behalf of the Governor's 1988 Commission that reviewed the Mental Health Statutes of the State of Illinois, and provided recommendations for change. Committee Amendment No. 1 increases the maximum period that a court can order hospitalization from sixty to a hundred and eighty days, and I would move its adoption.

PRESIDENT ROCK:

All right. Senator Mahar has moved the adoption of Amendment No. 1 to House Bill 950. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDENT ROCK:

Amendment No. 2, Senator Mahar.

SENATOR MAHAR:

...(machine cutoff)...Amendment No. 2 does four things. It defines -- it's part of the commission's report dealing with informed consent. Part number one defines psychotropic medication. Part number two requires that patients be advised in writing of the side effects of the medication, and their right to refuse treatment. Part number three specifies procedures by which an individual may refuse treatment of psychotropic medication against their will. This part will be deleted in Floor Amendment No. 4. And part number four mandates regular reviews for persons who receive psychotropic medication over extended period of time. And I would move adoption of Committee Amendment No. 2.

PRESIDENT ROCK:

All right. Senator Mahar has moved the adoption of Committee Amendment No. 2 to House Bill 950. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

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SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Mahar offers Amendment No. 3.

PRESIDENT ROCK:

Senator Mahar, on Amendment No. 3.

SENATOR MAHAR:

Thank you, Mr. President. Amendment No. 3 refers to that portion of the commission's report that deals with restraint and seclusion. And probably the -- there's three or four items that are of -- of most importance in this somewhat lengthy committee -- Floor amendment. First of all, it requires that restraint, which is applied for medical reasons, be documented and authorized by a physician. Limits the time that seclusion can be used for behavior modification reasons. Provides that only trained personnel can be authorized to apply restraint. Requires that restraint -- restrained or secluded recipients be examined within two hours, by either a physician or a supervisory nurse. And also requires that restraint recipients be observed every fifteen minutes, rather than every hour. And I would move its adoption.

PRESIDENT ROCK:

All right. Senator Mahar has moved the adoption of Amendment No. 3 to House Bill 950. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Mahar.

PRESIDENT ROCK:

Senator Mahar, on Amendment No. 4.

SENATOR MAHAR:

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Thank you, Mr. President. As I alluded, Amendment No. 4 takes out that portion of the Committee Amendment No. 2; which we could not come up with suitable language by which to identify circumstances by which recipients could be medicated against their will. And I would move for adoption of Amendment No. 4.

PRESIDENT ROCK:

All right. Senator Mahar has moved the adoption of Amendment No. 4 to House Bill 950. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 951. Senator Mahar. 953. Senator Kelly. Read the bill, Madam Secretary. On the Order of House Bills 2nd Reading, bottom of Page 32, is House Bill 953.

SECRETARY HAWKER:

House Bill 953.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Kelly, Committee Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President. This bill and this amendment is another of the recommendations of the commission that revised the Mental Health Code. The amendment becomes the bill. It provides a procedure for confiscating firearms from those admitted to mental health facilities. It also requires the Department to establish rules to provide services to clients, as determined by qualified professionals of the Department. It allows -- it certifies that -- that commitments to be signed by psychiatrists

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and clinical psychologists. And finally, the amendment allows the Department to promulgate rules for those MH and DD persons confined to local jails and juvenile detention facilities. The bill -- this amendment becomes the bill. And I and Senator Mahar solicit your support, and be glad to answer any questions you might have.

PRESIDENT ROCK:

All right. Senator Kelly's moved the adoption of Amendment No. 1 to House Bill 953. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments.

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Kelly offers Amendment No. 2.

PRESIDENT ROCK:

Senator Kelly, on Amendment No. 2.

SENATOR KELLY:

Okay. The committee amendment was a vehicle amendment, and the -- and the Floor amendment I just read in was the actual amendment. So, we would -- I request that you -- I don't know how we can reverse it, but I read the Floor amendment in -- my -- when I expressed my opinions on what the committee amendment was. Apparently, it was -- strictly just a vehicle amendment to keep the bill -- the bill alive.

PRESIDENT ROCK:

Well, what's your pleasure? We're going to move the adoption of Amendment No. 2?

SENATOR KELLY:

Yes, please.

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PRESIDENT ROCK:

All right. Senator Kelly has moved the adoption of Amendment No. 2 to House Bill 953. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Mahar requests that we go back to 9-5-1, Madam Secretary. On the Order of House Bill 2nd Reading is House Bill 951. Read the bill, please.

SECRETARY HAWKER:

House Bill 951.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Mahar offers Amendment No. 1.

PRESIDENT ROCK:

Senator Mahar, on Amendment No. 1.

SENATOR MAHAR:

Thank you, Mr. President and Members. This simply creates the Governor's Planning Council for Mental Health and DD. I would move its adoption.

PRESIDENT ROCK:

Senator Mahar has moved the adoption of Amendment No. 1 to House Bill 951. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDENT ROCK:

3rd Reading. Top of Page 33. 954. Senator Kelly. Read the bill.

SECRETARY HAWKER:

House Bill 954.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Fawell offers Amendment No. 1.

PRESIDENT ROCK:

Senator Fawell, on Amendment No. 1.

SENATOR FAWELL:

Thank you very much. This just says that the Department is not -- will not adopt any rule which requires that a community-integrated living arrangement - to be located at a minimum distance from another community-integrated living arrangement.

PRESIDENT ROCK:

Senator Fawell's moved the adoption of Amendment No. 1 to House Bill 954. Discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. This amendment does have some controversy about it. The -- I was very closely in support, and of the same opinion that Senator Fawell had before we met last week in the House with a select committee and with representatives of the various Mental Health and DD organizations in the Department. And they, which originally was contrary to my opinion, felt that they ought to have the right to have these facilities further apart, so that there would be a more favorable integration within the communities. Apparently, this

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does present a major obstacle for Senator Fawell within DuPage County. And I have since decided that I am going to support the Department and the other Mental Health organizations. At the same time, I do think the Senator has a valid point to bring up this amendment, and I leave it to the pleasure of the Senate Body.

PRESIDENT ROCK:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

As I -- as I understand this, what we are attempting to do is to prohibit any rule which requires a community-integrated living arrangement to be located a minimum distance from another CILA. Can you tell me, why we're doing that? Why -- why we're prohibiting the promulgation of such rules? And does that mean that the Joint Committee on Administrative Rules, for example, couldn't promulgate a rule that -- that requires a certain distances, or does not require certain distances, with respect to these integrated-living centers?

PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

What happened last week was we defeated a bill that did this, and there was a Representative in the other House that then after we defeated that bill, went down to JCAR and got such a rule promulgated. It seems to me that if we start that kind of nonsense, that a Legislator, after a bill has been defeated, can then go to JCAR and supersede what we did in the Senate. It is, in the first place, an insult to the -- to the entire Senate Body, who has defeated such a bill, and it is certainly not anything that we should be encouraging; in fact, if anything, it seems to me we should be violently opposed to anybody who does that kind of thing. I have been told by the Department that they did not originally want this rule, but were coerced into it. There are

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other ways of solving this problem, for instance, through the contracts to the CILAs. This way, if some home is within six inches of a properly -- of a -- of a -- of a defined distance, that CILA will no longer be able to in existence. I think that's a very bad idea. There has to be some judgments, obviously, for these CILAs, but this isn't the way to do it. And I think you will find that the Mental Health Association, and the vast majority of the DD associations are against this rule.

PRESIDENT ROCK:

Further discussion? Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I rise in strong opposition to Senator Fawell's amendment. And I've only had the privilege of being here three years, but I will say to you, that in those three years the hottest issue that I've ever seen in my locality has involved CILAs. And the greatest abuse I've ever seen of the process, has been involving CILAs, where an agency in my city put three CILAs within shotgun distance of each other, and told neighbors that if they didn't like it, it was too bad. And the position of the Mental Health people, I think, in the majority was that they did support a distance requirement. The federal court district in Minnesota - in Minneapolis - has established that the City of Minneapolis' distance of a quarter of a mile is reasonable. And the intent of the legislation is not to congregate these people in a district, like happened in the Northside of Chicago, and to just merely dump them, but to truly integrate them into society. You cannot integrate them into society if you're going to congregate them, and what this bill does - this amendment - is to allow those people to be shoved off into a corner rather than integrated. And I would suggest to you that if you don't want four of these CILAs in one block in your town, vote against this amendment.

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PRESIDENT ROCK:

All right. Further discussion? Any further discussion?
Senator Fawell, to close.

SENATOR FAWELL:

Thank you very much. Senator Dunn --

PRESIDENT ROCK:

I'm sorry. Senator Fawell, excuse me. Senator -- Senator
Schaffer had his light on, and I missed it - before you close.
Senator Schaffer.

SENATOR SCHAFFER:

Well, I just wanted to indicate that I think Senator Fawell
has a point here. I happen to agree. I think CILAs probably ought
to be spread. But there are situations - opportunities do come
down the road - where you might not want to be locked into this.
How many times have we handled amendments for Misericordia, or a
Little City, or one of the other DD groups, only because we've
closed the door on what those groups choose to do, and what works
for them. If, in fact, a community mental health group did
something in -- in one of our Member's districts that stirred up a
lot of opposition, well, presumably, they paid for their sins.
But I don't think we want to set State policy through the
ineptness of one project in one district. What may make sense in
McHenry County, may not make sense in Joliet, I don't know. All I
know is that the people in charge of these programs have done a
very good job for us, and that if we allow that JCAR rule to stand
in place, within a very short period of time, we'll be down here
for an amendment for Misericordia, or a Little City, or one of
these other agencies. Just because of one local situation, we
shouldn't overreact. I think Senator Fawell has a good amendment.

PRESIDENT ROCK:

All right. Any further discussion? Senator Fawell, to close.

SENATOR FAWELL:

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Thank you very much. When we were discussing the -- the bill that went down last -- last week, I told Senator Dunn that I, indeed, sympathized with what -- what had happen in his district. I think it was wrong what that provider did. I have talked to the Department of the Mental Health and told them so, that I thought that they were dead wrong in allowing a provider to do -- to do what was done in -- in Senator Dunn's district. They agreed with me. And they also agreed that there was a way to prevent such a thing in -- in the future, and that was through a better contract, which would make sure that that would not happen. Our department has control of those funds; they could put those stipulations in the contract before any provider got the money, and that's fine. But to put a rule in like this, especially after we had defeated the bill - for a Legislator to go down to JCAR and to turn around and -- and change what we had done in the Senate - I think is an extremely bad precedent. I think this amendment will correct two situations; one for the CILA, and also one to send a message over to the House, you don't step on us, and we'll leave you alone too, but don't go circumventing what we did over here. And I ask for an Aye vote. ...(machine cutoff)...

PRESIDENT ROCK:

I'm sorry, Senator Fawell.

SENATOR FAWELL:

I would also like to add that this amendment is being supported by IACMHA, by the Illinois Mental Health Association, by the DuPage Mental Health Association, by the DuPage Health Department, and by Ray Graham Association. And I -- I think you are going to find if you check with your people that handle this in your area, they will also be for it. Thank you.

PRESIDENT ROCK:

All right. Senator Fawell has moved the adoption of House Bill -- Amendment No. 1 to House Bill 9-5-4. Those in favor of the

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amendment 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? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 24 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Hall. 1560. 1762. Senator Madigan. Read the bill, please, Madam Secretary. On the Order of House Bills 2nd Reading is House Bill 1762.

SECRETARY HAWKER:

House Bill 1762.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Kelly offers Amendment No. 1.

PRESIDENT ROCK:

Senator Kelly, on Amendment No. 1. All right. The Gentleman asks that the amendment be withdrawn. Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 2867. Senator Watson. 2899. Senator Collins. Read the bill, please.

SECRETARY HAWKER:

House Bill 2899.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation offers

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Committee Amendment No. 1. ...(machine cutoff)...

PRESIDENT ROCK:

Senator Collins, on Committee Amendment No. 1.

SENATOR COLLINS:

Yes. Thank you, Mr. President. Committee Amendment No. 1 is -- is basically a -- deletes the -- the original bill, and -- and it makes the bill technically correct, and I would move for its adoption.

PRESIDENT ROCK:

All right. Senator Collins has moved the adoption of Committee Amendment No. 1 to House Bill 2899. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDENT ROCK:

Senator Collins, on Committee Amendment No. 2. Senator Collins.

SENATOR COLLINS:

Okay. Yes. Amendment No. 2 permits fingerprinting shall be provided to the State Police, to enable them to conduct and require background investigation checks for those who are contracts with CTA. And I would move for its adoption.

END OF TAPE

TAPE 5

PRESIDENT ROCK:

Senator Collins has moved the adoption of Committee Amendment No. 2 to House Bill 2899. Discussion? If not, all in favor,

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indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Collins offers Amendment No. 3.

PRESIDENT ROCK:

Senator Collins, on Amendment No. 3.

SENATOR COLLINS:

Committee -- I mean, Amendment No. 3 gives the State Police power to investigate criminal or drug offenses committed in other states against the law in the U.S. -- United States. And I would move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of Amendment No. 3 to House Bill 2899. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Watson.

PRESIDENT ROCK:

Senator Watson, on Amendment No. 4.

SENATOR WATSON:

Thank you, Mr. President. This particular amendment - No. 4 - simply states - and I'm going to briefly read it here - that no photographic advertisement, display or other similar representation showing or simulating physical contact between - or embrace between or among persons of the same sex or -- or gender within a erotic or sexual context shall be exhibited in, or upon any bus or other means of transportation or conveyance within the

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reasonable -- which may be reasonably presumed or assumed to serve as transportation for an individual under the age of twenty-one years of age. Violation of this Section is a petty offense, for which a fine of up to two hundred dollars per day of -- of exhibiting this particular display. I don't know if you've followed the concerns and the problems that the CTA has had in -- in recent weeks about a billboard that will appear on some of the CTA buses in Chicago. There was an article in a editorial or -- by Richard Roper from the Sun-Times concerning this issue. And some of you've probably seen what this particular billboard will be. In fact, I -- I have the actual billboard here, and I'm not going unroll this, necessarily, but I've got -- I've got -- what -- what will be on these buses. And it's the billboard that says, "Kissing doesn't kill, greed and indifference do." And what we have here is people kissing; a black, a white, two males and two females. And I really think -- and the CTA is in a real dilemma over this. And the Black Caucus and some of us have met with CTA officials and Jean Barnes concerning this issue. And we -- we find, quite honestly, the billboards to be quite offensive. And we don't necessarily think that they're trying to do anything to prevent the spread of AIDS. It looks more like, to us, that they're promoting a certain lifestyle. And I -- and I think that -- that should be a concern of all of ours, especially when we have young people that are riding these buses, and will be seeing these billboards. And we're not talking about just a small sign. This is a ten-foot by three-foot billboard that will be on the side of a bus -- bus sign. Anybody wants to see it come -- you can come over and take a look at it. That's simple as that. I don't want to roll it out here now. It's in three sections -- it's in three sections. But anyway, this -- this amendment would simply send a message, and hopefully give some direction, to the CTA in which they could really prohibit this type of message being

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sent to the -- to the people in -- of Chicago, and -- and maybe elsewhere in this State. So if you have any questions, I'd be glad to answer. Otherwise, I appreciate your support.

PRESIDENT ROCK:

Senator Watson has moved the adoption of Amendment No. 4 to House Bill 2899. Any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3164. Senator Netsch. 3-1-6-4. Bottom of Page 33. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3164.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Netsch and Smith offer Amendment No. 1.

PRESIDENT ROCK:

Senator Netsch, on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 3164 is the bill that is part of the Health Care Summit. This is the part that deals only with the Local Government Health Care Fund, a part, I might add, that everyone has agreed must be passed, in some form, this Session. The amendment would simply provide that the Fund will be administered in accordance with the plan established by the board that will be created by another bill that is part of the package. We understand that this bill is going to end up in a conference

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committee while we continue to work out the mechanics of the funding, but it is absolutely essential. In the meantime, I would move the adoption of Amendment No. 1 to House Bill 3164.

PRESIDENT ROCK:

Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 3164. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3168. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3168.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations I offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Carroll, on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3168 for the Appellate Prosecutor -- we applied the normal guidelines amendment. Senator Demuzio had held it. There was some question on the two-thirds/one-third split with the county. I think that's been resolved. And I would move adoption of Committee Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3168. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

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No further committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Carroll offers Amendment No. 2.

PRESIDENT ROCK:

Senator Carroll, on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Central Management Services has now approved a lease for operation of their office in Elgin. It required an additional rent amount of some thirteen thousand seven hundred. This would appropriate that amount. I would move its adoption.

PRESIDENT ROCK:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3168. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3290. Senator Kelly. Top of Page 34. 3397. Senator -- I'm sorry. Senator Kelly. Senator Kelly. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Yes. We would like to proceed. Senator Jacobs has the amendment.

PRESIDENT ROCK:

So you wish 3290 called?

SENATOR KELLY:

Right.

PRESIDENT ROCK:

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Okay. On the Order of House Bills 2nd Reading, the bottom of Page 33, is House Bill 3290. Read the bill, please.

SECRETARY HAWKER:

House Bill 3290.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Jacobs offers Amendment No. 1.

PRESIDENT ROCK:

Senator Jacobs, on Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment merely establishes a requirement for discipline of educational support personnel. It's a bill that we passed out last year, and it was bottled up in a conference committee with a lot of other stuff, and I ask for its support.

PRESIDENT ROCK:

All right. Senator Jacobs has moved the adoption of Amendment No. 1 to House Bill 3290. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. Amendment is adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. With leave of the Body, we'll go back. Senator Hall has returned to the Floor. 1560. On the Order of House Bills 2nd Reading is House Bill 1560. Read the bill, please.

SECRETARY HAWKER:

House Bill 1560.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Hall offers Amendment No. 1.

PRESIDENT ROCK:

Senator Hall, on Amendment No. 1. ...(pause)... Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This deletes all, and creates the Infrastructure Bank Study Commission Act to study the feasibility of creating an infrastructure bank in Illinois. It requires the Commission to report to the GA by 3/1/92, and sunsets in 12/31/92. I move for the adoption of this amendment.

PRESIDENT ROCK:

All right. Senator Hall has moved the adoption of Amendment No. 1 to House Bill 1560. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

There are no further amendments.

PRESIDENT ROCK:

3rd Reading. Now, top of Page 34. On the Order of House Bills 2nd Reading is House Bill 3397. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3397.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

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SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 3468. Senator Carroll. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3468.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers Amendment No. 1.

PRESIDENT ROCK:

Senator Carroll, on Committee Amendment No. 1.

SENATOR CARROLL:

We would ask leave to Table Committee Amendment 1. They were trying to work out an agreement on language on the dumping issue, and it has not yet been reached. So, by agreement, we would Table this amendment, move the bill to 3rd, and hold it there.

PRESIDENT ROCK:

All right. Senator Carroll moves to Table Committee Amendment No. 1 to House Bill 3468. Discussion? If not, all in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Jacobs offers Amendment No. 2.

PRESIDENT ROCK:

Senator Jacobs, on Amendment No. 2.

SENATOR JACOBS:

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No, that's -- that's out of the record - should be.

PRESIDENT ROCK:

It will be, if you ask it to be.

SENATOR JACOBS:

I ask for it to be.

PRESIDENT ROCK:

Okay. Gentleman seeks leave to withdraw it. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Donahue. 3494. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3494.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 3506. Senator Maitland. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3506.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Energy and Environment offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Maitland, on Committee Amendment No. 1.

SENATOR MAITLAND:

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Thank you very much, Mr. President, Members of the Senate. House Bill -- Amendment No. 1 to House Bill 3506 was the agreed-to amendment that was put on in -- in committee. I -- I really know of no opposition. I would move for the adoption.

PRESIDENT ROCK:

All right. Senator Maitland has moved the adoption of Committee Amendment No. 1 to House Bill 3506. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Maitland offers Amendment No. 2.

PRESIDENT ROCK:

Senator Maitland, on Amendment No. 2.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Amendment No. 2 extends the -- the areas covered to the skull, and sinuses, and the spine, and I know of no opposition. Would move for the adoption.

PRESIDENT ROCK:

Senator Maitland's moved the adoption of Amendment No. 2 to House Bill 3506. Discussion? If not, all in favor -- I'm sorry. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Would the Senator yield for a question, please?

PRESIDENT ROCK:

He indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

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Senator Maitland, it's my understanding that the radiologists are -- are not in favor of this amendment, that it goes much further than what it appears to go, because you -- you are limiting, as I read it, the requirements needed to take -- to take x-rays of the head and body. I think that's a little more detailed than what the -- the first emphasis was of the bill, and I think that there's more to -- I know the Medical Society wants this, but -- but I don't think that it's a bill that -- or an amendment that we should put onto this very good bill.

PRESIDENT ROCK:

Further discussion? Senator Maitland, you wish to close?

SENATOR MAITLAND:

Thank you, Mr. President. Only to say, Senator Jacobs, I believe there is some -- some mild opposition to this by -- by the radiologists. This is the -- the amendment that was discussed at great length, and I -- and the Med Society is supporting this one. I would move for the adoption.

PRESIDENT ROCK:

Senator Maitland's moved the adoption of Amendment No. 2 to House Bill 3506. All in favor of the amendment, indicate by saying Aye. Opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3513. Senator Schaffer. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 35 -- 3513.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

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Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 3587. Senator Madigan. 3610. Senator Dunn. 3630. Senator Maitland. Read the bill, Madam Secretary, please. On the Order of House Bills 2nd Reading, middle of Page 34, is House Bill 3630. Read the bill, please.

SECRETARY HAWKER:

House Bill 3630.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive offers Amendment No. 1.

PRESIDENT ROCK:

Senator -- has it been adopted already?

SENATOR MAITLAND:

Thank you very --

PRESIDENT ROCK:

Committee Amendment No. 1 has been adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Maitland.

PRESIDENT ROCK:

Senator Maitland, on amendment No. 2.

SENATOR MAITLAND:

Mr. President, this is an amendment that will have to go on at some point, but we are -- we are lead to believe it does not track. So we would like to withdraw that amendment at this time.

PRESIDENT ROCK:

All right. Amendment will be withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Maitland.

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PRESIDENT ROCK:

Senator Maitland, on Amendment No. 2.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Amendment No. 2 to House Bill 3640 -- 3630 brings in two more easements, one in Ford County, and one in Bond County. I would move for the adoption.

PRESIDENT ROCK:

Senator Maitland's moved the adoption of Amendment No. 2 to House Bill 3630. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Vadalabene.

PRESIDENT ROCK:

Senator Vadalabene, Amendment No. 3.

SENATOR VADALABENE:

Thank you, Mr. President and Members of the Senate. This amendment adds an additional release of easements to IDOT's annual bill dealing with this issue. Both staffs have been provided information and appraisals relative to this bill. I ask for your favorable vote.

PRESIDENT ROCK:

Senator Vadalabene's moved the adoption of Amendment No. 3 to House Bill 3630. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3694. Senator Zito. Read the bill, please.

SECRETARY HAWKER:

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House Bill 3694.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 1 just declares that the State funds, if appropriated for the purpose of regional poison resource centers, shall be distributed by the Department of Public Aid, rather than the Department of Public Health. The Department of Public Health supports the amendment.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 3694. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Smith.

PRESIDENT ROCK:

Senator Smith, on Amendment No. 2.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 of 3694 retains the original bill and adds House Bill 3482, which stipulates that when an adoption is ordered by a court, the records furnished by the court -- court clerk to the State Registrar of Vital Records shall include the Social Security number of the adoptive parent. I move its adoption.

PRESIDENT ROCK:

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Senator Smith's moved the adoption of Amendment No. 2 to House Bill 3694. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Zito.

PRESIDENT ROCK:

Senator Zito, on Amendment No. 3.

SENATOR ZITO:

Thank you, Mr. President and Members. Amendment No. 3 was given to us, and is agreed to by the Illinois Hospital Association. It adds strep tests to the list of tests described in the amendment, and I would move for its adoption.

PRESIDENT ROCK:

Senator Zito's moved the adoption of Amendment No. 3 to House Bill 3694. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Zito.

PRESIDENT ROCK:

Senator Zito, on Amendment No, 4.

SENATOR ZITO:

Thank you, Mr. President and Members. This amendment came to us and is a recommendation of the Department of Public Health. According to the Department, the amendment now reflects the noncontroversial aspects of House Bill 3587. I would move for its adoption.

PRESIDENT ROCK:

Senator Zito has moved the adoption of Amendment No. 4 to House Bill 3694. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's

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adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 5 offered by Senator Zito.

PRESIDENT ROCK:

Senator Zito, on Amendment No. 5.

SENATOR ZITO:

Yes. Mr. President and Members. This is a technical amendment, and I would move for its adoption.

PRESIDENT ROCK:

Senator Zito has moved the adoption of Amendment No. 5 to House Bill 3694. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3718. Senator Netsch. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3718.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Netsch offers Amendment No. 1.

PRESIDENT ROCK:

Senator Netsch, on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. -- thank you, Mr. President. Amendment No. 1 is quite substantive, and fairly important. What it is intended to do, is to address the major problems that are caused to our

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whole budgetary process by the enormous amount of money that is spent during the lapse period and the length of that lapse period. So what the amendment proposes to do, is to reduce the lapse period to two months, and also to tighten up those expenditures that may be paid during that lapse period from the prior year's appropriation. Of course, it in no way suggests that those bills won't be paid, it's just that -- from what appropriation they will be paid. I will be distributing a memo tomorrow that will just set out some figures and further background on that. In the meantime, I would move the adoption of Amendment No. 1 to House Bill 3718.

PRESIDENT ROCK:

All right. Senator Netsch has moved the adoption of -- Amendment No. 1 to House Bill 3718. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3725. Senator Hall. 3777. Senator Newhouse. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3777.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Newhouse and Smith offer Amendment No. 1.

PRESIDENT ROCK:

Senator Newhouse, on Amendment No. 1.

SENATOR NEWHOUSE:

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Thank you, Mr. President. Mr. President, Amendment No. 1 to House Bill 3-7-7-7 implements a recommendation of the Cook County Health Care Summit. The purpose of the amendment is to keep the bill moving; to get it to conference committee, so that it can come to some consensus for recommendation to the Summit. I would move its adoption.

PRESIDENT ROCK:

Senator Newhouse has moved the adoption of Amendment No. 1 to House Bill 3777. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top of Page 35. 3891. Senator Davidson. Read the bill, please.

SECRETARY HAWKER:

House Bill 3891.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Davidson, on Committee Amendment No. 1.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I want all of you to please pay attention to this bill, 'cause some of you had questions about it, and we want to adopt this committee amendment so it can progress on, and then pass it out of here. The House will not concur in the amendment; we'll refuse to recede, so we can get it to conference committee. We have all the players - private industry, homebuilders, appraisers, et cetera - meeting again tomorrow evening, and if we don't get it in place by June

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30th, why then it'll be where we can use it alive at the Veto Session. So I'd move to adopt Committee Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Davidson's moved the adoption of Committee Amendment No. 1 to House Bill 3891. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 4140. Senator Marovitz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 4140.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Marovitz offers Amendment No. 1.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 1.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Amendment No. 1 is the -- embodies the bill with a minor change, that we passed in the Senate, dealing with accidental killings of children with firearms. The change in the bill -- we specified that the treble damages are categorized as punitive, so that

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insurance companies would be shielded from any liability, or any damages from the bill. In just Monday's State Journal Register, the headline is, "Summer gun play leaves many children dead." "Summer's the season for ice cream, baseball, bike rides, and all too often, accidental shootings involving kids. Every summer hundreds of kids are killed or injured while playing with handguns, which often belong to parents or friend's parents," said Bob Scully, President of the National Association of Police Organizations. Within the last couple weeks, kids right here in Springfield, Taylorville have been killed. I just wonder how many more kids have to die before we take appropriate action about something that really is basic. We passed this bill. I don't think it needs a long discussion. Duey Stokes, the National President of the Fraternal Order of Police, said, "Parents must take safety precautions to unload and lockup their handguns, so that their children aren't exposed to handgun danger in the home." This bill lost in the House today. I want you to know that it lost in the House. People said that it didn't go through committee, because the votes weren't there in committee. It didn't have a committee hearing. That's one of the reasons it lost. I think that it needs another chance in the House. It's basic common sense that if kids are dying in -- by accidents, that we do something about it. It worked in Florida. People bought trigger-lock mechanisms. It can - it will work here. How many more kids have to die before we take action? I solicit your Aye vote.

PRESIDENT ROCK:

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 4140. Discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I have a question of the Chair. Is this amendment germane to the bill? I'd like to have a ruling

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from the Chair.

PRESIDENT ROCK:

All right. We'll -- the Chair will certainly take a look at it. ...(machine cutoff)... All right. Senator Philip, yes. The Chair is prepared to rule that Amendment No. 1, as offered, is germane on the basis that they are both -- the original proposal and the amendment both deal with criminal offense. Further discussion on Amendment No. 1? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Davidson.

SENATOR DAVIDSON:

On the second page of your amendment, the last paragraph says, "it shall not apply to any firearm obtained by a minor under the age of fourteen because of unlawful entry of the premises by the minor or other persons." What about -- does this apply only if it's unlawful entry to the house or to their garage, or is -- since you related to the one situation, and spoke about Taylorville, the one unfortunate accident was - these kids broke into the locked gun cabinet within the house. They were -- they were children of that parent. What happens to that parent in this case?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Nothing happens to that parent, because that parent took the responsible action of locking or securing the gun. So there is absolutely no violation under that case, and I'm glad you brought it up.

PRESIDENT ROCK:

Senator Davidson.

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SENATOR DAVIDSON:

Also, if the weapon is loaded and is in a locked cabinet, or has a trigger lock on it, et cetera, does that excuse -- or that exonerate the owner of the gun if the child attains that gun legally or illegally - actually it'd be illegally, if you were without his permission - but if the gun is loaded and is in a locked cabinet, or with a trigger lock, but whatever reason, the child is able to gain access and make it usable, is the owner of the gun still liable?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

The owner of the gun is totally exonerated. There is no liability on the gun owner.

PRESIDENT ROCK:

Further discussion? All right. Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 4140. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 4190. Senator Luft. 4208. Senator Zito. Read the bill, please.

SECRETARY HAWKER:

House Bill 4208.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Zito and Keats offer Amendment No. 1.

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PRESIDENT ROCK:

Senator Zito, Amendment No. 1.

SENATOR ZITO:

I'll defer to Senator Keats.

PRESIDENT ROCK:

Senator Keats, on Amendment No. 1.

SENATOR KEATS:

What this amendment does, in meetings with the Bankers Association and with Department of Public Aid and people who have been involved in the distribution of Public Aid checks, this simplifies the system and allows a recipient to receive that system at a financial institution, not just a currency exchange. But it does not in any way cut out the currency exchanges. They are not opposed to it. We will continue to work with the Department of Public Aid. The effective date of the bill would be 1, January. They have a hundred and eighty days to implement the system. So one year from today they would have to come on line, to find a way to electronically transfer these funds. If there are any questions, we'd be glad to answer them.

PRESIDENT ROCK:

All right. Senator Keats has moved the adoption of Amendment No. 1 to House Bill 4208. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Ladies and Gentlemen, with leave of the Body, we'll go now to the Recalls. I direct your attention to the Recall List. There are some thirty additional amendments to be offered. If you'll turn to Page 6 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 4-9-3. Senator

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Dudycz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 493, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senators -- Amendment No. 3 offered by Senator Dudycz.

PRESIDENT ROCK:

All right. Senator Dudycz, on Amendment No. 3.

SENATOR DUDYCYZ:

Yes. Thank you, Mr. President. Amendment No. 3 is merely technical in nature, and it corrects a grammatical and technical error.

PRESIDENT ROCK:

Senator Dudycz has moved the adoption of Amendment No. 3 to House Bill 493. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 7. 1681. Senator Dunn seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1681, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senators Kustra and Holmberg.

PRESIDENT ROCK:

Senator Kustra.

SENATOR KUSTRA

Thank you, Mr. President and Members of the Senate. Amendment

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No. 3 has the contents of Senate Bill 1766, which we passed out of here 55 to nothing. It's been held up in the House, for reasons that have nothing to do with the content of the bill. The amendment allows school districts to utilize up to two of their teacher institute days as parental institute days. And I'd now move that we adopt Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved the adoption of Amendment No. 3. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 21 is Senate <sic> Bill 2367. Senator Jacobs seeks leave of the Body to return House Bill 2367 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 2367, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The Senate passed, some time ago, Senate Bill 2128, which was designed to alleviate a problem -- to alleviate a problem coming from a community in my district that issued bonds based on the TIF legislation that existed at the time, and then found that later on - two years later - we changed that legislation, and they were held -- their feet to the fire in terms of funding those bonds. The House thought that the bill might be a little too broad, and they've agreed to this amendment,

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which restricts the people who are eligible for this, and also has a two-year sunset, and the reimbursement to that community. After two years, that community is going to have to go on its own to determine how it's going to fund the balance of those bonds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis has moved the adoption of Amendment No. 1. Is there discussion? Senator Watson.

SENATOR WATSON:

Yes. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

That's not certainly unique to your -- your communities. That -- that's a problem that we're having in every community throughout this State that has a TIF district. I've got communities in my area who are asking me the same -- and have the same concerns as you're addressing, and I guess your legislation -- your amendment is -- is restricted to just your district. Is that the case, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

The answer is yes, Senator Watson. However, when I had 2128, I made inquiries of every TIF district through the TIF Association, and I don't believe that the communities in your area were affected. There were three other potential communities. This only applies to those communities who were involved when the window was open for that two-year period, who, in fact, did issue the maximum allowable amount of bonds, under that particular Statute, not anybody who just issued bonds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

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SENATOR WATSON:

I believe the City of Salem, in Marion County, would be one of those particular communities. And if that's the fact, then will this have a positive impact on the City of Salem, and their ability to recover money from the TIF Fund?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

To my knowledge, Salem was not one of the communities that was involved. I never saw them on any list.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Question of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Luft.

SENATOR LUFT:

Am I to understand that this is site, city, TIF specific?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I believe that it -- the manner in which the House drew up this, basically restricted it to that one community. I can't unequivocally say there might not be somebody else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. To expand on Senator Watson's question then. If I remember correctly, when we had the reform bill -- the TIF Reform Bill, we mandated certain TIF districts reduce their size and their -- their geographical size, and or their sales tax size. Some of those TIF districts had already

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issued bonds and were harmed, in some degree or other, because of that reduction. Would they fall under this and be able to, somehow, issue more bonds, or receive more TIF money than they are getting now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator DeAngelis

SENATOR DeANGELIS:

Well, you know, we had 2128, which was broader, in this Chamber. And I went ahead and asked, at the time, if there were any communities that had the similar problem. To my knowledge, none of them did. Now, this only applies to someone who has issued bonds in a dollar amount that exceeded the amount that the change in law would allow them to pay. And from my knowledge, I -- I think there's only one community that that applies to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis, you may close.

SENATOR DeANGELIS:

I urge the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of Amendment No. 1. Is there further discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 8. Senator Welch, on 2842, seeks leave of the Body to return House Bill 2842 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted.

On the Order of House Bills 2nd Reading is House Bill 2842, Madam Secretary.

SECRETARY HAWKER:

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Amendment No. 2 offered by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 -- Floor Amendment No. 1 -- to 2842 strictly allows for peace officers employed by the State universities to be included under the Public Labor Relations Act. And I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2's adopted. Further -- further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment is one suggested by the House sponsor, Representative Ropp, which is similar to an amendment that was put on a bill of Senator Rock's earlier today. Part-time students would not have to be tested when it comes to -- it -- students enrolled in classes less than half time, or part-time students would not have to be immunized under State Public Health Act policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 3. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

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No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 22. Senator Karpel seeks leave of the Body to return House Bill 2884 to the Order of 2nd Reading for the purpose of an amendment. Leave granted? Leave is granted. House Bill 2nd Reading is House Bill 2884, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Karpel.

PRESIDENT ROCK:

Senator Karpel.

SENATOR KARPEL:

Yes. Thank you, Mr. President. Amendment No. 1 to House Bill 2884 does two things. It amends the Highway Code, and says that in the case of a road district having a population of fifteen thousand or more, that it requires that contracts for construction materials, supplies and machinery or equipment, costing more than ten thousand, be let to the lowest responsible bidder. It also amends the Township Purchasing Act, and requires that with respect to a township contract for services or other items, which is subject to bidding requirements, the township must advertise for bids at least once.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2966. Senator Newhouse seeks leave of the Body to return House Bill 2966 to the Order of 2nd Reading for the purpose of an amendment. Is leave -- I'm sorry. For the purpose

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of Tabling an amendment. Is leave granted? Leave is granted.
House Bills 2nd Reading is House Bill 2966. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. You stated the case. I move to
Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse, having voted on the prevailing
side, moves to reconsider the vote by which Committee Amendment
No. 1 was adopted. Those in favor, indicate by saying Aye.
Opposed, Nay. The Ayes have it. The motion -- the amendment is
reconsidered. Senator Newhouse now moves to Table Committee
Amendment No. 1. Those in favor will indicate by saying Aye.
Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is
Tabled. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3136. Senator Watson. Watson -- Senator Watson
on the Floor? I'm sorry. I didn't recognize you with all your
buttons. Senator Watson seeks leave of the Body to return House
Bill 3136 to the Order of 2nd Reading for the purpose of an
amendment. Is leave granted? Leave is granted. On the Order of
House Bills 2nd Reading is House Bill 3136, Madam Secretary,
please.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Nice to meet you, too. This
particular amendment would allow for the City of Morris to enter
into a quick-take provision for a period of one year from the

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effective date of this particular bill, for the development of the Morris Municipal Airport. I don't know if you were around when the Mayor Bud Washburn - who was a former State Representative, now Mayor of Morris - was here, and asked us to -- to put this particular provision on this bill. We have -- there are four parcels of land involved. The -- the land's been appraised. It's in the IDOT budget. It's been approved by the -- by the feds and the State, so I -- I know of no opposition, but be glad to answer any questions. Otherwise, I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson's moved the adoption. Is there discussion? Senator Joyce.

SENATOR J.J. JOYCE:

Yes. Thank you, Mr. President. I'd rise in support of this. It -- it's a good project.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Watson, how close to the City of Morris is the land that you're talking about? How many miles?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I'm sorry. I can't really defer. I -- I would probably defer to the Senator from that district, if we could, at this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

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It's about, I'd guess, a mile - mile and a half.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson has moved the adoption of Amendment No. 3. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senators Thomas Dunn and J.J. Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This extends to Will and Kankakee County the same authority as the Quad City Regional Economic Development Authority and the Upper Illinois River Valley Development Authority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Amendment No. 4. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3149. Senator Jones seeks leave of the Body to return House Bill 3149 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3149, Madam Secretary

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President, Members of the Senate. Come back to this in a minute. Come back to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. 3161. Senator Hawkinson seeks leave of the Body to return House Bill 3161 to the Order of House Bills -- to 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 3161, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Hawkinson and Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Amendment No. 2 adds three Senate Bills: Senate Bill 2105, dealing with use immunity; Senate Bill 2112, which was the Drug Asset Forfeiture Act; and Senator Barkhausen's bill, Senate Bill 2186. The latter two bills were on our Agreed Bill List, and passed unanimously. The Use Immunity Bill, Senate Bill 2105, passed by a vote of 47 to 2. For some reason weren't let out of the Rules Committee in the House. And I would ask for the adoption of Senate Amendment No. 2 to House Bill 3161.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Oops! Beg your pardon. I'm sorry. Discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Sponsor indicates he will yield. Senator Dunn.

SENATOR T. DUNN:

Senator Hawkinson, does this deal with accountability, and the portion that could, conceivably, lead to the taking away of a residence where a child who lives in the residence sells a -- a prohibited drug?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

The -- the bills have not been -- the amendment is identical to the bills as we passed it in the Senate. And I believe they would require knowledge, if not participation, by the parent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

We had a meeting last night, Senator, for approximately two hours with many of the participants involved in 3610, and essentially came up with an agreement between the parties -- or most of the parties. And I would point out to you, that your bill differs, substantially, from what that agreement led to. In the question of accountability, the Members should know that if a parent knows that a child - their child - sells a lid of grass, that -- did you wish to interrupt? Go ahead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Senator, if there's been an agreement that I'm not aware of, I'd be happy to take a look at that language, and -- and incorporate it. Sure. Out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Senator Jones indicates he is ready now. So, with leave of the Body, we'll

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return to House Bill 3149, Madam Secretary. Senator Jones has sought leave to return House Bill 3149 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 3149, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of -- of the Senate. Amendment No. 2 is the language recommended by the Department of Professional Regulation, as relate to the Pharmacy Act. And it inserts in there a list of disciplinary actions the Department can take against pharmacists. And I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. Amendment No. 3 is the Clinical Social Workers Bill for third-party reimbursement. It's the same bill that passed this Chamber, and then Senate Bill 1510 got hung up in the House committee, due to absenteeism of its membership. It is the third -- it is not a mandate, it is the third-party payment, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Jones has moved the adoption of Amendment No. 3. Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill amends the license provisions of the State, and the amendment seeks to amend the Insurance Code, and I would question whether the amendment is germane to the bill. And I'm sorry about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)...Senator Schuneman, with respect to the ruling, both the bill and the amendment share a common ground - the regulation of health care providers. The bill deals with unlicensed pharmacists - the amendment with licensed clinical social workers. Therefore, the amendment is, in the opinion of the Chair, germane. Senator Schuneman.

SENATOR SCHUNEMAN:

I'm sorry, Mr. President. I didn't hear everything. Did you rule that the amendment is germane?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes. The bill deals with...

SENATOR SCHUNEMAN:

And for what reason?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Both the bill and the amendment share a common ground - the regulation of health care providers. The bill deals with unlicensed pharmacists - the amendment with licensed clinical social workers. And therefore, the -- in the opinion of the Chair, the amendment is, in fact, germane. Senator Schuneman.

SENATOR SCHUNEMAN:

Well. Thank you, Mr. President. There -- there's just little point in -- in this Body in trying to overrule the ruling of the Chair. But I think the Chair has, on at least two occasions in the last couple of days, reached pretty far to accommodate some of

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these amendments. And -- and I would hope that that would be evenhanded for both sides of the aisle if, in fact, that occurs. So with that I -- I would simply say that the ruling is something less than -- than understandable, I guess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. -- Mr. President. There was a error made, and there was another amendment that had been adopted, and I want the leave to reconsider Amendment No. 1, so that I can Table that amendment so that these amendments do track. So I'd like leave to reconsider Amendment No. 1 that was -- had been adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well -- Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Yes. Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this amendment. As you know this was a -- was a Senate Bill --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute.

SENATOR PHILIP:

-- and if you'll remember correctly --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait. Wait. Wait --

SENATOR PHILIP:

-- it was on Postponed Consideration, and got out of here with 30 votes, and then the House killed it. And why should we go into this once again. You know, we -- we shouldn't be doing it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

What's the issue? Well, Senator Jones, it's -- it is my understanding that you request to go back to Amendment No. 1 --

SENATOR JONES:

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Right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

-- for the purpose --

SENATOR JONES:

Of Tabling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

-- of Tabling, and -- all right. Let's take Amendment No. 3 out of the record, momentarily. Take it out of the record. Senator Jones now, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. All right. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Well, could -- could the Gentleman explain what he's -- what he's about here? We -- we amended the bill that -- that has to do with the Pharmacy Practice Act. And then he attached an amendment which you ruled was germane to the Insurance Code. Now he seeks to remove the first amendment, which was certainly germane. So could he give us an explanation as to where we're going with all this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes. To clarify. Amendment No. 2, which we adopt, as relate to the Pharmacy Act - that was adopted. But we should have Tabled the Committee Amendment No. 1. So, what I am doing now is just to reconsider the vote by which that amendment was adopted and Table that, so that the following amendments will track.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones, having voted on the prevailing side, moves to reconsider the vote by which Committee Amendment No. 1 was adopted. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The -- Committee Amendment No. 1

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is now reconsidered. Senator Jones.

SENATOR JONES:

Yes. I move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones now moves to Table Committee Amendment No. 1. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. Amendment No. 3 has been discussed. This is the Clinical Social Worker Third-Party Payment Act, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moved the adoption of Amendment No. 3. Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Simply to ask for a roll call on this -- on this vote. This is - once again - is an attempt to adopt the Clinical Workers Social -- Social Clinical Workers Act. And I think that this -- this measure has had adequate debate here. It's been rejected in the House. And -- and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones may close.

SENATOR JONES:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moved the adoption of Amendment

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No. 3. Those in -- those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 17, none voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3167. Senator Fawell seeks leave of the Body to return House Bill 3167 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3167, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. Having voted on the prevailing side, I would like to reconsider the vote on Amendment No. 1. It was flawed, and -- and substitute...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. The Committee -- Committee Amendment No. 1 is now reconsidered. Senator Fawell now moves to Table -- Senator Fawell moves to Table Committee Amendment No. 1. Is that right, Senator Fawell? Give me a sign of some sort...

SENATOR FAWELL:

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Yes. I -- I'm -- I'm saying yes. Yes. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Well, I mean -- I won't -- All right. Senator Fawell now moves to Table. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Fawell offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is basically the same amendment, although it says no inmate shall be eligible for good-time conduct credit under this paragraph, if such inmate has engaged in the educational, academic or vocational training programs before, and has subsequently been convicted of a felony. It also still excludes first degree murder, second degree murder, Class X felonies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved the adoption of Amendment No. 2. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3273. Senator Rock. 3330. Senator del Valle seeks leave of the Body to return House Bill 3330 to the Order of

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2nd Reading for the purpose of an amendment. Is leave granted?
Leave is granted. On the Order of House Bills 2nd Reading is
House Bill 3330, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This amendment was worked out with
IDPH. It makes the pilot programs permissive, and allows DPH to
explore alternative methods of funding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle has moved the adoption of Amendment No. 1.
Is there discussion? If not, those in favor will indicate by
saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is
adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3337. On the Order -- Senator Marovitz.

SENATOR MAROVITZ:

Question, Mr. President. There are still some discussions
going on, and I've discussed with Senator Madigan - holding this -
so that we can get, perhaps, another agreed amendment tomorrow.
If we do that, will this automatically appear on the Recall
tomorrow? Will this automatically appear on Recall? Without us
doing anything?

PRESIDING OFFICER: (SENATOR DEMUZIO)

If the amendment -- if we pass over it today, the amendment is
still filed. It will show up on the Recall List tomorrow.

SENATOR MAROVITZ:

Thank you very much.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

If it is not -- if -- if there's no action with respect to the amendment tomorrow on the Recall List, it automatically goes back -- reverts back to the posture where it currently reposes, and that would be 3rd Reading.

SENATOR MAROVITZ:

Okay. But right now, if we don't hear it today, it will be on the Recall List tomorrow?

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is correct.

SENATOR MAROVITZ:

Thank you very much, then -- then I will just pass it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 3370 -- 3406. Senator Jacobs seeks leave of the Body to return House Bill 3406 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 3406, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to 3406 strictly takes the interest earned on bonds by QCREDA, and considers them as tax exempt. Currently, the -- the Authority has the discretion of considering them tax exempt, and it's posing some legal problems, and we'd like to have this passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is

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adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman. We have passed this amendment out before. This bill basically covers firemen who have continued coverage and are eligible for Medicare coverage. They may receive their benefits, as a supplement to Medicare, if they pay the required premiums. This has a State Mandates exemption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Amendment No. 3 does the same thing as Amendment No. 2, except it -- it also includes the Illinois -- those members covered by the Illinois Municipal Retirement Fund. No State funds involved in this either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs has moved the adoption of Amendment No. 3. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further Amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 27. Senator Barkhausen. Senator Barkhausen seeks leave of the Body to return House Bill 3527 to the Order of 2nd Reading for the purpose of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3527, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I move that we Table Amendment No. 1 to House Bill 3527.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion to -- is reconsidered. Senator Barkhausen now moves to Table Amendment No. 1. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3528. Senator Barkhausen. 3536. Senator Philip seeks -- Senator Philip seeks leave of the Body to return -- Senator Barkhausen, is it your intention to proceed with 3528 today? All right. 3536. Senator Philip seeks leave of the Body to return House Bill 3536 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3536, Madam Secretary.

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SECRETARY HAWKER:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Governor's appropriation. It takes off the House amendment of fifty/fifty. Move the adoption of Amendment No. 1 to House Bill 3536.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)...All right. It's -- it's my understanding we want to move to reconsider the -- all right. All right. Senator Philip has moved the adoption of Amendment No. 2. Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Rise in support of the amendment. We had agreed that there would be no fifty/fifty amendment on any of the bills. Because we had Tabled our committee amendment that had done other things, as well as take off the fifty/fifty amendment, there would -- the fifty/fifty amendment imposed by the House was still on this bill. Senator Philip, therefore, is moving to eliminate that, and we totally support that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip has moved the adoption of Amendment No. 2. Further discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3590. Senator Watson. Senator Watson seeks

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leave of the Body to return House Bill 3590 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3-5-9-0, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Amendment No. 2 to House Bill 3590 is an attempt to provide minimum penalties for violators of the Controlled Substances Act and Cannabis Control Act. Currently, there are Sections in both of those Statutes that, in effect, permit offenders or violators of both of these Statutes to get off without paying any penalty at all. What we are attempting to do with this amendment is not to increase our prison population, but to provide, on the one hand, that those who violate these Sections are not eligible for court supervision, which means that - in the case of supervision - that nothing goes on one's criminal record, and to also provide minimum penalties of a thousand-dollar fine or a hundred hours of community service work. It is the strong feeling of some of us that even users of drugs ought to be paying some price, not necessarily a prison sentence - and that's not what we provide in this amendment - but that there ought to be some consequences from these acts. And that only by enacting a law of this kind can we send a clear message that users of these drugs are creating a demand, that in turn is encouraging a supply, and that together these are a great plague on our society. And this is the most meaningful way we can think of to do something about it. And I ask for your support.

PRESIDENT ROCK:

Discussion? Senator D'Arco.

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SENATOR D'ARCO:

Thank you, Mr. President. We beat this bill in committee, and the reason we beat the bill is because there's no logic at all to what Senator Barkhausen says. What the law provides now is, if you are arrested and you possess a small amount of marijuana, or you possess a small amount of -- of a controlled substance, and it's your first offense -- you've never been convicted of a drug related offense before. You may have a drug problem. You may be a user of drugs. The judge can't send you to a drug rehabilitation center for treatment, without convicting you of a drug-related offense. So if you do become rehabilitated, in the future when you're seeking employment, when you're out in the workplace, you won't have this stigma of an arrest record to follow you around for the rest of your life. That is the logic behind the concept in the Statute today. He wants to change that. You know, it's like if you have a drinking problem today, no one is saying we should convict you of drinking alcohol, and put that as a crime against your -- your -- your record - make it a criminal record for you to be -- because you have a drinking problem in our society. Well this -- the concept is the same. If -- if you have a drug problem and your a first offender, no one is saying - or shouldn't be saying - that you should be convicted of a drug-related offense and have that against you for the rest of your life. This is a terrible amendment. Give that first offender a second chance. If he has a disease because he is addicted to drugs, let him at least attempt to become rehabilitated, without stigmatizing him for the rest of his life. This is a terrible concept, and we should soundly defeat it.

PRESIDENT ROCK:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President. I have to rise and support

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Senator D'Arco's position here, because I don't think we really understand the problem and the -- the seriousness of the drug problems. As he said, there is a serious illness out there. And no matter what we do, in terms of passing laws, the problem will still be there, unless we find some ways to being to provide the counseling and the medical treatment to a legitimate problem - health problem - the problem will never go away, no matter what we do. We can stop all of the drugs from coming in from other countries. They will find another way to produce drugs, or something to feed that habit. If the person is found to be an addict, I don't care if it's the first time or the second time, I still say, if that person is a user, and you know that's what they are doing with the drugs that you find on them, and a reasonable amount that they can consume and is using, that what you ought to do is mandate that person to treatment. I think this -- this, Senator Watson, you're really off base with this amendment. Whoever sponsored this amendment. I'm sorry.

PRESIDENT ROCK:

All right. Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in strong support of this amendment. I think you've got to understand how our system of criminal justice works, and the last two speakers have not clearly identified how that works. We have two categories of offenses. We have felonies and we have misdemeanors. For any misdemeanor you can get supervision, and that won't change after 7-10 probation is abolished in this amendment. But for any other felony in the State of Illinois -- if you break a window - if you break a window that's worth more than a hundred and fifty or three hundred bucks - that's a felony that's going to stay on your record the rest of your life. We are trying to attack the drug problem by having penalties - and severe penalties - on people who

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sell drugs, and we ought to. As a nation, we're trying to deal with the drug problem by going to the producing countries and doing something about it. But all of us are hearing day after day, that as long as there is a heavy demand for cocaine in this country, we're not going to successfully do anything about the drug problem. We have to get at the problem of use of cocaine. Now the adoption of this amendment wouldn't send anybody to jail. It wouldn't take away the right of any felon drug user to get probation, and they undoubtedly would. And they would still be eligible for the kinds of drug treatment programs that Senator D'Arco is referring to. But what the passage of this amendment would do, would say that we're serious about the use of cocaine or LSD or other felony drugs in this State. Right now, any other felony you can get probation, unless it's some of the more serious violent crimes, but that felony stays on your record. In only this one case of illegal felony drug use with cocaine and LSD did we say, some long time ago, that, "Well, we're really not going to consider it a crime. It's going to go off your record." And I say to you, what kind of a message is that - to the illegal drug users in our country? The adoption of this amendment would only say we're going to treat it as seriously as any other felony. Sure, if you're a first offender you can get probation, but we're not going to wipe your record clean. That would be some deterrents to illegal felony drug use. It won't send anybody to jail, but it will say that we're going to treat it, at least, as seriously as breaking a window, and it's a step in the right direction. I would urge adoption of the amendment.

PRESIDENT ROCK:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you, Mr. President. I think this is a good amendment. The way I read the changes that -- in -- were placed

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by Senator Barkhausen, it says, "A minimum -- whenever a person pleads guilty to, is found guilty of an offense under this Act, a minimum fine of one thousand dollars or a minimum of one hundred hours of community service shall be levied." What's wrong with that? I can't see anything wrong with that. I think that we shouldn't cloud the issue. I think it's a good amendment, and I think we should all support it.

PRESIDENT ROCK:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. I rise in support of Amendment No. 2, for the reasons stated by Senator Dudycz, but I -- I do feel like I must respond a bit to Senator D'Arco's comparison of the use of alcohol in our society to the use of drugs. He knows, and we all know, that the great distinction between those two uses in that one is legal when used within certain bounds, and one, absolutely, is illegal. And what we're dealing with here are the laws of this State which penalize people for using drugs that have been declared illegal by this General Assembly. Now if you want to change those laws and legalize them, Senator D'Arco, the way that we have alcohol, that's your problem. I'm not in favor of that. But as long as we have laws on the book -- books that declare the use of drugs illegal, then it's our job to provide the appropriate penalties. I cannot concur more with Senator Dudycz. It is absolutely beyond belief that on this Floor of this Senate today, we have people willing to stand up and say that a first offender of a drug cannot get a hundred hours of community service - community service. The most liberal commentators in this nation, writing on the editorial pages of the Tribune and the Sun Times, have time and time again - and I direct my comments especially to the minority community, because some of those commentators have addressed themselves

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primarily to the inner city - and they have said, quite simply, that community service is, in fact, a most appropriate way to deal with a punishment or a penalty. That's what we're dealing with here. We're not sending anybody away to prison on this first offense. But we are saying it's time that we take the offense seriously, and especially in those communities where drug use is rampant. I would hope that all Members of this Chamber would be willing to move forward a proposal that sends a strong message to first-time drug users. The reason why we have second-time, third-time, fourth-time drug users, is because too many second and third and fourth chances have been given in our society and in our laws of this State. And if we're willing to stand up and say, "We're not even going to throw you in jail for the first offense, but what we will do is make you provide back to your community the community service that will be a credit to your community and will help your community," and at the same time send a message to folks out there, they cannot get by with this. I urge adoption of Amendment No. 2.

PRESIDENT ROCK:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I don't think that I'm soft on crime. I've been in the streets. And I've had the opportunity to see a lot of crimes committed. And I've seen the first-time offenders. And I know that if we give them a second chance - if we provide them with some opportunities to get some education and to learn what is going on - then they then can become useful citizens. But if we label them with a record - if we label them with never a chance to -- to -- to become a useful citizen - to obtain a job - and to provide for families in the future - then we have -- we have taken away something that they will never recover from. And we're experiencing that now. And I'm running more into

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that now with young folks that was arrested, that never had a second chance. So, therefore, I know that we need to give a second chance to some of the young folks on first-time offenders. Some time ago, and for years, I've been wrestling with what we call Probation-Challenge. And their motto is, "Everyone deserve a second chance." In that program, it is not a program that is soft on crime, but it do give an opportunity for a first-time offender to clean up his life, clean up his act, and become a useful citizen. What we're saying in this amendment is just the opposite - that you get no second chance - that one mistake and it's all over. And I'd like to ask each of you to look in the mirror and say, have you never, ever made a mistake? You have never -- you have always lived a perfect life? You don't deserve, yourself, a second chance? You were never given a second chance - an -- a second opportunity to correct a wrong, whatever it was, that you committed. No. So this is wrong. This is bad. This is bad. This is a bad amendment. And I don't think that you need to target a minority community, because that is why our young folks now are standing on corners all over the south side of the City of Chicago, all over East St. Louis, and small towns. Because they did not get that second chance. Because they did not get that opportunity. This is a bad amendment, and I stand in opposition of it.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I apologize for rising a second time. But I would like to comment on the comments of Senator Dudycz and Senator Kustra. Senator Dudycz, there's nothing wrong with community service. There's nothing wrong with the judge saying to this individual, "You have to serve a thousand hours of community service." There's even nothing wrong with saying to

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him, "I'm going to fine you up to a thousand dollars." The problem with this amendment is he is convicted of a felony and/or a misdemeanor for the rest of his life. He can't be given supervision, and come back in court a year later and have the judge say, "Gee, you did a good job in the community. You've been off of drugs for a year. I am -- I am going to vacate your sentence so you don't have any record." Under this amendment, the judge can't do that. As far as being susceptible to alcohol and drugs is concerned, I thought we were living in an enlightened society here. I thought that if you were susceptible to drugs or alcohol, you were diagnosed as having some kind of a disease. That has nothing to do with whether one is legal, and the other is not legal. It's the affect it has on the individual. That's what all the doctors are telling us. That's what all the people that are treating drug- and alcohol-related illnesses are telling us. This is a terrible amendment. And for the sake of people that are susceptible to these drugs and alcohol, defeat this amendment.

PRESIDENT ROCK:

Further discussion? Senator Barkhausen may close. I'm sorry. Senator Dudycz, for a second time.

SENATOR DUDYCZ:

Well, I also apologize for rising a second time, Mr. President. In view of Senator D'Arco's comments, I'd like to ask Senator Barkhausen a question.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Dudycz.

SENATOR DUDYCZ:

Well, Senator Barkhausen, given what Senator D'Arco is mentioning as far as the judge vacating a sentence of someone who was found guilty or had pleaded guilty to -- to one of these offenses, what would happen if your amendment did not go on? I mean, is this something that, for example, if someone pleads

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guilty and his sentence is -- or his -- his record is cleared, is it -- two years from now if they are found guilty of the same offense, is this considered a first offense, or -- or -- what happens then?

PRESIDENT ROCK:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, it -- it probably would be, as a practical matter. When these matters come before the courts, they generally don't know if somebody has been placed on supervision before. The only area where there's an exception to that, where records are required to be kept, is in the supervision under DUI, which, of course, isn't related. But -- but separate subject matter, where we have passed a law here that says that one can be placed on supervision for DUI only once in a five-year period. But -- but chances are that that -- the fact that that offender has been on supervision before would not be a fact that would be known to the -- to the court or -- or the prosecution, and it would probably be treated as a first offense again.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

So in other words, Senator Barkhausen, if someone is found guilty the first time, and their sentence is vacated by the judge, and they are found guilty, or plead guilty a second time, sometime in the near future, it is treated as a first offense, for all practical purposes. Is that correct?

PRESIDENT ROCK:

Senator Barkhausen.

SENATOR BARKHAUSEN:

I'm sorry, Senator, I was asking our staff person a question at the same time you were posing yours.

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PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

Senator Barkhausen, in other words, that if someone is found guilty or pleads guilty the first time, and the judge vacates the sentence after a year, as explained by Senator D'Arco, and sometime in the future, that same person pleads guilty again, or is found guilty a second time, is that -- or is -- is he treated as a first offender again?

PRESIDENT ROCK:

Senator Barkhausen.

SENATOR DUDYCZ:

In sentencing?

SENATOR BARKHAUSEN:

I honestly don't know, Senator Dudycz, but there's nothing in the law, as it's written today, that limits the availability of supervision to first offenders. Any -- anyone who -- who violates the Cannabis Control Act or the Controlled Substances Act is, potentially, eligible for supervision. And that is -- that is what I and, I think, a number of us object to.

PRESIDENT ROCK:

All right. Senator Barkhausen, to close.

SENATOR BARKHAUSEN:

I ask for a favorable roll call on the amendment.

PRESIDENT ROCK:

All right. Question is the adoption of Amendment No. 2 to House Bill 3590. Those in favor of the amendment 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 39 Ayes, 15 Nays, none voting Present. Amendment No. 2 is adopted. Further amendments?

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SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3649. Page 16 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 3649. Senator Joyce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3649, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator J.J. Joyce.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This amendment would create the bill. It's the agricultural cleanup -- it's the Agrichemical Cleanup Fund, I'm sorry. This will accomplish two objectives. The first objective is to, over a period of two years, survey and assess contaminated -- contamination at randomly selected chemical distribution sites, for levels of contamination caused by agricultural pesticides. And the -- the second accomplishment it would do -- objective, is to establish a special fund to be known as the Agrichemical Incident Response Fund, which is an unappropriated fund in the State Treasury. This fund will be used for emergency actions and -- and in response to a release of -- of any agricultural pesticides from an agrichemical facility that has created an imminent threat to the public health or the environment, and the payment of such cost to response in action incurred by the owner or operators of these facilities. These fees would come from the agrichemical facilities themselves. It's an agreement that's been worked on for some time. The Ag -- Fertilizer and Chemical Association, the Farm Bureau, the EPA, the

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Department of Agriculture, the Chemical Industries Council, and everyone is -- is in agreement on this. And I'd be happy to answer any questions, if there are any.

PRESIDENT ROCK:

Discussion, on Amendment No. 1? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Just to add my two cents, that this is a pretty complicated amendment, but, as far as we know, everybody's agreed to it. And I would move for its adoption, as well.

PRESIDENT ROCK:

All right. Any further discussion? If not, Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 3649. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3722. Senator Topinka. Page 17 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 3722. Senator Topinka seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3722, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, Senate Amendment No. 1 would add directors of State-operated facilities as an additional class of people who are authorized to

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receive information concerning pending child abuse reports. And that's all it does.

PRESIDENT ROCK:

Senator Topinka has moved the adoption of Amendment No. 2 to House Bill 3722. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3812. Senator Welch seeks leave of the Body to return House Bill 3812 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3812, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment was drafted by the Coalition Against Domestic Violence. Last year, we passed the Domestic Battery Bill creating a new crime call Domestic Battery, and providing that upon a second conviction for that offense, within five years, the abuser must be sentenced to at least forty-eight hours in jail. A loophole in that law provides that the abuser can expunge his record within two years of the original conviction, if he receives a sentence of supervision. Therefore, his arrest record would not reflect a second conviction within the five-year period, allowing the tough new sentencing law to take effect. Now what this amendment does, is provide that a person convicted of domestic battery cannot expunge his arrest record for five years. We provide similarly for drunk driving, as well. I'd

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be glad to answer any questions.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 1 to House Bill 3812. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top of Page 18. Senator Macdonald. On the Order of House Bills 3rd Reading is House Bill 3815. And Senator Macdonald seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 38 -- 3-8-1-5, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Some time ago we passed out Senate Bill 1870, which was the Environmental Challenge Act. It was a bill designed to create a waste storage fee, because after June 30th of this year there is no Clean Illinois Fund money left. There was some resistance in the House. This amendment is an -- is an attempt to turn around and deal with some of those who opposed 1870. And basically what it does - most of that objection came from the business community - and what this does, it, first of all, limits the storage fee to those who have more than ten thousand pounds per quarter. It does, in fact, take out small businesses. Contrary to what you have in your bulletin, the farmers are not included in this bill. Local government is not

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included in this bill. I'll be happy to answer any additional questions, or let's just put this on and we can deal with it on 3rd Reading.

PRESIDENT ROCK:

All right. Senator DeAngelis has moved the adoption of Amendment No. 2 to House Bill 3815. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's -- I'm sorry. I'm sorry. Who asked for a roll call? You are asking now. That's fine. Question is the adoption of Amendment No. 2 to House Bill 3815. A roll call has been requested. Those in favor of the amendment will vote Aye. Opposed will vote Nay. And the voting's open. ...(machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 17 Nays, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Kustra.

PRESIDENT ROCK:

Senator Kustra.

END OF TAPE

TAPE 6

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. Amendment No. 3 is basically the contents of Senate Bill 20 ...(inaudible)... in the House Rules Committee, but it is our understanding there's no objection from the House Leadership to restoring this proposal, as an amendment to another bill. This

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was a bill that dealt with the Pollution Control Board's penalty-setting powers. It rectifies some problems that occurred in the Illinois courts. And Senator Welch joined me in an amendment, which means that this particular provision now has his support, as well. And I would ask for the adoption of Amendment No. 3.

PRESIDENT ROCK:

Senator Kustra has moved the adoption of Amendment No. 3 to House Bill 3815. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Macdonald.

PRESIDENT ROCK:

Senator Macdonald, on Amendment No. 4.

SENATOR MACDONALD:

I'd like to Table that amendment simply because it does not track now that the other amendments have gone on.

PRESIDENT ROCK:

All right. The Lady asks leave to withdraw. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Kustra.

PRESIDENT ROCK:

Senator Kustra, on Amendment No. 4.

SENATOR KUSTRA:

Thank you, Mr. President, Members of the Senate. This particular amendment, which I offer now, had already been added to Senator Savickas' bill, but he took that off this morning, and I'd now like to propose this as Amendment No. 4 to 3815. It says that when the Environmental Protection Agency issues a permit for the development or construction of any municipal sanitary landfill or

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incinerator, that there -- before such permit can be issued, there must be a solid waste management plan adopted by the particular county in which that landfill or incinerator might be placed. I would ask for its adoption.

PRESIDENT ROCK:

All right. Senator Kustra has moved the adoption of Amendment No. 4. Discussion? Senator Welch.

SENATOR WELCH:

I'd ask if this amendment has been passed out.

PRESIDENT ROCK:

Senator Kustra, the question is the distribution of the amendment. It has not been distributed. Senator Welch.

SENATOR WELCH:

Ask -- I would ask that it be passed out, or that the amendment be Tabled.

PRESIDENT ROCK:

All right. Our only alternative, at the moment, is to take it out of the record, make sure it's distributed, and we'll have to get back to it. Take it out of the record, Madam Secretary. 3852. Senator DeAngelis. On the Order of House Bills 3rd Reading is House Bill 3852. Senator DeAngelis seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3852, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators DeAngelis and Mahar.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 attempts to do something that should have been done when the bill was originally introduced and passed. I went over the transcript of this bill,

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as it was discussed in the House. And the similarity between the discussion of the bill and the bill itself - there was none. The bill inadvertently struck out the wrong part. And what it said here, is that any township under six hundred thousand population can have a plan commission. What it was meant to do, was to strike out the part that had twelve thousand. And what this amendment does, is to clear up the oversight that was committed in the House when they passed out a bill, inadvertently, that did not do what they thought it would do. The second part is -- puts in some language regarding rules that -- to allow townships to adopt rules and regulations relating to yard waste. I urge the adoption of Floor Amendment No. 1.

PRESIDENT ROCK:

All right. Senator DeAngelis has move the adoption of Amendment No. 1 to House Bill 3852. Discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator DeAngelis, is this the bill that you had that was defeated in the Energy and Environment Committee that you're putting on, or is this something different?

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

No. Senator Welch, I -- I -- no. I -- I intend to resurrect that through the -- through the discharge, but no, that's not it.

SENATOR WELCH:

Okay. Does this change the date that the composting law goes into effect, or give any exemptions from that law?

PRESIDENT ROCK:

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Senator DeAngelis.

SENATOR DeANGELIS:

No.

PRESIDENT ROCK:

All right. Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 3852. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3853. Senator Savickas seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3853, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Savickas.

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President and Members of the Senate, House Bill 3853 was sitting there as a shell bill 'till we received the amendment. We do have an amendment, but it does not cover all of the concerns of the Governor, the Department of Public Health and the Health Facilities Planning Board. The amendment exempts intermediate care facilities for the developmentally disabled of fifteen or fewer beds from the Health Facilities Planning Board. This would enable nonprofit facilities to establish the social service settings and assist the State in meeting OBRA requirements. The second part of the amendment exempts Misericordia, a campus facility, from the requirements of the board for a community living arrangement. Both these types of facilities save the State

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money, because they are social rather than medical centers. The Governor's Office and the Department of Public Health -- well, the Governor's Office agrees with the whole amendment. The Department of Public Health agrees with the first part - is against the Misericordia exemption. And the Health Facilities Planning Board hasn't come up with their portion yet, which is the fines that would be imposed, and they hope to have that amendment sometime today -- late today or early tomorrow. So, at this point, I would the adoption of this amendment, so we can get the bill rolling.

PRESIDENT ROCK:

All right. Senator Savickas has moved the adoption of Amendment No. 1. Discussion? Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator.

SENATOR WOODYARD:

Senator Savickas, by this amendment, would this remove the requirement of CONS from any of the fifteen and under DD facilities?

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes. That would remove the certificate of need.

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding that their association does not want that -- that -- that provision. Can you tell me if there is agreement with -- with that association on -- on this amendment?

PRESIDENT ROCK:

Senator Savickas.

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SENATOR SAVICKAS:

It's my understanding, if you're speaking about Dave Stover, no, he is opposed to this. Evidently, they feel that this might get away from them, by having fifteen and under in a social setting. I -- I -- I tend to disagree, but evidently it's a, you know, a jurisdictional fight.

PRESIDENT ROCK:

Further discussion? All right. Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 3853. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDENT ROCK:

Senator DeAngelis, on Amendment No. 2.

SENATOR DeANGELIS:

Thank you, Mr. President. Linda, Amendment No. 2, is this the one on the health care facility? I'll have it in a second, Mr. President. This amendment is designed, basically, to move forward the progress that's been made with the current Cook County Health Care Summit. And what it does, basically, it provides for the creation of a Cook County Health Care Council. It also establishes a local government matching fund to increase federal medicaid funding within Cook County - develop and evaluate medicaid demonstration partnerships. Most of these are recommendations. I'd be very happy to discuss this, in greater detail, on 3rd Reading, if anybody would like. If not, I'll be happy to answer any questions, right now. ...(machine cutoff)...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Rock. Senator Rock, please.

SENATOR ROCK:

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

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Senate. Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR ROCK:

Please tell me - I don't have a copy of this amendment - please tell me the makeup of your Cook County council, and what authority or responsibility it would have.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

The makeup of the council is to -- is ten appointees: four by the Governor, three by the Mayor of the City of Chicago, and three by the County Board President of Cook.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rock.

SENATOR ROCK:

And the Governor shall designate one of his appointees to serve as the chairman?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR ROCK:

I guess my -- my -- my question is - and particularly from you, who aspires to be the Chief Executive of the County of Cook, are we setting up this council in lieu of the county board? Are we taking the county board out of this?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Rock, this, basically, is a skeletal plan for moving the Health Care Summit forward, rather than letting it die were it's at. There are a lot of people who would like to see that happen. I, having served on the -- on the Health Care

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Council, and who, by the way, is now totally in sync with all their recommendations, feel that having a skeletal outline to work from is better than letting the thing die. Now, the purpose of doing four, three, three -- four, three and three, from what I understand, the Mayor of the City of Chicago and the Governor are in agreement on this. The Board President of Cook is -- of the County Board is not, but President Dunne's major objection is that he doesn't want any oversight, whatsoever, because he does not feel he wants to put his money in to something that somebody else has something to say about.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rock.

SENATOR ROCK:

Well, I don't -- frankly, don't think that's an accurate portrayal of -- of President Dunne's attitude. I rather think he is taking the position, as I understand it, that the members of the county board - and he is the county board president - are, in fact, elected by the people, and should have and should retain the governance of this health care system that is paid for with county taxes - countywide taxes. And to have some third group, all of a sudden set up, to run and man the hospitals, simply doesn't make any sense. And I happen to agree with that. I don't think there's any effort on anybody's part to scuttle or stifle the proposed long-term health care planning in the County of Cook, and in the other hundred and one counties. But I don't think this is at all necessary. And I'm, frankly, surprised that we have now -- this is about the fifth time we've tried to resurrect this thing, and I don't understand why. And particularly from one who is -- aspires to the position of Chief Executive, why are you giving away your authority?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

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SENATOR DeANGELIS:

Maybe I don't want it. No.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Withdraw the amendment.

SENATOR DeANGELIS:

First of all, Senator Rock, I -- I don't know about your four or five times resurrected. But as early as about forty-five minutes ago, you voted on one very similar to this on Senator Newhouse's bill. 3777. Okay? But let me tell you, this council is not, in fact, going to run it. This Council has, basically, no authority. It is a skeletal unit to move things forward. In fact, there is a termination of this Council in this very proposal.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rock.

SENATOR ROCK:

Yeah, 1995. That will be through your first whole term, Aldo. What are you doing this for?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Do you want to withdraw the amendment, Aldo? Senator DeAngelis.

SENATOR DeANGELIS:

Well, that wasn't the reason of why that was put there, Senator Rock. The fact is that we need to have a mechanism in place to do what the Health Care Summit is attempting to do. And basically, if you read every one of these simplistic messages or thrusts or goals - whatever you want to call - are things that have to be addressed by that group. There's nothing in here that I find objectionable, or that anyone should, except someone who, like President Dunne, does not want any authority, whatsoever, telling him what to do regarding the health care of Cook County. And frankly, if that be the case, I don't know why he, in the

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first place, decided to join into the Health Care Summit to begin with; if the conclusion was going to be, I don't care what you guys say, I'm going to do it my way.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rock.

SENATOR ROCK:

Well, I would just point out for those of you who have not seen the amendment; that Section IV outlines certain Council duties. And it's a, b, c, d, e and f. And I would defy you, sir, to say that the County Board of the County of Cook - the elected board of Commissioners - can't do that, and do not, today, have this responsibility.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I would imagine they would have partial or full responsibility -- authority on some of these, but they haven't. But the fact is, even if they do, they can still participate in this. There's nothing onerous about having a group that sits down -- for instance, on item a -- establish a local government matching fund to increase federal medicaid. I think Senator Netsch has a bill very close to that. And the fact of the matter is, that that requires the city, the county, and the State to participate. That's a unified effort.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rock.

SENATOR ROCK:

I don't have any problem with that, cause the county board can do that right now, along with the Department of Public Aid, and the Governor's Office, and all these big hitters that are rallying to the cause. What I am saying is, why do we ignore the elected members of the Cook County Board - all of them - and set up this

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council, four of whom are appointed, and the chairman designated, by the Governor of Illinois?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I guess if you want the -- the answer -- it's they haven't done anything. All the people that ran -- just a minute, Senator Rock -- all the people that ran, including the four members of your party, including many of the people involved in health care, have said, that the health care system of Cook County has failed. So, therefore, that's why this Summit was convened. The Summit came forward and said, "Look, if we're going to go ahead and do something about bringing health care back to Cook County, the first thing we have to do is have a countywide health care system. And the next thing we're going to have to do is, is we're going to have to create an authority in order to deal with that. The next thing we're going to have to do is we're going to have to get all these other parties that are involved in the funding of health care, beyond the county and within the county, to be involved." It basically -- I see nothing onerous about this particular amendment, because that's what it says. And these are some of the things they ought to consider. There's nothing specific in here, they just ought to be considering it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rock.

SENATOR ROCK:

Well, I -- I don't mean to be totally tenacious about this, but, the fact of the matter is, this amendment - this concept - should, and is, and remains the responsibility of the elected members of the Cook County Board. And there's no getting around that. And if, indeed, there is not an -- an integrated coherent health care system -- delivery system, then the Board ought to do

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something about it. And, I dare say, they are trying. Every candidate that I've heard, from the Office of President on down through the members, is talking about health care, and how we have to change things in Cook County. What I object to, is that now you are taking eight or nine appointed people - appointed by the Governor, the Mayor, and the County Board President - and say, "You do it." We shouldn't do that. It would be like saying to you, as an elected member of the Senate, "we'll get an advisory group and they will tell you how to vote, and when to vote, and what to vote on." Nuts. We're elected. We'll do it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator DeAngelis, my concern, quite apart from the merits or demerits of your proposal, is that we don't need it out there right now. We have 3164, which was the local funding part, which has already been amended and will continue to move along; and 3777, which was intended to be the vehicle bill for whatever agreement is resolved on the rest of the Health Care Summit, which has been amended and will continue to move along. And nothing is going to pass in any form on either one of those, unless it has widespread agreement. So I -- I don't see why we're putting another bill, which obviously has some controversy out there, to muddy the waters and confuse the issue. We just simply don't need this.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't mean to delay the procedure, but I haven't seen a copy of the amendment, and I wonder if the sponsor would just give us a capsule description. I -- one thing, I do -- would like to know if he'd yield for a question. Does this amendment violate the

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sanctity of a municipality to take care of their own waste, and what have you?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

No. Does not.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis, to close.

SENATOR DeANGELIS:

Well, you know, I -- I don't know why, suddenly, everybody got so excited about something like this. First of all, Senator Rock, four of the commissioners, that have the so-called responsibility and authority, served on this Health Care Summit, submitted a report, which includes many of the recommendations that are in this amendment. In addition to that, the Director of Public Health for the county was one of the triumvirate that ruled over this Health Care Summit. I have never heard them, or any of those members, oppose what was in there. In fact, let me just say, if there was any opposition to that report, it came from myself. So to say that they, in fact -- I'm -- I'm trying to get them to do something that they don't want to do. The fact is, they signed off on that report. And Senator Netsch, your bill would be, based on what Senator Rock said, as objectional as this is, because, essentially, you're combining the county's resources with the city and the State, in order to achieve your goal. So, in order to turn around and say that your bill is okay, and this one ought to be shelved, you're, in fact, trying to do the same thing that the President finds objectionable. In fact, I supported your bill at that particular time. I think it's necessary for us to move forward with this process. The health care situation in Cook County is in such a perilous state. In fact, Cook County Hospital, which has been decertified already - is now appealing

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that - is in imminent danger of total collapse. And if we're going to turn around and leave this Session with absolutely no message from this General Assembly that we intend to resolve these problems, or at least deal with them in some way, we are, in fact, failing in one of the primary missions of government, and that's to provide a healthy and adequate health care.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Amendment No. 2 be adopted. All in favor, signify by saying Aye. Opposed. Noes have it. Amendment fails. Roll call. Question is, shall Amendment No. 2 be adopted. All in favor, vote Aye. All opposed, vote Nay. Voting is open. Have all voted who wish? Jim. Have all voted who wish? Please take the record. On this question, there are 26 Ayes, 30 Nays. Amendment fails. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. Leave of the Body, on House Bill 3859, seek request to bring it back to 2nd Reading. Senator Berman. No objections? 3859. Senator Berman. Senator Jones.

SENATOR JONES:

Yes. She got to read it first.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. Amendment No. 2 clarifies the intent of the corporation that a -- a renter must give the -- a renting agency, as it relate to a rental automobile, and it spells out the limitations of that corporation, and I move it's adoption.

PRESIDENT ROCK:

All right. Senator Jones has moved the adoption of Amendment

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No. 2 to House Bill 3859. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Just seeking enlightenment, Mr. President, if I could ask the sponsor a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Jones, I gathered from your few brief comments about this, that it has something to do with modifying the existing law that we passed, dealing with the collision damage waiver issue?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

No. It -- it -- we haven't passed the law. This is the bill as it relates to the -- the collision waiver. And Senator Berman's bill said that the renter must cooperate with the rental agency in any action, and that was too broad in scope. And when the bill appeared in the Transportation Committee, we discussed it with him, and those who recommended the legislation. And they agreed with this legislation to define what that corporation shall be.

PRESIDENT ROCK:

All right. Further discussion? If not, Senator Jones has moved the adoption of Amendment No. 2 to House Bill 3859. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 30. 3875. Senator Holmberg seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted.

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On the Order of House Bills 2nd Reading is House Bill 3875, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Holmberg.

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This amendment is a bill that stayed in -- in Senate Rules. And it, basically, requires the Health Facilities Planning Board to restrict the number of new and expanded beds for treatment of mental illness in areas where a surplus of treatment beds exist. The Department of Mental Health has signed off on this, and, as far as I know, there is no objection to this amendment.

PRESIDENT ROCK:

Senator Holmberg's moved the adoption of Amendment No. 2 to House Bill 3875. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3897. Senator Karpziel seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3897, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Karpziel.

PRESIDENT ROCK:

Senator Karpziel, on Amendment No. 2.

SENATOR KARPIEL:

Thank you, Mr. President. First, I would like to Table

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Amendment No. 1.

PRESIDENT ROCK:

All right. Madam Secretary, Senator Karpiel, having voted on the prevailing side, is moving to reconsider the vote by which Committee Amendment No. 1 to House Bill 3897 was adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The Motion to Reconsider prevails. Senator Karpiel now moves to Table Committee Amendment No. 1 to House Bill 3897. All in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Madam Secretary?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Karpiel.

PRESIDENT ROCK:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 2 makes it very clear that it's the Legislative Research Unit that shall prepare the report and submit the report, and -- and -- and gives all the specifics of what is detailed in the report.

PRESIDENT ROCK:

Senator Karpiel has moved the adoption of Amendment No. 2 to House Bill 3897. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top of Page 19 is House Bill 3902. Senator Karpiel seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House

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Bill -- House Bill 3902, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Karpziel.

PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

Amendment No. 1 to House Bill 3902 says that in forest preserve districts, in counties having a population of less than three million, shall indemnify and protect its commissioners and employees against civil rights damage claims and suits, constitutional rights damage claims and suits, death and bodily injury damage claims and suits, et cetera. This is an indemnification amendment for forest preserve commissioners, such as in place for park board commissioners, trustees, et cetera.

PRESIDENT ROCK:

Senator Karpziel has moved the adoption of Amendment No. 1 to House Bill 3902. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 31. Senator Weaver. 3949. Senator Weaver seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3949, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Hawkinson.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

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Thank you, Mr. President. House Amendment No. 1 to House Bill 3949 initiated some new procedures for referendum for the creation of river conservancy districts. In my area there's an effort under way to establish, by referendum, a river conservancy district, and the timing would be such, with the effective date of -- of this bill, that it could adversely affect their right to pass petitions. This amendment simply says, that with respect to petitions filed on or after the effective date of this amendatory Act, that the new provisions as the petitions would take place, so as not to invalidate any petitions currently being passed. And I would ask for the adoption of Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Hawkinson has moved the adoption of Amendment No. 1 to House Bill 3949. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3962. Senator Dunn seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. Page 19 on the Calendar, Ladies and Gentlemen. 3962, on the Order of 2nd Reading, Madam Secretary, please.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Amendment No. 2 incorporates an agreement that existed last year, which gives riverboat gambling to Will County in 1992.

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PRESIDENT ROCK:

Senator Dunn moves the adoption of Amendment No. 2 to House Bill 3962. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 31 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 4061. Bottom of Page 31, I beg your pardon. 4061. Senator Topinka seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 4061, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Schaffer and Topinka.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and Members of the Senate, this is the rather thick amendment that you may have found on your desk. You'll recall that we earlier sent over a Senate bill to the House with a new 1990 Tax Amnesty Program and a penalty and interest codification. And I guess you would call it an attempt to make all the penalties uniform and rational. That bill, as we fully expected, didn't fare too well. In fact, I don't believe it ever get out of Rules. What this amendment does, is put that bill back in, in a more refined version thereof. At the time we sent the bill over, I mentioned that there were some ongoing negotiations with IRMA, and the Chamber, and the various other business groups, on the business penalties. This proposal, before us today, has the final version of those ongoing negotiations; and I believe has

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the support of those organizations on the new penalty schedule and the amnesty program. In addition, I believe, President Rock and others expressed concerns about people taking advantage of this amnesty that took advantage of the 1984 Amnesty Program. This proposal is amended to disallow that. To, in effect, say that if you were a beneficiary of the 1984 Amnesty, you don't qualify for this one. Probably the most significant change - earlier today we passed the Department of Mental Health's budget, which is no longer linked to amnesty, but is funded through normal GRF and federal dollar sources. My guess is that that budget will be headed for the Governor's desk, and that little we do here will add or detract to that particular budget. Many of us, even those of us who I think could honestly be described as mental health advocates, felt that to use a one-time revenue source for that purpose was not a good idea. In this amendment we would propose to put that money into the pension funds. Put the money, specifically, in to the Pension Fund, which would see it then distributed to the several pensions, State Employees, Retired Teachers, et cetera. I think many of us have been very concerned about the fact that we passed a bill last year - I believe it was House Bill 95 - to get us on the road to a multiyear system of full funding for the pensions, and promptly, before the ink was even dry on the bill, have forgotten about that. I don't know -- my instincts tell me that if we can put the amendment on, and get it to a conference -- get it out of the Senate, we'll end up in a conference committee. I don't know if we can hold all of the money for the pension systems, but I know that if we don't, at least put the language in there at the start, that we have little chance of getting any additional money into the pension systems. I also know we're going to have some tough budget negotiations, and I think it's prudent to have this bill moving to fill the holes, I hope in the pension funding, but I can conceive the

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negotiations going far beyond that.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion?

SENATOR SCHAFFER:

I'd be glad to answer any questions, or we can debate it on 3rd.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank -- thank you, Mr. President. Senator Schaffer, you have certainly cleaned up your proposal quite a bit. I think it is worth saying, that, both in the interest and penalty provisions, that there are some important changes here, by reducing the penalty for negligently filing and a -- what was the other one -- oh, and for failure to file, both of which I think were much too high before, and some other clean-ups there. And there is no question, that if there is to be an amnesty, it makes more sense for it to go into the pension funds than into a -- an ongoing operating program. The money would not be -- first place, we still think that the amount indicated is exaggerated, and will not be forthcoming immediately, so it's not going to solve the problem of the lack of funding for the bill that we passed last year for the pension funds. And I think we should be clear about that. The other thing that concerns me -- and by the way it's also very important that you have eliminated those who were the subjects of the prior tax amnesty, that is a very important clean-up. It's amnesty this soon is still bad tax policy. The only thing that you can say about your amendment, is that it is an enormous improvement over the first go-around.

PRESIDING OFFICER: (SENATOR LUFT)

Further -- further discussion? Further discussion? Senator Rock.

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SENATOR ROCK:

I was going to ask Senator Netsch are you for it or against it. She talked for five minutes, I still don't know where you are. Let me just say, Senator Schaffer, I intend to support the amendment, but with this reservation. I think the -- the inclusion of the exclusion of those who took advantage of the last tax amnesty is a good idea. In my judgment, that will help. The estimated yield is somewhere now around thirty-five - forty million bucks, I guess. I don't think it's wise to earmark it, and I -- I say that as one who is vitally interested, obviously, in pensions and pension systems and actuarial unfunded liabilities. I don't think it's a good idea to earmark that money. I -- I -- we -- we do, in fact, as the Governor does, in fact, need some room to negotiate. And so I will be happy to support the amendment, with that one reservation, that if, indeed, this does go to conference, I, for one, am going to stand for freeing up that money, and not earmarking it either for pensions or mental health or something. I think it -- it better belongs in the General Fund, where we can all have a little access to it if -- if we need it.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I want -- I want to comment about Senator Rock's remarks. I know that, generally, it's a good idea not to earmark funds, and I -- and I generally agree with that. I think the pension funds, however, are another kind of an animal. The simple fact of the matter is, that no Governor -- the two Governor's that I've served under, and whoever our next Governor is going to be, will probably place pension funding very high on his priority list. The reason being, simply, that the pension funds aren't going to collapse while he's Governor. And a

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lot of other things collapse around him while he's Governor. And I really believe that if we see a source of money of this kind coming in, particularly in this year, when we, collectively, have violated the promise that we made to ourselves just last year - this may be one instance where earmarking is a good idea.

PRESIDENT ROCK:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I suppose if we could look at -- at this issue just in it's very -- most simple form, which is that we in the Legislature did, indeed, promise that this year we would fund the pension system, and needless to say by virtue of trying to get the budget in to order, that again has been put on the side. The pensions are always something that's kind of a want to be - could be - should be - but never is. And I don't think that they're ever going to get funded, or they're going to get dangerously close to collapse, if we continue to do this. I -- I think it's kind of endemic in this amendment - and should be - that we do, indeed, earmark it for pensions, because it makes good sense that if you got a one-shot deal you can incrementally put that one shot in to a system that can accept it, rather than an ongoing, continuing, day-to-day, something like mental health -- the health care system. I really would encourage all of us, including the good President, whom I respect very much, to kind of keep that in mind, and maybe go for earmarking and targeting, so that, for once, we can live up to a promise here.

PRESIDENT ROCK:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I -- Jack, I have a couple -- Senator Schaffer, I have a couple of reservations. One, I think I

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was probably one of nine that didn't vote for the Tax Amnesty Plan when it left here a few weeks ago, but I can certainly see the merit in putting the money into the pension fund. A number of us who were the -- who had worked together with respect to the pension fund - I mean we're going to be ninety-five million dollars short this year - two hundred and three million next year, if we don't do anything this year. I'm not sure that this does a whole heck of a lot if the revenue estimates are thirty, thirty-five, forty -- less than - between thirty and forty million dollars. I got a couple reservations. I -- I -- I don't know how I am going to vote on this, to be honest with you. I mean, I want the pension fund to be caught up - as I do, Senator Schuneman and Senator Maitland and others do, but I'm not sure this is a good way to get it. So, I guess I'm like Senator Netsch, I don't know what I am going to do yet.

PRESIDENT ROCK:

All right. Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 4061. Further discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 4169. Page 20. Senator O'Daniel seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 4169, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator O'Daniel.

PRESIDENT ROCK:

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

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SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have a very distinguished guest next to me - an old, old friend. He used to be the Democrat County Chairman for DuPage County, a democrat State Representative for over twenty years, the Speaker of the Illinois House, and a real good guy, and a true gentleman, and always been a friend of mine - the Honorable Bill Redmond.

PRESIDENT ROCK:

Mr. Speaker, welcome back. Madam Secretary, 4-1-6-9.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator O'Daniel.

PRESIDENT ROCK:

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. Amendment No. 2 to House Bill 4169 clarifies provisions of the Act, and it does not apply to water wells. It allows forfeited surety bond money to be deposited into the Plugging and Restoration Fund. It allows grandfather wells drilled prior to this Act to be permitted. And it creates the Plugging and Restoration Fund. This is -- amendment is agreed to by the Illinois Oil and Gas Association, the Petroleum Industry, and the Department of Mines and Minerals, and I move for its adoption.

PRESIDENT ROCK:

Senator O'Daniel's moved the adoption of Amendment No. 2 to House Bill 4169. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Marovitz, did you have one you wanted to

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go back to? Or we can do it tomorrow. Fine. There will be another Recall List in the morning. Senator Kustra, I know we promised to get back to 3815, we're going to do that right now. All right. The final order, it appears, of business, and I would just remind you that we will commence at nine-thirty tomorrow morning. And also remind you of the agreed bill process -- procedure, where if you are going to vote in the negative, that's -- those votes have to be recorded with the Secretary, I think before nine o'clock tomorrow morning. A little earlier we took 3815 out of the record. We will now, with leave of the Body, return to that order of business. On the Order of House Bills 2nd Reading is House Bill 3815. Under discussion was Amendment No. 4 by Senator Kustra. The other two amendments having already been adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDENT ROCK:

State your point.

SENATOR GEO-KARIS:

Are we going to be in Session Friday?

PRESIDENT ROCK:

It appears that we are going to be in Session on Friday. My last information was that the House is going to attempt to conclude their business on Thursday night. My best guess is, just given what we have, if we can do it, I would love to. But, so far, I am planning on Friday, at least Friday morning. I don't think we will have much left, but I -- I would plan on it. 3815, Amendment No. 4, Senator Kustra, where we were interrupted.

SENATOR KUSTRA:

Thank you, Mr. President. I explained the amendment and Senator Welch may have a comment to make, but I would move for its adoption. ...(machine cutoff)...

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PRESIDENT ROCK:

All right. Senator Kustra has moved the adoption of Amendment No. 4 to House Bill 3815. Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen. Is this the one that ends in 01, Senator? Here we go again, and I think we should listen up a little bit on -- on this particular amendment. As much respect as I have for the Senator, I think again we have a process of -- of slowing down the process of new landfills, and also, in the way of incineration. And, you know, it's we downstaters who have the existing landfills that's going to have to take the brunt of -- of -- of this type of an amendment, and I think that it is one that we should defeat. I just don't think that -- that this is really doing what it's intended to do. And I don't think we should be closing the door entirely on -- on the -- the -- the incinerators, and to ensure that, you know, we don't preclude that as an alternative. And I think that this bill -- this amendment does that, and it precludes any permit as -- as I read the amendment, and I think it's one that we should be awful wary of.

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

As most people know, I normally don't speak on solid waste bills. I -- I'm feeling a little freer on this one, because my position is blatantly in opposition to my own best interests. But I'm saying, we're sort of playing politics with it. And I -- I just want to say, guys, I understand what you're saying, and I know it's frustrating, and I know we want to say, "Gee, this is a Republican amendment, so let's kill it." And frankly, as a business man you'd probably do me a favor if you killed it. But truthfully, this is not a bad idea. The reason we're having a

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solid waste problem in this State is not the EPA. Were not having a solid waste problem because of the Pollution Control Board. We are not having a solid waste problem 'cause private businessmen don't want to do something. We're having a problem because our local governments cannot get off their posteriors and do what we have given them millions and millions and millions of dollars to do, and that is plan. At some point they have to do something. What we're trying to say to these local governments is, with all the millions we have given you, please do something and solve a problem for which you are the cause. Again, believe me, with the sites my company is involved with, this is not in my interest. But I am telling you, we are not going to solve this problem in Illinois. We are not going to get anybody involved with recycling. We're not going to get them -- the local governments working on composting - they have fought us on composting every step of the way. You know perfectly well many local governments wanted to back off the July 1st composting requirement this year, the way it was backed off last year. Guys, if we don't force them to do something, we will soon have garbage buried in our front yards. And the problem is not in this Legislature. The problem is not at the EPA. The problem is not at the Pollution Control Board. The problem is local city councils and county boards, for some reason, are refusing to act after we have given millions to plan. Please let's depoliticize this one. Let's quit playing games because it is political, and finally do something. This amendment will force them to get off their fannies and work.

PRESIDENT ROCK:

Further discussion? Senator Joyce.

SENATOR J.J. JOYCE:

Yes. Thank you, Mr. President. A -- a question of the sponsor.

PRESIDENT ROCK:

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Sponsor indicates he will yield, Senator Joyce.

SENATOR J.J. JOYCE:

Yes. You say that any -- or any county with a population of a hundred thousand or more, if they don't have a solid waste plan, then there -- there's a moratorium on any landfill siting or incinerator, is that correct?

PRESIDENT ROCK:

Senator Kustra.

SENATOR KUSTRA:

That's correct.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

All right. What is the violation for a county if they do not have a solid waste plan?

PRESIDENT ROCK:

Senator Kustra.

SENATOR KUSTRA:

It's not a matter of a violation, Senator. The EPA cannot issue the permit.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. I understand that. But if you don't -- if you're a county of over a hundred thousand, and you don't want a landfill or an incinerator, then all you have to do is never do your plan. And we don't have any penalty if you don't do your plan. So what you do is don't do the plan, and you'll never have to deal with a landfill or an incinerator. This is a backdoor way of saying, these counties up here with a hundred thousand or more population are never going to have to have one of these. Just don't do your plan. But why don't we amend it and say that every county in the

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State of Illinois doesn't have to do their plan. What your doing is saying to every little county - every county that was under a hundred thousand population - "You're going to get our wastes because we're never going to do this plan, and then -- then we'll never have to have an incinerator or a landfill." So why don't you say what you're doing, rather than coming at us through the back door. I think anyone with any -- any counties of less than a hundred thousand, if you vote for this, you're nuts. Because you're, once again, going to -- we're being picked off - the downstaters. And with your little counties, the littler you are and the poorer you are, the more apt you're going to be to have a landfill or an incinerator, and this just ensures it.

PRESIDENT ROCK:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What Senator Keats said is, in good part, correct. There should be some encouragement of these counties to come up with their plans. But this is -- this is analogous to the story of the rabbit saying, "Don't throw me into that briar patch." And that's what you're doing. You're telling these people, "If you don't come up with a plan, by gosh, we're not going to let you have a landfill in your county - or an incinerator." Well, gee whiz, don't be that tough on me. What this amendment does, is it stops the incinerator in Robbins, I believe, from continuing. It also takes smaller counties, as well as the City of Chicago, and says you can issue permits in those counties and that city because that city is a separate entity under our solid waste management plan. So in those counties you're continuing to go along as it is, to allow landfills to be sited there, but not in the larger counties, as Senator Joyce has said. So what we have here is -- is a preference for the larger counties to avoid taking care of there own wastes, not an encouragement for

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them to take care of their own waste. This is perhaps a greater change in the siting process than the infamous House Bill 4013, that's been stuck over in the House of Representatives, which is going to effect the local siting procedures. What you're doing with this, is you're forcing more landfills onto a smaller space. The smaller space being those counties under one hundred thousand people. This is not a good idea. And what's going to happen, too, is if one county in the metropolitan area doesn't have a plan, such as DuPage - let's say they don't have a plan - where are they going to go with their waste. If they can't site a new landfill, and they don't have a place to put it, well, then it's going to go into the surrounding landfills - in Kane County - in Lake County - in Will County. It's not all going to come down to us. It's going to go to some of these other counties. So what you're doing is you're -- you're creating a -- a real large problem in Cook County and the other surrounding counties. And I am not sure what the purpose of it is. I know that Senator Karpziel said she wanted to get at one proposed landfill in Kane County. Now, as I told her, if you reword it, and aim it specifically at that, I'd be glad to support it. But that's not this amendment. So I think that we should oppose this amendment.

PRESIDENT ROCK:

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, first of all, I think we have gotten entirely off the subject of the amendment. This amendment was -- was passed and -- and -- and put on a different bill last week, overwhelmingly. What we are trying to do here, is not shift the burden from the larger counties to the smaller counties. That is not it. There is already legislation in place that says that all counties must have a plan. The larger counties, of which there are seventeen, over a hundred thousand. The larger

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counties' plan has to be in place by March 1st, 1990, and the smaller counties have until 1995. So we've already established that they have to have a plan. And yes, Senator Joyce, you are correct. In that legislation there is no penalty for them not having a plan, and maybe we should address that to make them have a plan. But the -- the point of this amendment has nothing to do with shifting the waste from the bigger counties to the smaller counties. In fact, in DuPage County we have plenty of -- of landfills. I live about -- less than a mile from one of them. And they were just extended -- the life of those and the -- the size of those were just extended till time immemorial. There is no limit, any longer, on how long those landfills are going to continue to take waste from everywhere, not just DuPage County. We already take waste from Cook County, and Chicago, and everywhere else. This amendment is simply saying that if, in fact, the agency - we're not even talking about siting - we're not talking about condemning property - although I would like to get at that, also. What we are talking about here is a development and construction permit by the -- by the IEPA. They cannot issue a permit until the plan is in place. That doesn't mean they can't site -- that a local government can't site one. That doesn't mean we're trying to get out of putting together a plan at all. All that says is that since we already have a State policy - and I think it's a good one - that every county comes up with a plan of what to do with their waste. That that plan should be in place before that county goes out and -- and puts a landfill somewhere, without ever having put in place their plan. They should sit down and plan what they're going to do with their waste - what they're going to try to achieve in recycling - what they're going to try to achieve in source reduction - what they're going to try to landfill or incinerate. And when they have that plan in place, then go about putting it into effect. We're not saying they can't

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do it. We're not trying to stop the big counties from putting in landfills. The counties themselves in the larger -- the larger counties are, in fact, planning -- they are, in fact, planning and siting landfills. They're not saying we're going to go put them all downstate. That's a bogus argument, and it's convoluted, and is not the purpose of this amendment, whatsoever. I think this amendment makes perfect sense, and is good State policy.

PRESIDENT ROCK:

All right. Further discussion? Further discussion? Senator Keats.

SENATOR KEATS:

I apologize for rising a second time, but I want to correct a point or two. This has no affect on Robbins. Robbins is permitted. And the wording is very, very clear. If your permitted, this has no affect whatsoever. So Robbins is the equivalent to grandfathered or protected 'cause it's permitted already. I will say to some of the opposition. You guys want to put in penalties to the local government - go ahead, you know. There's got to be somebody to get them to do something. But, again - stressing that there aren't any penalties there - guys, you have to remember who sponsored those bills. And if I don't mind kidding the two sponsors - guys, you're the ones who sponsored those bills and didn't put the penalties in. We'd go with you on penalties. Also, we're forgetting to mention what the real kicker is. The Federal EPA has promised the federal subtitle dereg's this fall. You know as well as I do, of the State's hundred and twenty-five landfills, they'll close sixty to eighty of them the first day those things come out. The penalty's going to be - some of these big counties are in serious - I think to quote the President - the term's deep doo-doo. The simple fact is the Federal EPA is the one who's going to penalize them. I have a cartoon from a Green Bay, Wisconsin, newspaper griping at Illinois

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for shipping its waste to Green Bay, Wisconsin. We're not an importing State, we're an exporting State; and it's because we're not forcing these municipalities to do something. The Federal Government is going to force them to do it with subtitle D this fall, and they're going to be in serious trouble. There's your penalty. But I did want to stress Robbins is not affected, it is grandfathered under this wording.

PRESIDENT ROCK:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

It's always interesting to listen to some of the debates, because things get twisted, every now and then. The simple fact, for my downstate colleagues, is that the three major counties that I'm most familiar with - and I guess DuPage could be said the same thing of - Lake, McHenry and Kane, are, at this very moment, siting landfills. I mean, it's not like the counties -- this is some clever little plot to prevent those counties from having landfills. All of them are, in fact, moving to have landfills, because of the landfill crisis, because the landfills we have are -- are filling up, and they're going to soon be nonexistent. But in the case of Lake and McHenry, the two counties have adopted plans that include waste reduction at site - composting - recycling, all of which I think we here believe in. In the case of Kane, the County Board has not adopted a plan, and does not appear to be -- going to adopt one in the near future. I think what we're attempting to do here is to send a message that's very clear. The answer isn't a two thousand acre landfill. The answer is the comprehensive plan that, yes, does include some sort of a landfill; but it also includes all these other components. And we just want to put their feet to the fire. We aren't saying you can't have a landfill. We're just saying you don't need a two thousand acre landfill, because you're not committed to recycling

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- because you don't want to do composting - because you don't want to do anything to reduce waste on site. Now, if you want to build mega dumps all over the State, and not have plans, and not have recycling, and not have composting, oppose this amendment. But if you agree with us that we need a comprehensive plan, then let's put their feet to the fire. And I'm sitting here just grinning at a couple of guys 'cause our roles have just reversed, you know. Okay, you environmentalists stop talking to the Democrats. Come over here. The Republicans are obviously the only ones who care any more.

PRESIDENT ROCK:

Further discussion? Senator Joyce.

SENATOR J.J. JOYCE:

Yes. Thank you, Mr. President. I'm sorry to rise a second time, but with all the rhetoric we are hearing here, and Senator Schaffer, if they're siting those facilities there, and if they do not have a plan, then they can't do it. They'll have to stop. I -- I -- I don't know how many counties have a plan in this State, but I -- I doubt if very many do. With all the rhetoric - with all we're talking about here - it comes right down to the fact that if you don't want a landfill or an incinerator, don't develop a plan. I don't care what you say you're trying to do, that's not what this amendment does. What this amendment does is - if I don't want ever to have one of those, I'll just never develop a plan. So, you know, if you want to tackle this, put -- make the penalties high. We'll certainly support that. But certainly don't go at it this way. This is putting the cart way before the horse. And it's backwards, particularly from a downstate point of view.

PRESIDENT ROCK:

Further discussion? Senator Welch.

SENATOR WELCH:

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...(machine cutoff)...Mr. President. Most of what Senator Schaffer said, we can agree with, except the amendment doesn't do what Senator Schaffer says it's going to do. It doesn't encourage these -- it doesn't encourage -- Kane County's the problem. It doesn't encourage Kane County to draw up that plan. What we need is an amendment that says to the Kane County Board Chairman, "You get busy and draw up the plan." What he ended up doing was, he told his County Board, "You got -- you've got a choice between an incinerator and a landfill, and we're going to vote in February." In February they voted to put the -- to go with the landfill in the western edge of the county. That's not very good planning. But there's no other way, in this bill, that forces him to go back to the drawing board and draw up a plan. This fellow hasn't complied with any of the proposals we've had for spending the money. We had to pass special legislation concerning Kane County last year, because tipping fees were being taken and not spent where they were supposed to be. Now we've got another problem with the same county. One county is throwing off all of our plans. So it seems to me that we could have an amendment geared specifically at that county, and get rid of all this rhetoric. You know, we all agree, basically. It's just the way you guys are doing it isn't getting the job done.

PRESIDENT ROCK:

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I don't rise that often, I won't apologize on a second time. I -- you know, I've sat around here at some of these meetings, and I've heard the City of Chicago say, "We don't want any penalties." Remember, we had a bill last year for multiphase in of recycling and that, and we put some penalties in and the bill went down. Why? They didn't want penalties. Peoria doesn't want penalties. None of these downstate counties want penalties.

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If we -- if we come in with an amendment saying, okay, you can put the landfill without a plan but there's going to be penalties, another group of players jump up and say, "We don't want penalties." Who you kidding? And -- and the penalty here is that these people know they need a landfill. They want a landfill. They're committed. They're working. You know, I think you -- you've misinterpreted the -- the intent of these people in that county. I think the average county board's under a lot of pressure to have a landfill. It's easier to do a landfill than it is to do recycling. It may be -- it may be a lot easier to have a landfill instead of composting and all those other things. You know, just one board member gets had. His life becomes holy hell. But the other twenty-three go home every night and say, "Ha! Ha! Too bad about good ol' Joe" - or I guess his name is something other than Joe in Kane County, as I recall. This is the most logical way to put their feet to the fire. That's all we're trying to do.

PRESIDENT ROCK:

Further discussion? Senator Kustra, to close.

SENATOR KUSTRA:

Thank you, Mr. President, Members of the Senate. To Senator Welch, and his point about whether or not this forces a county to do something; the fact is, as I understand it from my colleagues who represent Kane County, Kane County Board wants a landfill. And under the terms of this amendment, this would certainly encourage them to begin the process of developing a plan. That's the point of this. Secondly, to Senator Joyce, nobody's trying to -- to force anything down any local downstate county's throat. The fact is that right now, across this State, counties have local siting authority - right now. What this amendment does, as Senator Karpziel said so well, it ties the State permitting process to the local planning process, which has already been mandated by

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the General Assembly, and which will, eventually, will go into -- into operation. I ask an Aye vote on Amendment No. 4.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 4 to House Bill 3815. Those in favor of the amendment 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 29 Nays. And the amendment fails. Further -- I'm sorry. Senator Kustra, for what purpose do you arise, sir?

SENATOR KUSTRA:

Verification of the negative vote.

PRESIDENT ROCK:

That request is in order. All right. The Gentleman has requested a verification of the negative vote. Will the Members please be in their seat. Madam Secretary, read the negative vote, please.

SECRETARY HAWKER:

The following Members voted in the negative: Alexander, Berman, Brookins, Carroll, Collins, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.J. Joyce, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Rea, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDENT ROCK:

Senator Kustra, do you question the presence of any Member?

SENATOR KUSTRA:

Senator Berman.

PRESIDENT ROCK:

Senator Berman. Senator Berman on the Floor? Strike his name, Madam Secretary.

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SENATOR KUSTRA:

Senator Tom Dunn.

PRESIDENT ROCK:

In his chair.

SENATOR KUSTRA:

Senator D'Arco.

PRESIDENT ROCK:

Senator D'Arco on the Floor? Senator D'Arco on the Floor?
Just came in the back door.

SENATOR KUSTRA:

Senator Collins.

PRESIDENT ROCK:

Senator Collins on the Floor? Senator Collins on the Floor?
Strike her name, Madam Secretary.

SENATOR KUSTRA:

Thank you.

PRESIDENT ROCK:

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

SENATOR WELCH:

I'd like to verify the affirmative votes.

PRESIDENT ROCK:

All right. That request is in order. All right. Will the
Members please be in their seats. There's been a request for a
verification of the affirmative vote. Madam Secretary, please
read the affirmative roll call.

SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen,
Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge,
Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpiel, Keats,
Kustra, Macdonald, Madigan, Mahar, Maitland, Philip, Raica,
Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

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Senator Welch, do you question the presence of any Member?

SENATOR WELCH:

Senator Dudycz.

PRESIDENT ROCK:

Senator Dudycz is in the back of the Chamber at the -- at the door.

SENATOR WELCH:

No further questions.

PRESIDENT ROCK:

All right. The Chair recognizes the fact that Senator Collins has returned, she will be added to the roll call. No, she's a negative vote. What a difference a day makes, huh? All right.

SENATOR WELCH:

She has to be added. She voted No and was taken off.

PRESIDENT ROCK:

She voted No and had been removed from the roll call. The verification not having yet been completed, she is entitled to be placed back on the roll call, in her original position. That's what I said, I thought. All right. The roll's been verified. On that question, there are 28 Ayes, 28 Nays, none voting Present. The amendment fails. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. We have one final bill. Senator Maitland, with leave of the Body, will handle it for -- in my stead. Top of Page 11. House Bill 3273. Senator Maitland on my behalf, would seek leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3273, Madam Secretary.

SECRETARY HAWKER:

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Amendment No. 5 offered by Senator Maitland.

PRESIDENT ROCK:

Senator Maitland is that the one to be -- Senator Maitland.

SENATOR MAITLAND:

That you, Mr. President, Members of the Senate. That Amendment No. 5, I wish to withdraw that amendment.

PRESIDENT ROCK:

All right. Gentleman seeks leave to withdraw. It is withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment 5 offered by Senator Rock.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Amendment No. 5, at the request of the State Board of Education, moves some two hundred and one thousand nine hundred dollars in GRF from the Free Lunch Program, and has transferred it to the personal services line item. This makes no affect whatsoever upon the bottom line. This is agreed to by both sides of the aisle, and I would move for the adoption.

PRESIDENT ROCK:

All right. Senator Maitland has moved the adoption of Amendment No. 5 to House Bill 3273. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Ladies and Gentlemen, that effectively concludes our business. We will reconvene at nine-thirty tomorrow morning. And we will again start on the

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Order of 3rd Reading and go through the Calendar. Senator DeAngelis seeks leave of the Body to suspend the rules for the immediate consideration and adoption of Senate Resolution 1262, Madam Secretary. Senate -- SR 1-2-6-2. It is a congratulatory resolution the Gentleman seeks to -- oh, it's not been read in yet. Okay. Well, then we will wait to we get there. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1258 offered by Senator Dudycz and all Members.

Senate Resolution 1259 offered by Senator Demuzio and all Members.

Senate Resolution 1260 offered by Senator Demuzio and all Members.

Senate Resolution 1261 offered by Senator Demuzio and all Members.

Senate Resolution 1262 offered by Senator DeAngelis.

Senate Resolution 1263 offered by Senator Ralph Dunn.

Senate Resolution 1264 offered by Senator Zito.

And Senate Resolution 1265 offered by Senator Luft.

They're all congratulatory.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 1266 offered by Senator Demuzio and all Members.

It is a death resolution.

PRESIDENT ROCK:

Consent Calendar. All right. Senator DeAngelis, again, is seeking to suspend the rules, for the immediate consideration and adoption of Senate Resolution 1262. It is a congratulatory resolution. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are

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suspended. Senator DeAngelis now moves the adoption of Senate Resolution 1262. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Messages from the House.

SECRETARY HAWKER:

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

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

House Joint Resolution 111.

It is substantive.

I have a like Message on House Joint Resolution 123 and House Joint Resolution 130.

PRESIDENT ROCK:

Executive.

SECRETARY HAWKER:

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

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

House Joint Resolution 138.

It is a death resolution.

PRESIDENT ROCK:

Consent Calendar. That's it? Any further business to come before the Senate? Any announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, tomorrow morning at the hour of nine-thirty. Thursday, June 21, at the hour of nine-thirty. Senate stands adjourned.

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