

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

29th Legislative Day

May 20, 1991

PRESIDENT ROCK:

The hour of twelve having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend Rudolph Shoultz, Union Baptist Church, Springfield, Illinois. Reverend.

THE REVEREND RUDOLPH SHOULTZ:

(Prayer by the Reverend Rudolph Shoultz)

PRESIDENT ROCK:

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

SECRETARY HAWKER:

Senate Journal of Tuesday, May 14, 1991.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT ROCK:

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

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 15; and Thursday, May 16, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

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

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SECRETARY HAWKER:

Senate Resolution 389 offered by Senator Daley and all Members.

It is a death resolution.

And Senate Joint Resolution 56 offered by Senator Hawkinson. It's a designatory.

PRESIDENT ROCK:

Consent Calendar. 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 2, 5, 121, 164, 237, 242, 257, 262, 293, 298, 341, 406, 426, 455, 493, 516, 533, 554, 572, 614, 628, 687, 734, 770, 772, 780, 785 -- pardon me, that's 795, 859, 899, 910, 931, 942, 990, 1011, 1091, 1097, 1109, 1134, 1166, 1183, 1245, 1260, 1283, 1302, 1316, 1333, 1364, 1405, 1408, 1429, 1488, 1497, 1551, 1572, 1608, 1644, 1659, 1684, 1699, 1700, 1804, 1842, 1850, 1857, 1884, 1892, 1932, 1940, 2022, 2042, 2056, 2057, 2118, 2125, 2138, 2139, 2147, 2148, 2174, 2309, 2337, 2349, 2364, 2385, 23 -- pardon me -- 92, 2422, 2443, 2471, 2531, 2579, 2633, 2643, (33, 41, 43, 56, 61, 62, 64, 73, 89, 92, 98, 99, 111, 115, 118, 126, 131, 139, 140, 150, 151, 155, 165, 169, 188, 191, 192, 193, 197, 198, 201, 216, 220, 223, 233, 234, 240, 242, 256, 265, 280, 283, 296, 312, 325, 384, 385, 388, 391, 404, 422, 428, 432, 433, 434, 444, 462, 495, 496, 502, 503, 521, 527, 534, 535, 545, 562, 563, 564, 567, 587, 619, 625, 627, 629, 630, 631, 633, 635, 637, 646, 678, 679, 680, 681, 689, 700, 703, 706, 709, 723, 724, 728, 729, 751, 763, 782, 791, 792, 796, 799, 808, 810, 811, 829, 835, 838, 843, 844, 845, 846, 864 872, 874, 875, 891, 908, 909, 923, 947,

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963, 973, 1006, 1019, 1023, 1030, 1032, 1042, 1050, 1093, 1098, 1131, 1151, 1160, 1161, 1190, 1205, 1210, 1211, 1213, 1244, 1246, 1248, 1249, 1250, 1264, 1279, 1281, 1286, 1299, 1316, 1318, 1345, 1348, 1350, 1428, 1439, 1451). (Bills inside parentheses read in error.)

Passed the House, May 16, 1991.

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

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

House Bills 175, 177, 178, 179, 478, 619, 847, 1188, 1216, 1243, 1244, 1286, 1352, 1487, 1805, 1852, 1908, 1956, 2458, 2524.

Passed the House, May 17, 1991.

PRESIDENT ROCK:

All right. With leave of the Body, we'll turn to Page 45 on the Calendar. Page 45 on the Calendar, to the Order of House Bills 1st Reading. House Bills 1st Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 118 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 125 offered by Senator Rea.

(Secretary reads title of bill)

House Bill 133 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 143 offered by Senator Brookins.

(Secretary reads title of bill)

House Bill 317 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 391 offered by Senator Berman.

(Secretary reads title of bill)

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House Bill 452 offered by Senators Leverenz and Friedland.

(Secretary reads title of bill)

House Bill 466 offered by Senator Fawell.

(Secretary reads title of bill)

House Bill 475 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 495 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 706 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 739 offered by Senator Smith.

(Secretary reads title of bill)

House Bill 838 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 875 offered by Senator Severns.

(Secretary reads title of bill)

House Bill 921 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 957 offered by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 1000 offered by Senator Severns.

(Secretary reads title of bill)

House Bill 1199 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 1285 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 1379 offered by Senator Karpziel.

(Secretary reads title of bill)

House Bill 1383 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 1407 offered by Senator Jones.

(Secretary reads title of bill)

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House Bill 1440 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 1462 offered by Senator Macdonald.

(Secretary reads title of bill)

House Bill 1483 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 1556 offered by Senator Butler.

(Secretary reads title of bill)

House Bill 1764 offered by Senator Daley.

(Secretary reads title of bill)

House Bill 1813 offered by Senator J.J. Joyce.

(Secretary reads title of bill)

House Bill 1832 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 2040 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 2100 offered by Senator Fawell.

(Secretary reads title of bill)

House Bill 2250 offered by Senator J.J. Joyce.

(Secretary reads title of bill)

House Bill 2281 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 2293 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 2314 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 2355 offered by Senator Luft.

(Secretary reads title of bill)

House Bill 2358 offered by Senator D'Arco.

(Secretary reads title of bill)

House Bill 2360 offered by Senator Cullerton.

(Secretary reads title of bill)

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House Bill 2366 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 2374 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 2378 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 2380 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 24 -- pardon me -- 2417 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 2423 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 2466 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 2589 offered by Senator Welch.

(Secretary reads title of bill)

And House Bill 431 offered by Senator Barkhausen.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

If I can have your attention, Ladies and Gentlemen, I direct your attention to Pages 25 through 45 on the Calendar. You should have on your desk a computer printout that corresponds to those pages on the Calendar, listing a proposed Agreed Bill List No. 2 that was put together through the cooperation of my office and Senator Philip's office. We would direct your attention to that list. That list will be voted on on Wednesday. As I'm sure everyone is aware, Friday is the deadline date to consider House -- Senate bills in the Senate, and I would encourage all of you to work diligently today, tomorrow, Wednesday and Thursday, because late Friday afternoon, it appears that the only ones left might be Senator Philip and I. We are going to begin on Page 2 on the

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Calendar and go through the Order of Senate Bills 2nd Reading, with the exception of the appropriation bills. The appropriation -- both majority and minority tell me they are not quite ready to proceed with amendments. So those will be held until tomorrow or Wednesday. So we will go through Senate Bills 2nd Reading, and then proceed immediately to Senate Bills 3rd Reading. If any of you have bills you wish to recall, please file the amendment and advise the Secretary so that they can be placed on a list, which list will be distributed, so that everybody can know what we're about here. We are going to begin on Page 2 on the Calendar; that is Senators Berman, Collins, Berman, Berman, Kelly, Brookins, Dunn, Dunn, Joyce, Collins, Smith, Smith, Dunn, and we will continue straight on through. We will obviously again tomorrow be on 2nd Reading, but I'd encourage those of you who are in a position to move your bills to move them. You will find that Friday is going to come upon us rather quickly. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just to maybe start us out on the right foot today, I'd like to Table Senate Bill 1242, which I am the main sponsor.

PRESIDENT ROCK:

Page 13 on the Calendar, on the Order of Senate Bills 2nd Reading. Senator Philip seeks leave to go to that Order for the purpose of Tabling. Leave is certainly granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1242. Senator Philip moves to Table Senate Bill 1242. All in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Bill 1242 is Tabled. Senator O'Daniel, for what purpose do you arise? Senator Widen, would you -- Tom Dunn. Senator O'Daniel.

SENATOR O'DANIEL:

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Mr. President, I'd like leave -- I would like leave of the Body to Table Senate Bill 516. It's on one of the proposed Agreed Bills Lists, so it will be one less.

PRESIDENT ROCK:

Page 32 on the Calendar. Senator O'Daniel seeks leave to go to the Order of Senate Bills 3rd Reading on the Agreed Bill List, Senate Bill 516. Senator O'Daniel moves to Table Senate Bill 516. All in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. Motion carries, and Senate Bill 516 is Tabled. Again, we're going to start on Page 2 on the Calendar and go straight through the Calendar. We will skip today, for the purpose of today, the appropriations bills, which are obviously listed in boldface type. On the Order of Senate Bills 2nd Reading, Senate Bill 2. Senator Berman. Senate Bill 3. Senator Collins. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 3.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Elementary and Secondary Education offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Collins, on Committee Amendment No. 1.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. Committee Amendment No. 1 is really a clarifying amendment. It was requested by the Board to clarify the original intent of the bill, and I would move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of Committee Amendment No. 1 to Senate Bill 3. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

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SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Senate Bill 10. Senator Berman. 11. Senate Bill 15. Senator Kelly. Senate Bill 22. Senator Brookins. Senate Bill 37. Senator Tom Dunn. 42. Senator Dunn. 72. Senator Joyce. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 72.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator J.E. Joyce offers Amendment No. 1.

PRESIDENT ROCK:

Senator Joyce, on Amendment No. 1.

SENATOR J.E. JOYCE:

Thank you, Mr. President, Members of the Senate. Amendment No. 1 to Senate Bill 72 raises the number of signatures required from a hundred to two thousand, consistent with the testimony of the committee here, and I move its adoption at this time.

PRESIDENT ROCK:

Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 72. 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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No further amendments.

PRESIDENT ROCK:

3rd Reading. 83. Senator Collins. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 83.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Collins, on Committee Amendment No. 1.

SENATOR COLLINS:

Yes, thank you, Mr. President and Members of the Senate. Now, Committee Amendment No. 1 clarifies the point in time in which veterans may delay their property tax payments, and when it will become due. I would move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of Committee Amendment No. 1 to Senate Bill 83. 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 committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 106. Senator Smith. 116. Senator Dunn. 144. Senator Rea. 145. Senator Rea. Read the bill, Madam Secretary. On the Order of Senate Bills 2nd Reading, top of Page 3, Ladies and Gentlemen, is Senate Bill 145. Read the bill, please.

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SECRETARY HAWKER:

Senate Bill 145.

(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. 146. Senator Rea. 147. 175. Senator Dunn. 195. Senator Severns. 204. Senator Dunn. On the Order of Senate Bills 2nd Reading, middle of Page 3, is Senate Bill 204. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 204.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Dunn, on Committee Amendment No. 1.

SENATOR T. DUNN:

Thank you, Mr. President. I'd like to Table Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Dunn has moved to Table Committee Amendment No. 1 to Senate Bill 204. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted -- I mean, the amendment is Tabled. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Amendments from the Floor?

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SECRETARY HAWKER:

Senator Thomas Dunn offers Amendment No. 2.

PRESIDENT ROCK:

Senator Dunn, on Amendment No. 2.

SENATOR T. DUNN:

Thank you, Mr. President. This Amendment provides for a payment schedule by an individual who does not have automobile insurance and declares bankruptcy. This -- this amendment would provide that that individual would not be reinstated with his driver's license until he has paid certain amounts of money to the individual who was wronged. In other words, the person might be discharged in bankruptcy, but in order to get his license, he has to make certain payments, that are done on a percentage basis, to the wronged individual.

PRESIDENT ROCK:

Senator Dunn has moved the adoption of Amendment No. 2 to Senate Bill 204. 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. 214. Senator Cullerton. 226. Senator Smith. 230. Senator Daley. Read the bill, Madam Secretary, please. 230.

SECRETARY HAWKER:

Senate Bill 230.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the --

SECRETARY HAWKER:

Excuse me. I'm sorry, Senator. The Committee on

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Transportation offers Committee Amendment No. 1.

PRESIDENT ROCK:

Again, I'm going to ask the staff to please take the conferences, as best they can, off the Floor. Senator Daley, on Committee Amendment No. 1.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. Committee Amendment No. 1 would require a person to sign an affirmation that conforms <sic> that he or she will abide by the mandatory insurance laws requiring liability insurance when those laws are applicable.

PRESIDENT ROCK:

Senator Daley has moved the adoption of Committee Amendment No. 1 to Senate Bill 230. 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:

Senator Daley -- no further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Daley offers Committee -- offers Floor Amendment No. 2.

PRESIDENT ROCK:

Senator Daley, on Amendment No. 2.

SENATOR DALEY:

Floor Amendment No. 2 would increase the fees for reinstatement of licenses of the following: from sixty to a hundred twenty dollars for persons who have completed tests that showed an alcohol concentration of .10 or more; from sixty to three-fifty for persons who refuse or fail to complete a test -- or tests to determine the person's alcohol or drug concentration;

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from sixty to one-twenty for the first revocation of a DUI offense; from sixty to two-fifty for the second offense; from sixty to five hundred for the third. Thirty dollars of the fee shall be deposited into the Drunk and Driving <sic> (Drunk and Drugged Driving) Prevention Fund that is used by DASA to reimburse the DUI evaluations and educational programs licensed by the Department. The rest of the fees will be deposited in the Violent Crime Victims' Assistance Fund.

PRESIDENT ROCK:

Senator Daley has moved the adoption of Amendment No. 2 to Senate Bill 230. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I'm a little out of date on this, but I heard on the previous amendment - I think you mentioned mandatory auto insurance. Could you tell us one more time what that did?

PRESIDENT ROCK:

Senator --

SENATOR SCHUNEMAN:

What that amendment did?

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

It would require affirmation that you do have insurance with the Secretary of -- with the Secretary of State. The Secretary of State -- is signed off on this amendment.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

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Well, I understand that what we would now have in Illinois is a procedure whereby the -- the auto license application would inquire as to whether the motorist has insurance before he gets his license?

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

Yes, sir, that is correct.

PRESIDENT ROCK:

Further discussion? If not, Senator -- Senator Brookins, on Amendment No. 2.

SENATOR BROOKINS:

Thank you. Would the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Brookins.

SENATOR BROOKINS:

Senator, did I hear you say that you would take this person's driver's license even if he was not near the automobile when this offense -- is that this bill?

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

No, sir. It's another bill.

PRESIDENT ROCK:

All right. Further discussion? If not, Senator Daley has moved the adoption of Amendment No. 2 to Senate Bill 230. Further discussion? 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. 3 offered by Senator Daley.

PRESIDENT ROCK:

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Senator Daley, on Amendment No. 3.

SENATOR DALEY:

Amendment No. 3 would increase the fee for restricted driving permits for DUI offenders from eight dollars to one hundred. It would make a new one-hundred fee for the judicial driving permits for DUI offenders. And all fees would be paid to the Violent Crime Victims' Assistance Fund.

PRESIDENT ROCK:

Senator Daley has moved the adoption of Amendment No. 3 to Senate Bill 230. Is there 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 Daley.

PRESIDENT ROCK:

Senator Daley, on Amendment No. 4.

SENATOR DALEY:

-- Amendment No. 4 would extend the length of time a driver's license is suspended from six months to nine months for refusal or failure to complete the test to determine the alcohol or drug concentration in one's blood.

PRESIDENT ROCK:

Senator Daley has moved the adoption of Amendment No. 4 to Senate Bill 230. 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. 5 offered by Senator Daley.

PRESIDENT ROCK:

Senator Daley, on Amendment No. 5.

SENATOR DALEY:

Amendment No. 5 would allow the courts to make a condition of

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supervision, if convicted of a DUI, for the payment to a public agency for the cost of emergency response -- not to exceed five hundred.

PRESIDENT ROCK:

Senator Daley has moved the adoption of Amendment No. 5 to Senate Bill 230. 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. 259. Senator Ralph Dunn. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 259.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Organization and Administration offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Dunn, on Committee Amendment No. 1.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. I'd like to move to Table Committee Amendment No. 1. It's technically incorrect, and we have an amendment that straightens it out.

PRESIDENT ROCK:

All right. Senator Dunn has moved to Table Committee Amendment No. 1 to Senate Bill 259. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's Tabled. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

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Amendments from the Floor?

SECRETARY HAWKER:

Senator Ralph Dunn offers Amendment No. 2.

PRESIDENT ROCK:

Senator Dunn, on Amendment No. 2.

SENATOR R. DUNN:

Thank you, Mr. President. This is the same as the committee amendment except for a technical error that was straightened out. It addressed the problem that Central Management Services thought they might have, to make the bank only apply to catastrophic illness or injuries. I move its adoption.

PRESIDENT ROCK:

Senator Dunn has moved the adoption of Amendment No. 2 to Senate Bill 259. 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. 271. Senator del Valle. 294. Senator Macdonald. 299. Senator Daley. Fiscal note has been requested, Senator, on 2-9-9. All right. We again will be skipping - passing over - the appropriation bills today. So I turn your attention to Page 7 on the Calendar. Page 7. Page 7 on the Calendar, Ladies and Gentlemen, on the Order of Senate Bills 2nd Reading. 378. Senator Jacobs. 380. Senator Berman. 390. Senator Weaver. Read the bill, Madam Secretary, please. 3-9-0.

SECRETARY HAWKER:

Senate Bill 390.

(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. 399. Senator Newhouse. 405. Senator Severns. 424. Senator Berman. 443. Senator Cullerton. 478. Senator Dunn. Bottom of Page 7. 482. Senator Maitland. Top of Page 8. 484. Senator Severns. 485. Senator Schaffer. 497. Senator Luft. 500. Senator Severns. Read the bill, Madam Secretary, please. Top of Page 8. Top of Page 8, Ladies and Gentlemen, on the Order of Senate Bills 2nd Reading is Senate Bill 500. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 500.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Severns, on Committee Amendment No. 1.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Committee Amendment No. 1 simply provided the funding mechanism through a hospital assessment plan for a two-year period. I know of no opposition. I would urge its adoption.

PRESIDENT ROCK:

Senator Severns has moved the adoption of Committee Amendment No. 1 to Senate Bill 500. 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:

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Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Topinka offers Amendment No. 2.

PRESIDENT ROCK:

Once again, I'm going to have to admonish the staff to please take the conferences off the Floor. Senator Topinka, on Amendment No. 2.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 2 would remove the sunset provision from this bill so that it could remain ongoing.

PRESIDENT ROCK:

Senator Topinka has moved the adoption of Amendment No. 2 to Senate Bill 500. Discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. Amendment No. 2, in my opinion, is dilatory. The Hospital Association has said that they would remove their entire support from this bill that they have worked long and hard to arrive at. In short, the Hospital Association, after being paid late and low, has been generous enough to go back to their members to ask that they reimburse the State one-half of the profit that would be garnered through the implementation of SB 500. They've said that they would assess their hospitals for a two-year period. I think it's a generous offer, and I think to remove that to make it a period forever would -- would be dilatory to the bill, and certainly to the intent.

PRESIDENT ROCK:

All right. Senator Topinka has moved the adoption of Amendment No. 2. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. As the hyphenated sponsor on this bill, I would think that the bill ought to be left in the form of

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the people who were good enough to advance a formula for which they would pay a substantial amount to relieve a serious medical crisis. And I would suggest that it be left in the form that it was introduced by the people who wanted it that way, rather than an amendment which I think would essentially destroy the entire intent of the bill.

PRESIDENT ROCK:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you Mr. -- Thank you, Mr. President. I just think there are a lot of people who aren't listening as to what's taking place here. And I think Senator Severns is -- is absolutely correct that this amendment makes this bill perpetual, and obviously -- I'm sorry. It sunsets it and, as I recall correctly, it takes out the sunset provision; therefore, it makes it perpetually. I don't think that's what we want to do.

PRESIDENT ROCK:

All right. Senator Topinka has moved the adoption of Amendment No. 2. Further discussion? Senator Topinka, to close.

SENATOR TOPINKA:

Yes, if I may, Mr. President, in response to some of the comments that have occurred. I think, you know, we are grateful to the Hospital Association for assessing their members and for coming to the assistance of the State in what is probably the worst financial crunch in the -- in the decade. However, once we become committed to this program, should their assessment be withdrawn, the Department of Public Aid does note that the State now would become fully responsible for like a two hundred million dollar hit. And I don't know that we necessarily know what the economics for the State are going to be at this time. We will be out there. We will be committed. It might leave us in some very difficult straits, and I would indeed move the amendment.

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PRESIDENT ROCK:

Senator Topinka has moved the adoption of Amendment No. 2 to Senate Bill 500. Those in favor, indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Noes have it. Amendment fails. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka, on Amendment No. 3.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this would put a sunset on the entire reform program after two years.

PRESIDENT ROCK:

Senator Topinka has moved the adoption of Amendment No. 3 to Senate Bill 500. Discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. For the last seven years, we have underfunded the Medicaid Reimbursement Program. SB 500 is a genuine attempt to overhaul that program as we know it, and I think to say at the outset that we're going to sunset it in two years is not the direction that we want to move. It certainly was intended to be a long-term approach. Certainly, if it has any difficulties during this two years, we will want to correct them. I know of no difficulties today, and I think it would be wrong to kill it automatically in a two-year period. I would urge a No vote on this amendment.

PRESIDENT ROCK:

Further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor of the amendment.

PRESIDENT ROCK:

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Sponsor indicates she will yield, Senator Welch.

SENATOR WELCH:

Senator Topinka, under the bill, without the amendment, three years from now the State will be responsible for approximately a hundred and fifty million dollars extra in funding for hospitals. Is that correct?

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

It's actually two hundred and fifty million. That's according to the Department of Public Aid and the fiscal note.

PRESIDENT ROCK:

Senator Welch. Senator Welch.

SENATOR WELCH:

So what we are doing - if we pass this bill without your amendment - is obligate the Legislature, beginning in the three years out, to spend an extra two hundred and fifty million dollars that we probably won't have, when this year we're looking at cutting over a billion dollars out of the budget. Is that correct?

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

That is correct. This is, you know, trying to look forward as to where we're going to be in the next two years.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Mr. President, Senator Severns has a good idea. Unfortunately, I don't think we should bind ourselves two years from now. I think in two years many of the Members will be here. Why don't we decide then whether to continue the program? In two

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years we'll know what our economy looks like. We won't have all these clouds hanging over our head and guessing whether we have an extra two hundred and fifty million dollars. My guess is we won't have the money. So I would urge support of Senator Topinka's amendment.

PRESIDENT ROCK:

Further discussion on the amendment? Senator Hall.

SENATOR HALL:

Thank you. I rise opposed to this amendment. Senator Welch is absolutely correct. I would ask that we vote against this.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Just to reiterate. This is an idea that was floated by a responsible body in terms of dealing with the crises. I think we ought to have that bill voted on in the form that it was presented, rather than tinker with it so that it, in reality, could fail. Let's vote it up or down the way it is, but let's quit messing around with it. You know, if you don't like the Mona Lisa, don't throw paint on it because you don't like Italians.

PRESIDENT ROCK:

Any further discussion? Senator Topinka, to close. I'm sorry. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think there's some confusion on the Floor about this bill.

PRESIDENT ROCK:

One of the reasons there is is there's too many staff conferences. Again, I'm going to admonish the staff to please take the conferences off the Floor so that the Membership can hear. We are down now beyond the noncontroversial bills. There will indeed

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be some controversial amendments, and the Members have a right to be heard. Senator Schuneman.

SENATOR SCHUNEMAN:

As I heard Senator Welch's statement, he was speaking in support of the amendment. And then the later speaker indicated that he supported Senator Welch's position against the amendment. And I just simply think we ought to have another explanation by the sponsor of exactly what this amendment does and what the long-term effect might be so we can make an intelligent vote on it.

PRESIDENT ROCK:

Sponsor will, as always, have the opportunity to close. Further discussion? Senator Topinka, to close.

SENATOR TOPINKA:

Well, Mr. President and Ladies and Gentlemen of the Senate, in summarizing this - and I think we really have to look awfully carefully - we're laying off fourteen hundred people this year. We're already at a ninety-two-day payment cycle for our hospitals. We are not paying our bills. We're around seven hundred million in the hole. There is nothing out there now that allows for us to even anticipate what we're going to be like financially two years hence. I think Senator Severns was very correct in her discussion last week when we took the vote on the five-percent cap and extension of the income tax. We have to keep that money in tow so that we can even begin to pay our bills. Now, without this amendment, this bill going forward would commit this State for a two-hundred-and-fifty-million-dollar hit. We just don't have it. We don't know where it's coming from, and unless you wish to commit yourself to a tax increase, that's the only way this is going to fly. I would ask for a roll call on this bill.

PRESIDENT ROCK:

All right. Senator Topinka has moved the adoption of

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Amendment No. 3 to Senate Bill 500. Those in favor of the amendment will vote Aye. Opposed to the amendment 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 18 Ayes, 35 Nays, and the amendment fails. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 510. Senator Madigan. Has the fiscal note request been complied with, Madam Secretary? Fiscal note has been -- All right. Those have to be filed. All right. Fiscal note has been complied with. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 510.

(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. 520. Senator Macdonald. There has been a request, as you know, for a fiscal note. Okay. 544. Senator Maitland. 551. Senator Luft. Read the bill, Madam Secretary, please. Middle of Page 8, Ladies and Gentlemen, on the Order of Senate Bills 2nd Reading, Senate Bill 551. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 551.

(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:

Senator Luft offers Amendment No. 1.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 1.

SENATOR LUFT:

Thank -- Thank you, Mr. President. Amendment No. 1 clarifies that savings banks have those powers permitted savings banks under the Federal Deposit Insurance Act. We're just making the State law comply with what the federal law already says.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 1 to Senate Bill 551. 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 Luft.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. This basically does the same thing, only it deals with finance companies. Federal savings and loans now participate in loans with finance companies. We're now allowing the Illinois Savings Bank Act to allow state charters the ability to participate in loans with finance companies. This amendment also increases from five to fifteen percent of the permissible, marketable investment securities of which a savings bank may invest its capital. It's technical in nature. The securities must be of investment grade, meaning they are rated within the four highest categories established by a national bond rating. I would move for the adoption of Amendment No. 2.

PRESIDENT ROCK:

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Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 551. 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 Luft.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 3.

SENATOR LUFT:

Thank you, Mr. President. This is another parity amendment with the Federal Government. It permits a savings bank to convert its charter to a state-chartered savings and loan or to a federally-chartered savings and loan, and prescribes the procedures for such action.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 3 to Senate Bill 551. 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. 586. Senator Savickas. 588. Senator Raica. 591. Senator D'Arco. Read the bill, Madam Secretary, please. 591, bottom of Page 8.

SECRETARY HAWKER:

Senate Bill 591.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator D'Arco, on Committee Amendment No. 1.

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SENATOR D'ARCO:

Thank you, Mr. President. Committee Amendment No. 1 allows a trustee to receive Rule 12b-1 fees as remuneration <sic> for services rendered to a mutual fund, and I move the adoption of the committee amendment.

PRESIDENT ROCK:

Senator D'Arco has moved the adoption of Committee Amendment No. 1 to Senate Bill 591. 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. 595. Senator Raica. 601. Senator Raica. Read the bill, Madam Secretary, please. The fiscal note has been filed, the Chair is informed. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 601.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Raica, on Committee Amendment No. 1.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 becomes the bill, and it adds the provision to the EMS Act which allows for counseling for health care workers who are exposed to the HIV virus while on the

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job. And I ask for favorable adoption.

PRESIDENT ROCK:

Senator Raica has moved the adoption of Committee Amendment No. 1 to Senate Bill 601. 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. 671. Senator Joyce. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 671.

(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. 673. Senator Collins. 702. Senator Jones. 713. Senator Hawkinson. We're at the top of Page 9, Ladies and Gentlemen. On the Order of Senate Bills 2nd Reading is found Senate Bill 713. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 713.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Hawkinson offers Amendment No. 1.

PRESIDENT ROCK:

Senator Hawkinson, on Amendment No. 1.

SENATOR HAWKINSON:

Thank you, Mr. President. Senate Amendment No. 1 strips the bill of its contents, makes it a shell bill for the purpose of trying to reach an agreement between the construction industry and Capital Development Board and the Department of Transportation. Don't want 'em to go forward on this bill with any substantive impact until they've reached agreement. So I would ask for the adoption of this amendment.

PRESIDENT ROCK:

Senator Hawkinson has moved the adoption of Amendment No. 1 to Senate Bill 713. 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. 714. Senator del Valle. 716. Senator Marovitz. 720. Senator del Valle. 725. Senator Berman. 26. 27. On the Order of Senate Bills 2nd Reading, middle of Page 9, is Senate Bill 727. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 727.

(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. 745. Senator Collins. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 745.

(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. 746. Senator Collins. 750. Senator Joyce. Jerome Joyce. 761. Senator Newhouse. 764. Senator Marovitz. 770. Senator Keats. 776. Senator Jones. Senator Keats? Bottom of Page 9, Ladies and Gentlemen. Senate Bills on 2nd Reading is Senate Bill 770. Read the bill.

SECRETARY HAWKER:

Senate Bill 770.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Keats, on Committee Amendment No. 1.

SENATOR KEATS:

There is an amendment filed, both the committee amendment and the one on the Floor - we're ignoring both. We're going to ask to move the bill to 3rd, and we right now have a final draft amendment being circulated that various people are looking at. And if everyone is satisfied, we will pull it back from 3rd to

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2nd. So there's no need to amend it. Just to say this bill is going nowhere until there is an agreed amendment. So we'll just save the paper.

PRESIDENT ROCK:

Well, I guess the question is, is the committee prepared to Table their amendment in the meantime?

SENATOR KEATS:

Oh. If there's any question, let's just move to Table the committee amendment. Don't Table it, then just go ahead and put it on. It simply made the bill nothing but an 800 number. We can leave it on.

PRESIDENT ROCK:

All right. Senator Keats moved the adoption of Committee Amendment No. 1 to Senate Bill 770. 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:

Amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 776. Senator Jones. Top of Page 10. 7-8-3. Senator Daley. 789. Senator Cullerton. 800. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 800.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Amendments from the Floor?

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SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 804. Senator Smith. 821. Senator Raica. 823. Senator Daley. 830. Senator Berman. Read the bill, Madam Secretary, please. We're in the middle of Page 10. On the Order of Senate Bills 2nd Reading, Senate Bill 830.

SECRETARY HAWKER:

Senate Bill 830.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Berman, on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you. Committee Amendment No. 1 would provide for the exclusion of this condition if there has been a breast biopsy that demonstrates breast cancer. I move the adoption of Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 830. 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 committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 833. Senator Jacobs. 863. Senator Savickas.

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865. Senator Philip. Read the bill, Madam Secretary, please. Bottom of Page 10, Ladies and Gentlemen, on the Order of Senate Bills 2nd Reading is Senate Bill 865. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 865.

(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. 886. Senator Smith. Top of Page 11. 8-8-9. Senator Holmberg. 893. Senator Ralph Dunn. Senator Dunn, for what purpose do you arise, sir?

SENATOR R. DUNN:

Mr. President, as principal sponsor of Senate Bill 893, I would move to Table the bill.

PRESIDENT ROCK:

Senator Dunn has moved to Table Senate Bill 893. All in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. The Motion carries. Senate Bill 893 is Tabled. 894. Senator Schaffer. Fiscal note has been requested. 905. Senator Marovitz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 905.

(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.

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PRESIDENT ROCK:

3rd Reading. 915. Senator Marovitz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 915.

(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. 930. Senator Marovitz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 930.

(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. The Amendment would clarify that in an action brought within two years of a child's birth, the court can require either parent to bear the birth and delivery expenses or both parents in proportionate shares. The amendment also provides guidance to the court in the form of factors to be considered in determining responsibility for the expenses. Those factors include the need

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of the child and the ability of both parents to pay. And I would ask for adoption of the amendment.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 930. 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. 933. Senator Marovitz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 933.

(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. 946. Senator Welch. 946. 948. Skipping again over the appropriation bills, we're at the top of Page 12, Ladies and Gentlemen. Top of Page 12. 961. Senator Jerome Joyce. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill --

PRESIDENT ROCK:

Top of Page 12, on the Order of Senate Bills 2nd Reading, Senate Bill 961.

SECRETARY HAWKER:

Senate Bill 961.

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(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. 9-6-5. Senator Leverenz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 965.

(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. 976. Senator del Valle. 978. 989. Senator Jerome Joyce. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 989.

(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. 993. Senator Dunn. 998. Senator Daley. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

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Senate Bill 998.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Daley offers Amendment No. 1.

PRESIDENT ROCK:

Senator Daley, on Amendment No. 1.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. Amendment No. 1 would amend the Liquor Control Act to provide that a petition to prohibit the sale of alcohol at a certain address must be accompanied by court records showing at least three convictions for criminal offenses occurring at or within fifty feet of the premise of that address in the two years preceding the date on which the petition is filed.

PRESIDENT ROCK:

Senator Daley has moved the adoption of Amendment No. 1 to Senate Bill 998. Discussion? If not, all in favor -- I'm sorry, Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, my notes show that the original bill would have required six convictions. Why are you reducing the number to three?

PRESIDENT ROCK:

Senator Daley.

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SENATOR DALEY:

Basically, Senator, this was done in the House, and this is a problem that has occurred within the City of Chicago. What we attempted to do was to answer a problem that -- Judge Aspen had -- declared the previous bill unconstitutional, and this is trying to answer some of those concerns. We --

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

Can all three of those convictions occur in the same incident, or the same evening?

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

It is not specified, Senator.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

I guess I don't understand why your original figure of six convictions isn't a more reasonable figure.

PRESIDENT ROCK:

All right. Senator Daley has moved the adoption of Amendment No. 1 to Senate Bill 9-9-8. Further 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. 1002. Senator Carroll. 1038. Senator Smith. 1051. Senator Cullerton. 1067. Senator Rea. Senator Rea, there's been a request for a fiscal note on that bill. 1091. Senator Jacobs. Read the bill, Madam Secretary, please.

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SECRETARY HAWKER:

Senate Bill 1091.

(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 Jacobs.

PRESIDENT ROCK:

Senator Jacobs, on Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is purely technical. It brings -- it actually becomes the bill and it brings the current amendment in so it tracks with the Iowa bill, as required by the Interstate Compact.

PRESIDENT ROCK:

Senator Jacobs has moved the adoption of Amendment No. 1 to Senate Bill 1091. 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. 1092. Senator D'Arco. 1104. Senator Karpiel. 1133. Senator Raica. There's been a request for a fiscal note that's just been filed. 1134. Top of Page 13. 1144. Senator Maitland. 1150. Senator Cullerton. 1167. Senator Fawell. Top of Page 13. 1212. Senator Raica. 1218. Senator Carroll. Read the bill, Madam Secretary, please. 1-2-1-8. Middle of Page 13, Ladies and Gentlemen. 1-2-1-8.

SECRETARY HAWKER:

Senate Bill 1218.

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(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. 1220. Senator Severns. 1231. Senator Marovitz.
We're in the middle of Page 13. 1235. Senator Jacobs. 1239.
Senator Philip. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1239.

(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. 1242 has been Tabled, Ladies and Gentlemen.
1243. Senator Weaver. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1243.

(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. 1270. Senator Barkhausen. Read the bill,
please.

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SECRETARY HAWKER:

Senate Bill 1270.

(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. 1272. Senator Barkhausen. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1272.

(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. Top of Page 14, Ladies and Gentlemen. The top of Page 14. 14. 1274. Senator Watson. Top of Page 14. 1282. Senator Philip. 1284. Senator Geo-Karis. 1285. Senator Watson. 1291. Senator Hawkinson. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1291.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Hawkinson offers Amendment No. 1.

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PRESIDENT ROCK:

Senator Hawkinson, on Amendment No. 1.

SENATOR HAWKINSON:

Thank you, Mr. President. The original bill deals with situations when a police officer may go before a judge to have the warrant executed without knocking. This amendment simply protects existing exemptions in the law which would occur if a policeman's at the door and there's a fire in the premises or he hears gunshots or the like, and simply says that nothing in the bill would affect existing judicial decisions. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson has moved the adoption of Amendment No. 1 to Senate Bill 1291. 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. 1295. Senator Philip. On the Order of Senate Bills 2nd Reading is Senate Bill 1295, Madam Secretary. Would you read the bill, please?

SECRETARY HAWKER:

Senate Bill 1295.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Welch offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

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SENATOR WELCH:

Thank you, Mr. President. What this amendment does is amend Senator Philip's bill to add aluminum, steel and bimetal cans and corrugated cardboard to the materials that must be separated for collections. This would enable a city to offset the cost of a collection program because the markets for these products brings the higher price of any recycled product. I would move for adoption of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 1. Is there discussion? Senator Philip.

SENATOR PHILIP:

Yes, I don't have any problem with that amendment. It's all right with me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of Amendment No. 1. 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:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What Amendment No. 2 would do is amend the Solid Waste Planning and Recycling Act that each county is to come up with. It amends that by adding source reduction and variable waste disposal fees as components of a county waste management plan. The plan to implement source reduction must be included in a county plan. The reason for this is that if counties are planning how to dispose of their garbage, I think they should be encouraged to reduce it before it begins being

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produced, by encouraging businesses in their area to reduce the amount that are produced. The source of pollution would, therefore, be reduced. There would be less garbage going to a landfill. The second part of the amendment - variable waste disposal fees - requires counties to evaluate the feasibility of disposal fees that encourage waste generators to participate in source reduction and recyclings. The fees may include variable rates on bags, on garbage cans or other types of variabilities. All of us have had the situation where -- where you have a city that charges everybody the same amount to throw away your garbage, but yet those down the street always seem to have about ten garbage bags out on the curb. What this says is, those who produce more garbage and fill up the landfill faster probably aren't doing any recycling or watching source reduction or other methods to decrease the amount of garbage going to landfill. All this say is to the counties to look at the possibility of including a variable rate structure such as a per-bag charge in their waste management plan. I would move for adoption of Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of Amendment No. 2. Is there discussion? 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 Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I would withdraw Amendment No. 3, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch seeks leave to withdraw Amendment

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No. 3. Amendment No. 3 is withdrawn. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1303. Senator Ralph Dunn. On the Order of Senate Bills 2nd Reading is Senate Bill -- I'm sorry, 1303, Madam Secretary. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 1303.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 1315. Senator Philip. 1315? 1317. Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 1317, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1317.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Carroll offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll on the Floor? Senator Weaver, Senator Carroll apparently has filed an amendment. He's not on the Floor. Do we have -- All right, do we have leave to take it out of the record? We can come back to it. Senator Weaver. All right. Take it out

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of the record. 1321. Senator Severns. 1328. Senator Luft. 1330. Senator Welch. On the Order of Senate Bills 2nd Reading is Senate Bill 1-3-3-0, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1330.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Welch offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I was requested in the Committee by the Minority Spokesman and the Chairman to add this amendment. The original bill requires a father's social security number to be recorded on a birth certificate. The amendment says a mother's social security number must also be recorded on the birth certificate. The purpose is to track down a nonpaying spouse for purposes of collecting child support. I would ask -- move for adoption of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1330. 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. 1331. Senator Smith. 1337. Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1337, Madam

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Secretary, please.

SECRETARY HAWKER:

Senate Bill 1337.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. -- Committee Amendment. Amendment No. 1 raises the limit from seventy-five percent to -- seventy-five cents to one dollar per minute and also from one dollar to five dollars per minute for a charge before the service message disclosure statement is required. It replaces the criminal penalties with a Class A Misdemeanor, and it makes some clarifying language changes. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 1 to Senate Bill 1337. 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:

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, the Amendment No. 2 clarifies the intent that the Attorney General's Office is the -- enforcement agency, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins 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

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adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

There's only two amendments, so I don't -- that I know of.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Collins, we have three on file. You --

SECRETARY HAWKER:

No further amendments.

SENATOR COLLINS:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No further amendments. 3rd Reading. 1338. Senator Collins.
On the Order of Senate Bills -- On the Order of -- Bottom of
Page 14 is Senate Bill 1347, Madam Secretary. Read the bill.

SECRETARY HAWKER:

Senate Bill 1347.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Top of Page 15. 1349. Fiscal note. 1352.
Senator Holmberg. 1354. Senator Holmberg. 1361. Senator Joyce.
On the Order of Senate Bills 2nd Reading is Senate Bill 1-3-6-1,
Madam Secretary. Read the bill.

SECRETARY HAWKER:

Senate Bill 1361.

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(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. I move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved to Table Committee Amendment No. 1 to Senate Bill 1361. 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 Jerome Joyce offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This amendment deletes everything in the bill and sets yearly requirements of the amount of ethanol to be contained on the average in gas sold by distributors in Illinois. Beginning in 1992 - January, 1992 - twenty-five percent of the gasoline sold must contain ethanol. The yearly requirements phase in the percentage of ethanol gradually till the year 2002, when all gasoline sold in the State must contain ethanol. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Amendment No. 2. Is

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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 Severns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This amendment simply creates a Commission on Alternative Motor Fuels to determine the amount of ethanol that can be expected to be produced in the U.S. on a yearly basis, and to alter the percentage requirements if necessary. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns has moved the adoption of Amendment No. 3. Is there discussion? Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Woodyard.

SENATOR WOODYARD:

Senator Severns, I think this language might have been in the original bill that you introduced. What are the powers of this particular Commission that is being created, and where is it being created?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you. Senator Woodyard, they're strictly advisory. To make certain -- this actually came -- this language came from the Illinois Corn Growers' Association. It was, in fact, a part of

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the original bill that I had, but rather than have so many bills out there, we decided to roll this segment of the bill into Senator Joyce's bill, with his permission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Well, is this created in the Department of Agriculture or Energy and Natural Resources, or is it a separate Commission? Is it chaired by Treasurer Quinn, or is it just totally separate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Senator Woodyard. It is outside of the Department of Agriculture, with the components being -- excuse me. Excuse me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. While we have a lull -- excuse me. Senator Severns.

SENATOR SEVERNS:

The Director of ENR, EPA, DOA, the State Treasurer, and two public members appointed by the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Well, but it has no mandatory powers, only advisory, and it's supposed to -- I'm not sure I know what the purpose of it is, but I'm -- if it's not mandatory, I don't have a big problem with it, but I'm not so sure I want a Commission chaired by -- not chaired by, but with Treasurer Quinn on it, actually dictating usage and percentile and formulas on ethanol fuel. And I don't think that's your intent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Severns.

SENATOR SEVERNS:

ENR is the lead agency, with DOA obviously having terrific input. It's just one member and, in fact, contrary to the information I was just given and provided to you, it is not advisory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Severns has moved the adoption of Amendment No. 3. 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. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, a point of personal privilege. I'd like to call your attention to our back galleries, where we have ninety-four members today of the American Aid Society of German Descendants, who were kind enough to put on a wonderful show down in the rotunda today of folk singing and folk dancing with youngsters of varying ages. They hail from all over northern Illinois. Their clubhouse is in Senator Dudycz's district. And if we could give them all a big Springfield welcome here to the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise? Welcome. Welcome to Springfield. 1363. Senator Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1-3-6-3, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1363.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 1364. On the Order of Senate Bills
2nd Reading, Senate Bill 1364, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1364.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1365. On the Order of Senate Bills 2nd Reading,
Senate Bill 1365, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1365.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 1390. Senator Barkhausen. On the
Order of Senate Bills 2nd Reading is Senate Bill 1390, Madam
Secretary.

SECRETARY HAWKER:

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Senate Bill 1390.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Excuse me. The Committee on Judiciary II offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen, on Committee Amendment No. 1. And, Molly -- Excuse me, Senator. WCIA has sought leave to videotape. Is leave granted? Leave is granted. On the Order -- Committee Amendment No. 1, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Committee Amendment No. 1 is the bill. This deals with the extension of nonconsensual wiretaps to a range of serious felony offenses. It has a certain sunset date, which will be considerably shortened by the amendment to follow. And I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved the adoption of Committee Amendment No. 1 to Senate Bill 1390. Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

I just haven't seen the amendment. Could you just tell me what the amendment does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Could we have some order, please? Senator Keats, I cannot see the Gentleman behind you. Senator Barkhausen.

SENATOR BARKHAUSEN:

The committee amendment, Senator Marovitz, - the bill deals with wiretaps, which I know you oppose - but the committee

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amendment had a sunset clause that we agreed to shorten and the shortening of the sunset comes in the following Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I know that. What is this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The amendment itself rewrote the bill, but it's basically the same bill that was in committee, but it had a 1995 sunset date on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen has moved the adoption of Committee Amendment No. 1. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Barkhausen offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members. This amendment implements -- would implement a September 2nd, 1993, sunset date. And I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved the adoption of Amendment No. 2. Discussion? Senator Marovitz.

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SENATOR MAROVITZ:

Is that the -- effectively the eighteen-month sunset that we agreed to in committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

It's -- actually, Senator, it's two months longer, because eighteen months would bring us from -- to July 1. So by taking it to early September, we would give the Governor a chance to sign into law an extension of the sunset date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen has moved the adoption of Amendment No. 2. 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. 1392. Senator Welch. 1393. Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 1393, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1393.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1403. Senator Joyce. 1409. Senator Berman. On the Order of Senate Bills 2nd Reading, bottom of Page 15, is

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Senate Bill 1-4-0-9, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1409.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Berman offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 is a technical amendment offered by the Legislative Reference Bureau. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1409. 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. 1424. Senator Raica. 1434. 1435. Senator Marovitz. Page 16. 1437. Senator Welch. Senator Welch, 1437? 1438. Senator Welch. On the Order of Senate Bills 2nd Reading is Senate Bill 1-4-3-8, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1438.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this says - the amendment says - is that the Department of Public Health will defray the cost of annual medical checkups for anyone who worked on a Superfund site. We've been cleaning up Superfund sites in Illinois and cleaned up the land, but not the individuals, or helped them, and that's what this amendment is attempting to do. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Committee Amendment No. 1 to Senate Bill 1438. Is there discussion? Senator Collins.

SENATOR COLLINS:

Point of personal privilege. In the gallery behind me we have visiting with us today the Webster School, and I would just like to have them to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. If our guests in the gallery could please rise. Welcome to Springfield. Senator Welch has moved the adoption of Committee Amendment No. 1. Further discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1440. 1454. Senator Luft. 1459. Senator

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Marovitz. 1460. -- 1460. On the Order of Senate Bills 2nd Reading is Senate Bill 1-4-6-0, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1460.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1461. 62. 65. 1472. Senator Smith. 1473. Senator Severns. All right. We've effectively gone through the list of 2nd Readings. We are now going to proceed to the Order of 3rd Reading on Page 16. Senator Rock? Page 16? All right. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

I just wondered, Mr. President, on 1317, whether Senator Carroll wanted to withdraw the amendment or -- You said we would get back to it. That's my only question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Leave was granted to get back to it. On the Order -- I'm sorry. Senator Carroll, for what purpose do you arise? Senator Carroll.

SENATOR CARROLL:

Just to ask Senator Weaver if he could hold that bill. We're still waiting for staff to get down on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hold on just a moment. Senator -- if we could have some order and please take the staff conferences off the Floor. We're attempting to have a discussion among the Members and we're going right straight to 3rd Reading after this. Senator Carroll, you

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want to repeat your question, please?

SENATOR CARROLL:

Just ask Senator Weaver if he would mind holding it till tomorrow. We haven't -- staff has not had a chance to get back to me on it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Gentleman indicates yes. All right. 3rd Reading. We're on Page 16, on the Order of Senate Bills 3rd Reading is Senate Bill 1. Senator Rock. On the Order of Senate Bills 3rd Reading is Senate Bill 1, Madam Secretary. Read the bill.

END OF TAPE

TAPE 2

SECRETARY HAWKER:

Senate Bill 1.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I dare say there is no one in this Chamber, and I think probably no one in this State, who doesn't recognize the fact that elections across the country - and particularly here in Illinois - are too long and they cost too much. And while we are seeing the lengthening of campaigns and campaign rhetoric and campaign financing, we are witnessing, unfortunately, almost an inevitable consequence, and that is voter apathy. People are sick and tired

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of elections. And so what Senate Bill 1 addresses is, how do we change that? And Senate Bill 1 says for the 1994 election, let's change the primary date. By virtue of our Constitutional Convention, we took our Illinois constitutional officers off of the presidential election schedule. And so, in recognition of that fact, that it is an Illinois election, the 1994 primary would be held in September instead of March. Now, I know that there are others who have proposed other dates. I think we ought to, as a Body, make a statement in recognition of the fact that campaigns are too long and too costly. I call this "Give the people a break" bill, and I would ask for your affirmative support. For the 1994 election, the primary would be held in September and the general election in November. And for those who say there's not time enough, let me recall two things: one, Senate Bill 1000 passed out of here last Session with a pretty healthy vote; and two, if you look at the mayoral election in Chicago, the time schedule is substantially less than the statewide election. And that's probably as important a political office, a governmental office, in the State of Illinois as is the Comptroller and the Treasurer and the others we're dealing with. I would ask for an affirmative vote on Senate Bill 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Rock has finally beaten me up and twisted my arm. I'm coming around, believe it or not, to his way of thinking. I certainly would agree, I'm sick and tired of these long, drawn-out primaries, spending too much money, and I understand this is only going to be for one primary. If it doesn't work, we can come back and change it. I think it's a good idea, and I'd ask leave to be a hyphenated co-sponsor.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

I don't know. It looks -- sounds No to me. All right. Senator Philip has sought leave to be added as a hyphenated co-sponsor. Is leave granted? Leave is granted. Further discussion? Senator -- well, we have -- Senator Schaffer. You wish to be added too, Senator? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, it is with fear and trepidation that I rise to oppose both the President of the Senate and the Minority Leader on this bill. I still have some problems with this. I still have some problems with how it would be implemented. And I'm not sure that the bill, as currently drafted, solves all those problems for elections, challenges, filing dates, all the myriad of things that have to come to make a smooth election. I can see that I believe those things can be resolved. Obviously, other states have September primaries. My major concern, quite frankly, is that this would cause the campaigns for the primaries to be run in August and July; and, frankly, that's a time when most people are not particularly interested in what those of us in elected office are doing. The kids are out of school; they're on vacation. And I think it will minimize participation. Perhaps that's to an incumbent's advantage and maybe that's a reason to vote for the bill. I would respectfully submit that the vast majority - ninety, ninety-five percent of the money spent on political campaigns overall - is spent in the final two weeks. Regardless of when you have the primary, it's the final month that you buy the TV, that you do the direct mails. The extended period of time doesn't that dramatically impact on the cost. I still have problems with it. I would love to see our March primary moved into May, but I think that to have the campaign in the summer, when everyone else is out thinking about Great America and the Dells and summer vacations, is not something that will promote

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democracy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard, for what purpose do you arise?

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. On a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WOODYARD:

Ladies and Gentlemen of the Senate, we have with us today, in the gallery to the rear, Lake Crest School from Oakland, Illinois, with Donna Richardson and Mr. Bales as chaperones, and these kids paid their own way to come over here and raised their own money to come over here to visit us in Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome. Will our guests in the gallery please rise? Welcome. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I respectfully disagree with Senator Schaffer. If people are going to be interested in elections, they're going to be interested whether it's June, July, August and what have you. The rhetoric has absolutely been nauseous that so many people that goes on from March through September, and I -- through November. And I'll tell you right now, I am certainly in favor of Senator Rock's bill, and I'd like to be added on as a hyphenated co-sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request. Is leave granted? Leave is granted. Add Senator Geo-Karis. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to address what Senator Schaffer said. Senator Schaffer said that campaigns

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really don't start up with advertising until the last month, and that -- Senator, maybe in your race that's true. In my race, the last two races we started advertising eight times a day, beginning in the middle of August and every week after that. We were sending out mailings beginning in August. So, to say that -- to use your race as an example, really your race isn't the one we're looking at for need to change the primary. It's races where you have targeted candidates that so much money is poured in that the primary would help. Hopefully it would reduce the amount of money being spent and reduce the time period for all those great advertisements to go out through the mail. So I would support the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support of Senate Bill 1. There is a precedent that has already proven to be very helpful and that was at the time that the Constitutional Convention delegates ran for election. That primary was in September and the election was in November, and it was indeed very successful. And, although there were those who had announced their plans to run and had an opportunity over the summer to informally talk with various people, the actual dates were very helpful, and I think it would be a great benefit to the candidates and the people of the State of Illinois if we went to a September primary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I support this bill, but I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Rock, I think you've been on to something here for some time and, as you mentioned, we've passed this before. What I fear may -- may lead to a certain amount of public cynicism - almost perhaps as much as our overly long campaign season - is that -- is that despite your obvious sincerity and our activity on this front in past Sessions and again this Session -- you know, we keep talking about doing something here but somehow we never come together with our friends in the House. Are the prospects for that happening this year any better than they've been any other year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Better than in the past, yes. Whether it will ultimately be successful remains to be seen, but I can say, without contradiction, better than in the past.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- Senator Barkhausen.

SENATOR BARKHAUSEN:

What -- what obstacles do you keep running into over there? I mean, they have their own preference for some alternative date, or do they like our March primary?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I think it's fair to say that some are of the opinion, having been successfully elected and reelected, if it ain't broke, why fix it; they like it the way it is. Don't change anything, or otherwise I may have to change my way of doing things. And you'll recall, a lot of the rhetoric last Session, when we passed Senate

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Bill 1000 - that was prior to a gubernatorial campaign - there was some confusion as to where the gubernatorial candidates from both parties stood. There was some indication - because it happened early enough - there was some indication at least expressed publicly, that I was somehow interested in the passage of that bill to influence and help reelect Jim Thompson to the Office of Governor, as it being a proponent or a pro-incumbent bill. And on the other hand, my friend, Senator Philip, accused me of all kinds of things. So there was a little bit of political ambivalence out there. What I'm saying to you is that I think now we've just been through another statewide campaign, and I think everybody recognizes they are too long and they cost too much money, and we are literally wearing people out. And it seems to me that we are better advised to concentrate our effort on increased voter participation. One of the ways you're going to do that is to cut down the amount of time between the primary and the general. And so, I think the bill speaks for itself. Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. As the Republican Spokesman on the Elections Committee, I note that Senator Schaffer has brought some valid points regarding a September primary, specifically when you're dealing with party matters, such as the selection of State party chairmen, the nomination of candidates for University of Illinois trustees, and the adoption of party platforms. But these problems are not insurmountable, and they can be worked out between now and then. We all agree that the election cycle is too long, and I think the time has come for us to shorten it. And I think we all should vote Aye on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Rock, I support what you're doing here, but I notice that 1994 is not a presidential year. What is your solution as to how to deal with the presidential primary if -- if we should stay with this system?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, my solution for a presidential primary is something that I'm not sure would meet with great favor around here. I would choose -- or I would suggest choosing delegates to the National Nominating Convention by party caucus and do away with the presidential beauty contest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock, do you wish to close? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1, it seems to me, is something that we can all support. I will grant to Senator Schaffer and to others that the election authorities and the county clerks are not unanimous on this. It does, in fact, shorten the period of time within which they have to react to petition filing, and challenges, and objections and so forth. Those problems are in no way insurmountable. Eighteen other states have this kind of -- this -- this September date. Others are moving. We are, I think, one of two that has a primary in March and the only people that are a little goofier than we are Iowa and New Hampshire in the early stages of the presidential. I just think we have asked of the

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people too much for too long. Let's give the people a break and vote Aye on Senate Bill 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Geo-Karis. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, 1 voting Present. Senate Bill 1, having received the required constitutional majority, is declared passed. 13. Senator Thomas Dunn. Severns. 25. 39. Senator Tom Dunn. Page 17. 57. Senator Rea. On the Order of Senate Bills 3rd Reading, top of Page 17, is Senate Bill 57. Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 57.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. Senate Bill 57 amends the Coal Technology Development Assistance Act, and comes at a time that certainly is very needed with the clean air legislation that has been enacted at the federal level. And what this does, it -- it's based upon the utility tax, changes the one sixty-fourth to one thirty-second, put a cap on over the next three years, which is very critical to us in saving jobs and being able to utilize Illinois coal in a clean fashion. I would ask for your support.

PRESIDENT ROCK:

All right. The Gentleman has moved the passage of Senate Bill 57. Discussion? Senator Macdonald.

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SENATOR MACDONALD:

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

PRESIDENT ROCK:

Sponsor indicates he will yield. Senator Macdonald.

SENATOR MACDONALD:

Yes, Senator Rea, why are you giving tax credits to Illinois Power?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Well, actually, this is not just for Illinois Power. It's for other utility companies, others than burn high sulfur coal. And it's in terms of using the new technology, whether it may be scrubbers or some other technology, and that's where they get the tax credit. And this has been something that has been in operation for a good while here in the State of Illinois.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Would the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Are you saying with this bill that if -- if someone -- if an electric company uses coal, that they will get a tax credit for scrubbers, installing scrubbers and what have you? And the maintenance and all this other good stuff that they do down in Southern Illinois and we don't do up in Northern Illinois?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

They could if they use scrubbers.

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PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

Well, so in other words, actually what you're doing is you're giving a tax break to the -- to the power companies down in Southern Illinois, and those of us in Northern Illinois are going to end up having to pay two million dollars into the GRF because of this tax credit. And we're not -- those of us that have nuclear plants really don't benefit from this at all, do we?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

This -- actually, this has been in effect for several years, and actually, without the credit and being able to convert and use the clean technology, then it could cost the consumers much more than what it will under this plan. So all we're doing is extending it - that's all.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I rise in support of Senator Rea in his efforts here. Some concern about the impact that this might have on the General Revenue Fund - two million dollars. Let me just tell you what this may do, in fact, if we put six thousand coal miners in this State out of -- out of work. What Senator Rea is trying to do is provide an incentive for some of the people in this -- that utilize Illinois coal to continue to use it. And I think that's something that we should support, because we do have some six thousand coal miners in our particular area of the State that are going to be impacted if, in fact, the Clean Air Act has the devastating effect we think it may have on the coal industry here in Illinois. So I applaud Senator Rea, and certainly support

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his effort.

PRESIDENT ROCK:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As the preceding speaker just noted, and I want to underscore, is that this is a two-million-dollar hit on the General Revenue Fund. That is the amount of revenue that would be lost to the GRF with the passage of this bill.

PRESIDENT ROCK:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I also rise in support of this legislation, and since we're talking about our preceding speakers, to go back to what Senator Etheredge said and to Senator Watson, yes, it is a two-million-dollar hit, but I think the cost to General Revenue without the development of these coal research monies would be a great deal more than two million dollars. And I rise in support.

PRESIDENT ROCK:

Further discussion? Further discussion? If not, Senator Rea may close.

SENATOR REA:

Thank you, Mr. President. Without this legislation, we could lose many jobs and could lose millions of dollars here in the State of Illinois. I would ask for the adoption.

PRESIDENT ROCK:

Question is, shall Senate Bill 57 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? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 15 Nays, none voting Present. Senate

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Bill 57, having received the required constitutional majority, is declared passed. 58. Senator Rea. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 58.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President and Members of the Senate. Senate Bill 58 provides, as many of you know, due to legislation earlier and at the federal and State level, that juvenile detention personnel cannot be housed in the adult centers. They've got to be separated. What this does, it provides a fund, the County Juvenile Detention Center Revolving Loan Fund, which then would allow a county to finance up to a hundred percent of the total cost of constructing a facility. Many parts of this State, I think, the juvenile problem has increased and become intensified; and, as a result, I have had to travel a great distance just to take these kids to a facility. The cost has been prohibitive. And of course, many times, due to the cost and the manpower that's required, they are turned loose and back on the streets in a short period of time. This would help alleviate that problem. All it does is set up the Fund for that type of funding, and the monies are not there now, but it puts it in place so that if the money should come later on that we would have a mechanism there for -- to move with it. So I would move -- or ask for your support on this bill.

PRESIDENT ROCK:

Discussion? Senator Fawell.

SENATOR FAWELL:

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Thank you very much. I'm the Minority Spokesman on Local Government and this bill came through that Committee. And it was pointed out that there are no funds in this Fund. And the anticipation is that there aren't going to be any funds because of the problems that we have in the State right now. What this bill does is it says that juvenile centers will be financed a hundred percent by the State for the county juvenile detention centers. Now -- right now, there's no money, and I suppose we can just go ahead and pass this bill and pray that no money gets in that Fund. But the day may come when we may regret this, because this could be a terribly expensive bill in the future. To fund the juvenile centers with State funds from grants and loans and State appropriations and bonds, I think, is the wrong way to go. We don't finance county jails, and we shouldn't start financing juvenile detention centers. That is a county prerogative. There are other ways of doing it. They can join together - different counties - and set up a detention home, and I think that's the way they should go.

PRESIDENT ROCK:

Any further discussion? Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in strong support of this legislation. In regards to Senator Fawell's comment about the day may come when we may regret this legislation - I think that if we don't pass this bill, we're going to be regretting it in the future, without a doubt, because, to me, if we don't fund these juvenile centers -- detention centers, we're going to be throwing these people in with hardened criminals, whether we believe it or not. And I think that's going to add to the problem rather than decrease the problem. I think it's a cost-saving measure.

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PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, what good is the bill without any money?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

This puts it into position of permissive funding, up to a hundred percent, but the reason for it is that many of the judges came to me and law enforcement officials, and they felt very strongly that if we had the mechanism here, then over the next year we can work on ways and means that we might be able to come up with the funding for it. But this would help establish this as a priority in our minds, as well as in theirs.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I don't object to setting up priorities, and I don't know that this is a bad idea - just that, at this particular time, to do it when there's no money there, seems to raise false hopes. And it seems to me we ought to wait until we know how it's going to be funded before we adopt this bill.

PRESIDENT ROCK:

Further discussion? Senator Rea, you wish to close?

SENATOR REA:

Just in closing, we're not asking for any appropriation whatsoever. If we were asking for the appropriation, one of the things that you would be saying, "Well, where is the

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authorization?" This would provide the authorization and then the next step would be as we go along to be looking towards the funding. I would ask for your Aye vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 58 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 25 Nays, none voting Present. Senate Bill 58, having received the required constitutional majority, is declared passed. 66. Senator Woodyard. Read the bill, Madam Secretary, for a third time.

SECRETARY HAWKER:

Senate Bill 66.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. Senate Bill 66 would exempt from permitting the requirements that would be involved with that of the garbage trucks or the haulers that pick up waste from a generator and don't go directly to a landfill, but rather go to a recycling center first, and then reload the truck going to a landfill. It simply exempts that very narrow area of consideration on those people who would have to be permitted, and this would prevent them having to be and having to establish the tariffs which cannot be established anyway. It certainly is supported by the Illinois Commerce Commission, and the language was worked out with them and the Solid Waste Association.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Proceed. Senator Welch.

SENATOR WELCH:

Senator Woodyard, could you clarify the definition of waste in the bill? We want to make sure that it does not include nuclear waste, either high-level or low-level. Is that the intent of your bill, not to include nuclear waste?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Woodyard.

SENATOR WOODYARD:

Certainly there is no intent in the bill that would deal with any waste like that at all.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any further discussion? Senator Woodyard may close. The question is, shall Senate Bill 66 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There are 54 voting Aye, none voting Nay. Take the record, Madam Secretary. 54 voting Aye, none voting Nay, 3 voting Present. Senate Bill 66, receiving the required constitutional majority, is declared passed. Senate Bill 71. Senator Joyce. Read the bill a third time, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 71.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Joyce.

SENATOR J.E. JOYCE:

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Thank you, Mr. President. Senate Bill 71 provides that bottled water shall be labeled and the label - if it is sold in Illinois - and the label shall contain the date on which the water was bottled, the source of the water, the mineral content, and the bottling company's name and address. The Department of Public Health indicates they are in support of this, and I would just briefly like to read to you the comments from the Oversight Committee in the House of Representatives to the FDA calling for stronger standards. On Page 17 of that report, it provides -- it states as follows: that consumers are -- may be paying as much as three hundred to twelve hundred times more per gallon for bottled water than for tap water, because they believe it tastes better or it is safer or healthier or is free of contaminants. As much as twenty-five percent of this bottled water being sold may, in fact, be tap water drawn from public drinking water systems -- treated tap water drawn from public drinking water systems. So, although some consumers may willingly pay for this additional treatment, others may be misled by terms and labels used on bottled water products; terms such as - on Page 18 of that report - terms such as "nursery water" may imply a certain standard of quality that does, in fact, not exist. Label graphics may represent the water source as "glacier, mountain lake or waterfall," when in fact the water comes from a public drinking system. The State of Connecticut, State of Texas and many other states are moving towards this. In committee, the point was raised that perhaps this is something best left to the Federal Government; and as a accommodation to that feeling, we delayed the effective date of this legislation by one year to await and see what federal action may be forthcoming. With that in mind, I would be willing to answer any questions or ask the support of the Senate for Senate Bill 71.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Further discussion? Senator Kelly.

SENATOR KELLY:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he will --

SENATOR KELLY:

Senator Joyce, this doesn't have anything to do with the bottled imported water that's coming in from other countries, which was in the national news that there was incidence of cancer-causing contaminants within that water. This legislation would have nothing to do with that specifically, but are there any byproducts of this legislation that would impact on that?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Joyce.

SENATOR J.E. JOYCE:

This legislation would require that if the water is sold in Illinois and it's in a container in a gallon or larger - and many of those are in smaller containers - if it is in a container of a gallon or larger, it shall be labeled.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I reluctantly rise in -- opposition to this bill because of my respect for the sponsor. But I do think that we have to look at what we're doing here, and I think that we are preempting the federal guidelines that are under consideration at this particular point. This bill also talks about the source of water, rather than the purification of the water, and the source really isn't -- isn't of that much importance. There should be further - if this bill is to go through - there should be further concerns about purifying and

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other matters which are taken care of, by the Federal Government. And I think that this would certainly injure those companies in Illinois that are national companies that are well-regulated, and also would be a matter of probably destroying some jobs in Illinois. So, very reluctantly, I rise in opposition to this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I rise in opposition to this bill without any reluctance at all. This is a case of massive overkill. Apparently, there was a problem, and we are attempting legislatively to club it to death. Frankly, this type of regulation more correctly belongs at the federal level. Much of this bottled water is obviously interstate. If each of the fifty states sets up their own standards, we will create a system of chaos in this country. I might add this is a precedent that could be used for corn, green beans, anything else produced in this State. It is rather vigorously opposed, as one might expect, by the Retail Merchants' Association, the Water Quality Association, the Illinois Manufacturers' Association, and - I guess not surprisingly - Hinckley & Schmitt. What we would effectively do is move a thousand jobs out of this State. It just is a massive bit of overkill. If there is a problem, I honestly believe it should be addressed at the federal level, since most of this water is interstate. And if, in fact, we do have a role, I would suggest to you our role would be to require tougher standards on testing in Illinois plants to avoid problems. Once in a while, we really do get carried away with overkill, and this is a good example of it.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Geo-Karis.

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SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in the Committee I voted for it, based on the hope that the sponsor would give it at least a two-year date of having to go into effect, because, as Senator Schaffer says, we have about a thousand jobs in Illinois that're going to be affected. There is -- there is absolutely, right now, worked on by the Federal Government to see what they can do and to increase the quality of the water. However, I do feel that we're going too fast on it, and therefore I reluctantly have to oppose it.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Further discussion? Senator Joyce, to close.

SENATOR J.E. JOYCE:

Thank you, Mr. President. Fact is, Senator Schaffer, other states do have this. Connecticut has it. Texas has it. Ten other Legislatures are in the process of adopting this. We have provided for the likelihood that the Federal Government can act in this area within the next year. And the further fact is, notwithstanding your standard overkill, Hinckley-Schmitt is not going to leave here. Bottled water is presently being sold in the State of Illinois by people who are simply taking it from a tap and putting it in plastic containers and putting it on retailers' shelves. So I would, at this time, ask support of Senate Bill 71.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall Senate Bill 71 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, Mr. Secretary. With that, there are 23 Ayes and 33 Nays, none voting Present. This -- Senate Bill 71, not having received the required constitutional majority, is declared failed. Senate Bill 78. Senate Bill 90, Senator Davidson, is on a recall. Senate Bill 103. Senator Fawell. Read

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the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President. This is a pretty simple bill. All it is -- is -- allows the Illinois residents who own a farm, but who do not live on that farm, to be able to hunt pheasants without a pheasant stamp. And I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the -- Senator Kelly. I'm sorry.

SENATOR KELLY:

Thank you, Mr. President. I'd like to ask the Senator a question. Senator Fawell?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

She indicates she will yield.

SENATOR KELLY:

Thank you. Senator Fawell, it does seem like a fairly simple concept to understand, but what I'd like to know, if somebody is on the property, whomever - whether they're young or middle-aged or old - and the law enforcement official or whoever else comes up to them, how do they know that it's their land?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

This is already done by the Department of Conservation on some -- on some other hunting, I understand. For instance, on - I

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believe it's deer they can hunt - so there is a way that the Department of Conservation will be able to tell.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. Chairman -- I mean, Mr. President and Ladies and Gentlemen of the Senate. Senator Fawell, if I may, I opposed this in committee and did -- as did a number of others, and I'm wondering if you could tell me precisely what Amendment No. 2 -- what effect that that has now, with respect to this bill?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

Amendment No. 2 becomes the bill, and all it says is except that State pheasants stamps shall not be required for absentee landlords who reside elsewhere in this State, while hunting on their own property.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there further discussion? Senator Joyce.

SENATOR J.E. JOYCE:

Yes, thank you, Mr. President. I, too, voted against this in committee, and I think it's -- we're going a little bit far here. When we're talking five dollars for a State pheasant stamp for a person who is an absentee landlord, that just -- that seems to me that it's just something that we all ought to be -- I don't know why it's being introduced. I realize a person came down who had a farm and he wanted to go hunting pheasants and the pheasant stamp was too much for him. I think we've all done enough in the agriculture community to do everything we could to kill off these birds with our practices in farming. And I just think that for five bucks, whether you own that farm or don't own it, or whether you live on it or anything else, that you just ought to be able to

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afford that for the increased habitat to keep pheasants alive in the State of Illinois.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you. Just a quick question. If I live in Missouri and I own property in Illinois, can I come into Illinois without a license and a pheasant stamp?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

No. What we're talking about are residents of the State of Illinois. By the way, the farmers that presently live on that farm already have this courtesy, whether they are tenant farmers or whether they are owners of the farm.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I rise in opposition to this bill. I know -- you know, my feeling is that the purpose of the pheasant stamp was to kind of try to enhance their habitat and promote pheasants in Illinois, and I just think it's not asking too much to ask absentee owners to buy the pheasant stamp.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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

SENATOR FAWELL:

Thank you very much. You know, I think this is a fairly simple bill. As the -- the gentleman who happens to farm on weekends, and who requested this bill, pointed out to me: number one, he was devoting three acres of his farm already to raising

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pheasants. He went out and he bought the pheasant eggs. He put them on the farm, found out his tenant farmer could shoot them, but he couldn't, it seems, without a pheasant stamp. Actually, I guess it got down to the point where it was the principle of the thing. He also pointed out that he had a friend who lived in a farm who farmed -- who lived in the nearby town, and the way the law is presently written, even that farmer would not be allowed to kill his pheasants. Now, I'm not a great hunter, and frankly, I don't care if they go shoot the pheasants or not. It seems to me if I were going to raise pheasants to shoot, I could think of an easier way of doing it. But bottom line is, it is the principle of the thing. If, indeed, tenant farmers can shoot these pheasants, then it seems to me the guy that owns the farm, if he lives in the State of Illinois and is paying his taxes, ought to be able to go and shoot his own pheasants. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall Senate Bill 103 pass. Those in favor will vote Aye. Those opposed, vote Nay. 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 30 Ayes and 24 Nays, 1 voting Present. Senate Bill 103, having received the required constitutional majority, is declared passed. Senator Demuzio.

SENATOR DEMUZIO:

I request a verification of those voting in the affirmative.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Senator Demuzio has requested a verification. Will all those Senators be in their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander,

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Barkhausen, Brookins, Butler, Daley, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Holmberg, Hudson, Karpel, Macdonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Savickas, Schaffer, Schuneman, Topinka and Woodyard.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio, do you question any of those present?

SENATOR DEMUZIO:

Senator Mahar.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Mahar is in the back of the Chamber.

SENATOR DEMUZIO:

Senator Davidson.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson? Senator Davidson is here.

SENATOR DEMUZIO:

Senator Dudycz.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dudycz. Senator Dudycz is in -- on the phone.

SENATOR DEMUZIO:

See if Senator Savickas is in there too, will you? Senator Savickas.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The roll call has been verified. Okay. There are 30 Ayes and 24 Nays. The bill is declared passed. Senate Bill 110. Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 110.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schaffer.

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SENATOR SCHAFFER:

Mr. President, Members of the Senate, this bill would simply extend the veterans' preference given to people for State employment to persons who have served in the Desert Storm military engagement. In fact, at the request of the Department of Central Management, we have simply extended that preference to those people serving during a period where a declaration of war has been passed by Congress, or where there's been a presidential proclamation or presidential executive order implemented. That's to cover the Grenada and the Panama situation. It would seem consistent with current State policy. We give the veteran preference to Vietnam veterans, World War II, Korea, et cetera. With the passage of this bill, we've resolved that issue for some time.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? Hearing no discussion, the question is, shall Senate Bill 110 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, none voting Nay, none voting Present. Senate Bill 110, having received the required constitutional majority, is declared passed. Senate Bill 127. Senator Fawell. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 127.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. Now that I got my big bill passed for the Session -- this bill allows commuting students not to have to

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go through the immunization for mumps and measles for -- that our -- students at our local colleges and universities. There have been several discussions about this. Right now, the data says that eighteen- to thirty-four-year-olds -- there were a hundred and twenty-four people altogether in this State last year who got measles and mumps 1988 to 1990. The problem that we've got is, of course, a lot of these students are graduate students, and when you've got graduate students working and then having to get shots, it causes all kinds of problems. This has been requested by the Federation of Colleges, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. I reluctantly rise in opposition to this bill, as I -- as I continually have when we have sought to reduce the requirements for immunization in our colleges, universities, community colleges and so on down the line. The Department of Public Health, the Illinois State Medical Society, the American College Health Association, University of Illinois, Southern Illinois University all oppose this bill, and understand that when we start neutralizing these immunization policies, indeed we are allowing, you know, various communicable diseases to get onto campus and cause grief. We -- in studying mumps outbreaks, which occurred at three universities during recent years, it was found that thirty percent of those cases reported occurred in students who did not reside in dormitories. They came in from the outside, brought in the mumps virus and, indeed, this led to fourteen deaths. It is something that at this time should be strengthened and not weakened. And I think in terms of just a broad-scale issue of public health, we should oppose this bill and keep our requirements as stringent as they are.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in opposition to this bill. As Chairman of Higher Education, I've listened to the testimony. It seems to me that we should be strengthening immunization in this day and age, rather than weakening it. For one -- one of the things cited each time the bill comes before Committee is how few cases we have had of measles and mumps. That's because we require immunization. Let's not stop a good thing. Let's keep it up and do more of it if we can.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Watson. Senator Watson.

SENATOR WATSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates she will yield.

SENATOR WATSON:

Why do we want to do this? Yeah, why do we want to do this?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Fawell.

SENATOR FAWELL:

I think there's some misinformation going around. This is a report that I got from the Legislative Research Unit. It says, "According to the Illinois Department of Public Health, two thousand sixty-nine people in Illinois contacted measles from September through the present. Of these, a hundred and seventy-two reported as college or university students." However, it does not -- they do not keep record of the number of college students who contacted mumps. And there were a hundred and twenty-four that contacted mumps in the State of Illinois. What we -- when we are talking about the people who died on the campus

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because they contacted measles, what we are talking about is a college that has been exempt from either this bill or any bill, because it's a Christian Science college. That's where the problems lies. It was not in the regular campuses. Whether we pass this bill or whether we don't pass this bill, that college is still going to be exempt. The problem that we've got, according to the universities and the colleges, what we're talking about are graduate students, basically, who are commuting, trying to pick up their master's and their doctorate. A lot of them are working. A lot of them are family people, and to ask them to go through this is crazy.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Watson.

SENATOR WATSON:

Thank you. I think you gave a good argument of why this bill should be defeated. Quite honestly, I -- last year I think there was an attempt to -- made to exempt -- commuter students from these immunization requirements. And my son is recently a freshman at Bradley University, and Bradley had - over the last couple of years - has had an extreme number of measles cases there on campus. And I think that the immunization program, if from -- what you say is correct - that it is on the decline - I think is an indication that the current system is working. And I think for us to head in a direction opposite of that would be, really, a wrong way to go at this particular time. I think that the system's working as it is, and this is what we should support, and I think to head this way would be wrong.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Maybe I can shed just a little bit of light on this. This bill

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passed the Senate last year with a pretty good vote count. You'll recall that some years ago, when we put into place the immunization program, what it says is, you, Mr. or Ms. Student, may not register and attend class until you have proof of immunization. And the bill got to the Governor's desk and Governor Thompson took out all the community colleges - the community colleges - on the basis that they were literally commuter schools; that these people, the student profile of whom is roughly an average age of twenty-seven or twenty-eight, were probably vaccinated so far back they don't have the record, can't remember who their family doctor was, and to require them to go through another immunization on the basis that they were commuter students simply didn't make any sense. What we're saying here and what we said last year - at least in the Senate we said it - was that there are some schools in Illinois that are commuter schools that have the same student profile as these students in the community colleges; namely, these kids are twenty-seven, twenty-eight, twenty-nine years old; they have literally lost or forgotten about their immunization records. And rather than deny them the opportunity to register and attend class at DePaul or Loyola or the big commuter schools, we are saying university can waive this. They don't have to waive it. They can waive it. It's permissive. The whole purpose of the immunization program was to attack the problem with residential schools, where you have a closed campus setting. And you have a hundred and fifty or two hundred and fifty kids in a dorm, they want to make sure that everybody is immunized. That makes eminent good sense. But when you're talking about a commuter school where you've got twenty thousand people coming from all over Metropolitan Chicago, a vast number of whom use public transportation - my goodness - if you can't catch it on the CTA, you probably can't catch it anywhere. What we're saying is that to deny them the opportunity to register

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and attend class or to stop the school processing their application simply doesn't make any sense. I think this bill makes sense, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I would have to join those urging caution on this bill, as I did unsuccessfully last year. I think there's a big difference between a community college which probably two-thirds of their student body are people who take one course, people sixty, seventy, eighty years old, and that is why they were taken out of the original exemption. Any of the other type schools that still have full-time student bodies, that's apples and oranges from my point of view. The bottom line is that - I guess you can make an argument, if we weren't having a problem in this State, that maybe we could loosen up. But one only has to look back at the headlines of the last year to see that we've had serious problems in our college campuses. If anything, we should -- we should be tightening our requirements. I'm sorry if this is an imposition on some of the paper shufflers at the universities, and I'm sorry if it's causing their computers a little extra work. But the bottom line is we're talking about human lives here, and there is a real problem. This bill moves in the wrong direction.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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

SENATOR FAWELL:

Well, thank you very much, Mr. President, and I think my co-sponsor pretty well summed it up. This is a permissive bill. If indeed a college finds that it has a problem, certainly they can require that their commuting students be immunized or come in and prove that they have. The problem that we've got really is

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that a lot of the students that we're talking about who do commute are the ones that, for instance, go on weekends to college, full-time students technically, because they do go and get their master's on a weekend. They have to work during the week. Frankly, mumps and measles are nothing -- shots are nothing to be fooled around with with a grown man, and I just think this is a good idea. If there is a problem on the campus, the campus certainly can go ahead and require the shots. But I think, under the circumstances, we should pass this bill as the Federation of Colleges have asked us to.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall Senate Bill 127 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that, there are 37 Ayes, 19 Nays and none voting Present. Senate Bill 127, having received the constitutional majority, is declared passed. Senate Bill 136. Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 136.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. Senate Bill 136 allow those thirty-five personnel to purchase up to ten years of credit for pension benefits between the years of 1974 and the present. What this law does is to take care of those persons who served in Vietnam who are currently certified employees. Current law allows those employees between the years

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1964 and -- 1965 and 1974 to purchase up to ten years of credit. Most of your Vietnam veterans did not enter the employment area as relate to University Retirement System until after 1974. So this bill would take care of them and give them the same benefits as those who served in previous combat. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. I dare say there's not an issue that comes before many of us any more than this one does. And when you have as many public facilities as I do, you get calls from a lot of people concerned about this issue. I guess, Senator Jones, my concern is -- is obviously the cost to the State on this one. We are opening now an unlimited window, and it seems to me that we -- first of all, we don't know how many people there are out there. I mean, we don't know that for sure, or what -- an exact cost. Do you have any estimate, or has anyone given you an estimate of the cost?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Yes, the estimate annual cost is approximately eighty-seven thousand dollars per year.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Maitland.

SENATOR MAITLAND:

What does this do to the unfunded liabilities of the system?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

The accrued liability is approximately three hundred thousand

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dollars a year. As I indicated to you, these current benefits are for persons who are not covered as those who -- entered the employment before 1974. It's a cutoff after that period. So, the -- those who served in Vietnam did not become employed until -- most of them didn't become employed until after 1974. So this would give them the same benefits as the other employees. Why they have the cutoff, I really don't know.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

I'm wondering if -- if there's ever been given -- any thought been given to allowing them to buy into both -- You see, what happens is they contribute their share, as I understand it, of the contribution. That's what they buy in with. And yet, when the benefits accrue to them -- whenever they accrue, they share in the benefits as though the State had contributed to the same time. Is that -- is that correct?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Under current law, those persons who were certified as employees between the years 1965 and 1974, all they have to pay is the employee's share, plus interest. What this does is extend it to the present time -- take care of those persons who became employees after 1974, and they will be given the same benefits. I think it's time that we do for the Vietnam veterans what we are doing for all other veterans, and even the Desert Storm veterans -- is allow them the same benefits as those employees who were employed prior to 1974.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Maitland.

SENATOR MAITLAND:

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Well, yes, I understand that, Senator Jones, but I guess, again, my concern is that -- that the additional cost here comes from the fact that they are only buying in the employee's share, and that when the benefits eventually accrue to the person, when he or she becomes an annuitant, then they are sharing in the benefits as though they were -- the State had contributed during all of that period. And that's what allows for the increase in the cost of the unaccrued liabilities.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Well, your argument, Senator Maitland, what you are saying in essence then, that if that person is currently employed and they were certified between 1965 and '74, if they served in the Korean Conflict, it's all right for the State -- or the University Retirement System to pay that cost and let them share in it. But if they served in Vietnam and was employed after 1974, then you say it's wrong for them to do such. So, what this bill does is take away that discrimination and give the Vietnam veterans their just due as all of the other veterans receive under this system.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR MADIGAN:

Senator Jones, is it your intent on this bill to leave this bill in its present form, or when we send it over to the House, if we do, are we going to further work on this -- bill? Or is this a vehicle, or just what are we dealing with here?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Jones.

SENATOR JONES:

This was originally one of the vehicle bills that were to go over, and -- it was passed out of the -- out of committee, but the merits of the issue should be dealt with. I don't know why it was not on the Agreed Bill List, but this is something that was not agreed upon so, therefore, I have to debate it on the Senate Floor.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Madigan.

SENATOR MADIGAN:

A follow-up question then, Senator Jones. Why are we not -- why are we restricting this - which might be a good idea - why are we restricting this just to the State university employees and not extending it to the downstate teachers, or the State employees, for that matter?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Under current law in the Pension Code, as it relate to the University Retirement System, this is -- this is there already. This is something that the University Retirement System brought to me to sponsor to take away the discrimination. Now, I have no problem with other State employees. I believe Senator Watson has a bill to do exactly what you're talking about to a certain degree. But this deals -- this takes away discrimination, and the University Retirement System brought the bill to me to take care of the Vietnam veterans.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Raica.

SENATOR RAICA:

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

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Senate. You know, all during Operation Desert Storm we heard Vietnam veterans saying how they wished they would have had what these troops had when they came home. When the Desert Storm troops came home, they really felt sorry for everybody who served in Vietnam. And everybody's started feeling sorry for the Vietnam vets. Well, this bill here is trying to help out Vietnam vets, and I just can't believe there's some Members that have some problem with this bill. I think that we should all do the right thing and show these guys what we really thought of them for going out there and risking their lives for them. But we never asked them why they were doing that. They were met with picket lines and everything else, never a kind word. I think Senator Jones has -- this is a step in the right direction. I think the Vietnam vets deserve an Aye vote on Senate Bill 136.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, first of all, let's get one thing straight. This bill does not only affect Vietnam vets. If it did, it might deserve a greater consideration by us. Two years ago, the Senate passed and the House passed and sent to the Governor the bill that decided how we were going to fund our pensions. Remember that? Senate Bill 95? Most of us voted for it. Since that time, our Governors, our Legislature have absolutely ignored that bill. Had we funded our pensions under that bill as we then said we would, up until the present time we would have spent three hundred and fifty million dollars for pensions that we haven't spent. We have not paid that obligation that was due. Now my problem with this kind of bill is that -- that this bill only affects the university system. If you pass the bill, expect soon that the downstate teachers are going to want it, the State employees are going to want it, every one of

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our systems are going to want this same benefit. And if that happens, we're probably going to have an unaffordable price tag at a time when we are already failing to pay the cost of pensions. So this is another one of those instances where the bill sounds good, and certainly you want to help the Vietnam veterans, but this bill goes beyond that. You do not have to serve in Vietnam in order to take advantage of this provision.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR KEATS:

Just to be sure, this has a ten-year buy-in, not a two-year, a ten-year buy-in. Is that correct?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Currently - and I'll repeat my statement, Senator Keats - currently under the University Retirement System Pension Code, any certified employee who enters service between the year 1965 and 1974 can purchase up to ten years of military service. That's current law. The University Retirement System has a -- they have many persons there now who are Vietnam veterans who did not enter employment until after that 1974 cutoff date. What this would do is extend to them the same benefits as those other employees, who became employed prior to 1974.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Keats.

SENATOR KEATS:

The answer to my question was yes. That's the problem with

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the bill. We should have never done the ten years originally. Two or three years is reasonable. But ten years buy-in on something that is not identical -- I'm a military veteran myself. I voted against the provision allowing the Legislature to vote -- to add military time. Two years you can defend. That's a draftee or volunteer. When you start getting ten years, the costs become unrealistic and we suddenly are making these universal pension funds instead of something based upon working in a specific area. If it were limited to a two-year or three-year maximum period, I think you'd find people much more sympathetic, and the fact that the previous code was overly generous is perhaps why our pension funds are the disaster they are today.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Thank you. Any further discussion? Senator Jones, to close.

SENATOR JONES:

Yeah, thank you. And in response to that statement, Senator Keats, the University Retirement System, as well as Economic and Fiscal, estimate that the average participant will only request about three years of service. Even those persons who currently have three, it's been averaging out about only three years of credit. And it really amazes me, really. And I echo the remarks of one of the previous speakers on this bill, Senator Raica. It amazes me that those persons who enjoy all the great benefits of this great society and great -- and State, but yet -- and still when it comes down to taking care of those who - not at their own request, most of them - but those who gave of themselves to help defend this country, we sit up and question whether we should spend a mere eighty-seven thousand dollars a year to give them the benefits that they deserve. So the Vietnam veterans have been treated wrong by this country. All the University Retirement System is attempting to do is correct the inequity that currently

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exists under the Pension Code. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall Senate Bill 136 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that, there are 47 Ayes, 10 Nays, and none voting Present. And Senate Bill 136, having received the required constitutional majority, is declared passed. Senator Cullerton. Senator Cullerton. Senate Bill 160. Senator Dunn. Senate Bill 170. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 170.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This bill would provide that where a municipality has purchased a water system and that there are individuals who are in the water system but outside of the municipality, they would pay the same rate as those persons within the municipality. Exempted are individuals who voluntarily wish to pay a different rate for attachment.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR GEO-KARIS:

You're saying that the people outside the municipality should

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pay the same thing that the people within a municipality are paying? Is that correct?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dunn.

SENATOR T. DUNN:

That's correct.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I don't have the conflict anymore, because I'm not the mayor anymore, but let me tell you - a municipality that provides the water has a lot of expenses. And when you're saying that the outside of the municipality should pay less, I don't think it's fair. Therefore, I rise to speak against it, because I don't think it's fair to the municipalities supplying the water and their costs and what have you.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Yes, Mr. President and Ladies and Gentlemen of the Senate. Would the sponsor yield for a question? Senator Dunn, it appears, according -- at least to the analysis that I have, that it says "no more than," and you're saying that "the same." Are we saying that you can't charge less either?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dunn.

SENATOR T. DUNN:

The intent of the bill is to make the charges equal.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jacobs.

SENATOR JACOBS:

Well, I have a problem with it being equal because, in some

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cases, I personally think that it should be more, and in other cases where you're not paying for part of the infrastructure, it perhaps should be less. And I know that's the way it works in our area, pretty much. I know that Senator Holmberg has a question which is going to take care of the second part, but I have some problems with the bill as I think it sits now.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. To the sponsor, a question.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he'll yield.

SENATOR HOLMBERG:

My concerns were the same as the previous two speakers in committee, but it was my understanding, Senator Dunn, that you were going to put an amendment on that would -- so that it would not apply to all municipalities under twenty-five thousand. Did you do that? And if so, could you explain it?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dunn.

SENATOR T. DUNN:

Senator, that was not my understanding. What I said I would do was I would change it so that it would not affect people who voluntarily wish to come into a system. In the instance that caused this bill to come into existence, there was a municipality that purchased a water system. And in that water system were people who are non-village people and people who are village people. The rates charged the non-village people are, or were, a capital charge that the village people do not have to pay. So there's a discrimination there against the non-village resident water users. The individuals numbered some eight thousand people. They have not only no voice in electing the people that set the

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water rates, but when the water system is paid for, they have paid for it - paid a premium - and owe exactly nothing. They own nothing of the water system.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Holmberg. Further discussion? Senator Butler.

SENATOR BUTLER:

Like to point out that in many cases the connections, the interconnections between these communities are a very serious capital charge. And I know in a case of my own community, we made a special deal with the recipient of the water for them to pay higher rates in order to amortize the cost of the extra equipment. And as I read this bill, that would not be possible. They could not raise the rates to amortize any expense. Am I correct?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dunn indicates he'll yield. Senator Dunn.

SENATOR T. DUNN:

Senator Butler, you're not correct. This would not prevent an intergovernmental agreement between two agreeing municipalities, nor would it prevent a volunteer who wished to come onto a system and pay more.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Butler.

SENATOR BUTLER:

So the deal would have to be made separately from the water rate. In other words, there would have to be some kind of a -- of a per-unit charge of some kind in order to amortize those costs. I'm concerned about the cost of the interconnection. It can't be free, or it shouldn't be free, anyways.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dunn.

SENATOR T. DUNN:

No. Senator Butler, I completely agree with you. It shouldn't

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be free. But in this case, it's the reverse. Those individuals who are paying a premium never are allowed to own what they've paid for by paying the premium. So this is the reverse of that. This does not prevent individuals who are, say, outside a municipality and wish the city sewer and water services and are willing to pay a premium. This does not prevent those people. Nor does this prevent two villages who adjoin each other and wish to enter into an intergovernmental agreement from paying different rates. This only applies to involuntary people who come into a system. "Involuntary" is the key. In this case there were eight thousand involuntary people.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Butler? Any further discussion? Senator Dunn may close. Oops -- I'm sorry. Senator Dunn may close.

SENATOR T. DUNN:

Thank you, Mr. President. Just to reiterate: this bill calls for equal rates, and what it provides for is that people who have been disenfranchised, who no longer have a right to set the rates of the elected representatives, will now have a voice in having a fair, equal rate.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. With that, the question is, shall Senate Bill 170 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? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 23 Ayes, 24 Nays, 2 voting Present.

END OF TAPE

TAPE 3

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senate Bill 170, having not received the constitutional majority, is declared passed <sic>. The sponsor asks that the bill be put on Postponed Consideration. Senate Bill 173. Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 173.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill differentiates between an injury due to acts or negligence of a sponsor of an equine activity, and -- which would be the liability of the sponsor, and all other injuries which are the responsibility of the participant. It is legislation which was brought to me by the owners of several stables. And it is modeled after legislation from the State of Colorado. I would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I respectfully rise in opposition to Senate Bill 173. If I were a -- a sponsor of a horse show, I would bring forth this legislation too. The trouble is that it doesn't make any particular sense. The present status of the law requires anyone who has been injured as a result of any type of horse-related activity to prove that the person they are suing has been negligent. That's a tough burden, and many cases are thrown out of court, as they should be,

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under existing law. However, this bill gives an undue advantage, where I don't believe it exists -- that it ought to be given. We have not seen that there has been an undue amount of lawsuits, an undue amount of judgments, just because there are sponsors of horse shows. Every particular case ought to be decided on its own particular facts. That's what the judicial system is for. This bill seeks to have us intervene in that process and provide certain degree of immunity to sponsors of horse shows. It hasn't been justified in my opinion, and I urge a No vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. I rise in support of this legislation. This just deals like with saddle clubs and local horse shows where the people wouldn't have to be liable. It doesn't have anything to do with the thoroughbred racing industry or the standardbred or anything like this. It's strictly for people that want to hold little local shows that -- it relieves them of some of the liability, and I think it's a good piece of legislation, and should be passed.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right, thank you. Any further discussion? Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. I -- I think whether there is undue advantage here depends entirely upon where you sit or where you -- . In this case, there are instances where owners of horses, who have in the past sponsored shows, have determined that they can no longer afford to do that. They have to deny their friends and neighbors the opportunity to ride on their horses, because of the -- the -- their insurance companies are telling them that they can no longer

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do that. I think that this is a much-needed bill in order to protect the -- those folks who ride horses on a recreational basis. I would urge your support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall Senate Bill 173 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, Mr. Secretary. On that question, there are 36 Ayes, 16 Nays, none voting Present. Senate Bill 173, having received the required constitutional majority, is declared passed. Senate Bill 176. Senator Severns. Senate Bill 182. Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 182.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill does exactly what the Calendar indicates. It does create the Executive Branch Ethics Act. It takes verbatim the language that was in the Executive Order that was issued by the previous Governor, and puts it into the Statute providing that there will, in fact, be a Executive Branch Ethics Act that would serve the Executive Branch so that there would be any -- that there would be a Board that would be created - three members - to examine the gubernatorial appointments for possible conflicts of interest. I -- it is a bill, again, that the Governor has yet to file an Executive Order with respect to the ethics program with respect to his administration. This simply codifies that Executive Order from the previous administration, and I would ask

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for your support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

I would just point out that the Governor's Office is operating under the old Executive Order No. 3, and I don't really see any need for this additional legislation.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I certainly appreciate the comments as echoed by my counterpart on the other side of the aisle. It just seems to me that we ought to put into Statute that which is by Executive Order, particularly when it pertains to the ethics of our -- of our employees of government, and it seems to me that this is a proper -- again in the area of ethics, which is, I think, going to be a big concern during the 1991 - '92 elections. It seems to me that this is something that the Illinois General Assembly ought to address itself to, and I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall Senate Bill 182 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, Mr. Secretary. On that question, the Ayes are 48, the Nays are 6, and 2 voting Present. Senate Bill 1 -- 182, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senate Bill 200. Senator Marovitz. Senate Bill 203 is a recall. Senate Bill 2-2-2 is a recall. Senate Bill 232 is a recall. Senator -- 241. Senator Demuzio. Read the bill, Mr.

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Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 241.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill that we passed identical out of the last Session of the General Assembly - out of this Body - 59 to 0. There was no language changes whatsoever. It simply provided for the -- a bond authorization for the various water projects throughout the State of Illinois, and now there are some two hundred and sixty-five of those projects. This bill attempts to address itself to that problem by taking the surplus money out of the -- the use tax reform bill of Senator Netsch's of some two years ago, and uses those proceeds to fund this program. I had some discussions obviously with some of the other Members, and with some members of the administration. This bill obviously is -- is one that other people are aware of and are looking to. There probably will be some additional negotiation long before the end of the Session. Again I say it is identical to what it was when it passed here this last Session 59 to 0, and I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. To the sponsor: I would like to be added as a co-sponsor to this legislation. I would urge anybody south of I-80 to be a co-sponsor of this bill.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator DeAngelis. Are you north of Route 80?

SENATOR DeANGELIS:

I am half and half. My left leg is in your area and my right leg is north of I-80. A question of the sponsor.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he will yield.

SENATOR DeANGELIS:

Senator Demuzio, how is this funded? How is this program funded?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio. Hello. Senator Demuzio.

SENATOR DEMUZIO:

If you will recall, Senator, when we created the sewer and water Build Illinois Projects of two years ago, we took the -- the use tax that was going to be distributed in downstate to the various municipalities and we used that for the revenue source to fund those projects. It has been discovered that there will be a surplus in that fund, and therefore could afford ourselves the opportunity for an additional two-hundred-and-fifty-million-dollar bond authorization program for clean water projects, and I do have in my hand about two hundred and sixty-five, the latest from the Environmental Protection Agency, and therefore we will use those proceeds in that surplus fund of the use tax as a means to pay off the bonds, and therefore it seems to me that it is a program that we have set up two years ago. We have the surplus available to us, and it seems to me that it is something that we can do this

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year, without an additional hit on the GRF.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well -- thank you for the lengthy explanation. You indicated that all the communities are contributing part of their use tax into a fund, which is being ratcheted to provide either funds or bonds for this program. Well, my point is this. You are -- every community is contributing to this, but you are making ineligible those communities who have -- wait. You are making ineligible those communities who have investor utility companies. Or did you take that out?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

I didn't touch it at all. What -- what takes place with respect to the taxes that are collected that go into that fund -- we have afforded the -- the County of Cook the opportunity to use all that money - as I recall correctly - into their McCormick Place Fund. This is only the non-Chicago portion of the fund that we are talking about. Only that portion.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I am not talking about Cook County. I am talking about areas outside of Cook County who have investor-owned utility companies. For instance, I have a town in my district called University Park, which does not have a public utility, but an investor-owned utility. My understanding is they are ineligible for these funds. And yet they are paying -- they're contributing their share of the use tax.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Demuzio.

SENATOR DEMUZIO:

If -- if you had raised that question last time, we would probably have been amenable to putting that provision in. I am still amenable to putting that provision in with respect to investor-owned, as it goes through the legislative process, I would be happy to entertain that amendment and assure that those communities participate.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. To clarify the position here, I will say that this bill had a great deal of discussion in committee. The bill was also passed late in the Session last year and this bill went out of committee with unanimous vote. So I stand in support of this particular piece of legislation.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator Demuzio may close. The question is, shall Senate Bill 241 pass. Those in favor will vote Aye. Opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, none voting Nay, and none voting Present. Senate Bill 241, having received the constitutional majority, is declared passed. Senate Bill 248 is on a recall. Senate Bill 257 is on a recall. Senate Bill 267. Senator Schuneman. Senate Bill 269. Senator Jacobs. Senate Bill 270. Senator Maitland. Senate Bill 270. Senator Maitland. Senate Bill 282. Senator Karpziel. Senator Karpziel. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 282.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 282 allows the board of fire and police commissioners to give preference in hiring for the fire department positions to persons who are certified as paramedics. Under the Municipal Code now - presently -- non-home rule units of, you know, municipalities, rely on a local board of fire and police commissioners to administer the open competitive examinations for all entry-level police and fire department positions. And what the board does, it ranks the candidates according to test scores and any preference points. Preference points at the present time are given for military service or previous police or fire training. They give five points on the exam for those categories. This bill simply adds that they will give five additional points - preference points - if the candidate has -- has taken a paramedic -- has a paramedic certification. This is permissive; it is not mandatory.

...(machine cutoff)...

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. When this was in committee, we raised some questions about the fairness of this. I -- I think what we are trying to do makes sense. But it bothers me to think that that person who may have access to becoming a paramedic before he or she applies for that position, is going to fall with those who are a little more wealthy - I think it -- it strikes a little bit in this particular point, even at the -- the minorities who may be applying. I know it's not the intent. We went over that very much -- so in committee -- it's not the -- the -- the intent. But I think this bill does, in fact, discriminate against those who

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are a little less affluent and may not have the opportunity to -- to get this training before they are hired, and I think this should be a duty of what is done after their hiring. And I -- I urge a No vote.

...(machine cutoff)...

SENATOR COLLINS:

Question of the sponsor, please. Senator -- Senator Karpziel, are we -- let me -- let me try and see what you are trying to do. I mean clarify what you are trying to do in my own mind. If two people came to be hired at the same time, and you are saying that the -- the person who had completed a course in paramedics - in addition to the other training - this is required training - would get an extra five points score on -- I mean added to their score, and that they would get employed before the person who didn't have this paramedic training?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Karpziel.

SENATOR KARPIEL:

Yes.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Collins.

SENATOR COLLINS:

What -- what about those persons who were already employed and wanted to move up? Would they have also take precedence over a person who would like to move up in rank, being promoted, as well as hired?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Karpziel.

SENATOR KARPIEL:

No Senator, this is just for new hires.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further questions? Senator Karpziel may close. Senator Raica.

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I'm sorry.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just want to clarify this bill a little bit. There was a lot of discussion in committee. Originally it was going to give paramedics ten points preference, but the committee suggested that they drop it down to five. All this says -- right now there is municipalities when they hire paramedic that have to pick up the cost of that individual, or they sign a waiver that says within a certain amount of time, they agree to become paramedics, with eighteen months or -- or twenty-six months - whatever it may be - and that municipality picks up the cost for that individual. What this does is someone who is currently a paramedic and who has gone through all the training already, that municipality can pick up that individual and it is permissive, it doesn't say that they have to. Currently, police officers and firefighters who go from one municipality to another municipality are -- already get the five points. This says it's okay for a paramedic, but you don't have to give the paramedic the five points. It saves the municipality money in the long run. It -- it -- in some cases - it -- right now municipalities contract their paramedic services. This would probably enable them to have more paramedics than they have now, and I think this is a good idea, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Thank you. Further discussion? Senator Collins, I cut you off. I'm sorry.

SENATOR COLLINS:

Senator, I -- I have some, you know, reservations about this bill, because there are many people seeking employment and qualified otherwise, who could, in fact, be hired and be given - while they are drawing a salary - be given the opportunity to take

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this paramedic course, and as you said - as your last speaker just said - and usually that expense is borne by the -- the employer. Now there are many people who can't afford to go and pay for the course in paramedic before they go and get a job, because they don't have a job. And I think this bill will strike in the face of minorities and those persons who are seeking to get employment and who cannot afford and don't qualify for grants to take paramedic courses and other kinds of courses. So for that reason, I have some serious problems with it.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Jones and then...

SENATOR JONES:

Yeah. Thank you, Mr. President. I recall this bill was up in committee and I did have some questions as it relate to the original entrance exam, and for the non-home rule units it would have a tendency to give those persons who had previous experience. Many of the non-home rule units right now have been sued in court as relate to their hiring practices, and -- and as Senator Raica pointed out, paramedics may move from the City of Chicago and live out there to one of the suburbs and this will automatically give them preference over those persons who may even score much higher on the examination. And there may be -- and it seems to me it is an attempt to -- to prevent those persons who may be qualified for jobs in those -- units of government from getting the jobs. And on that original entrance exam itself, if you gonna give those type of preference, then you are discriminating against those persons. This -- this is an exam whereby one need not have to know all the knowledge as such. They get that training on the job. So therefore - and that's why those types of exams have been knocked out, but give this type of preferences means to skirt those individuals who may be equally qualified in those local units of government, and I urge a No vote

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on this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I apologize for standing -- arising a second time. To Senator Jones and Senator Collins: I'm going to attempt to show you why this is not discriminatory. Currently this is -- this does not include the City of Chicago. If I touch upon the City of Chicago for one second, if I may. To be hired by the fire department in the City of Chicago you have to be a student from the Citywide College Program. In other words, if you went to either Christ Hospital, Northwestern, Loyola, or any other hospital, any other hospital or daily college through a paramedic program, whether you are a minority or not a minority, you would not receive preferential hiring. You have to be in citywide college to do that. That's one. Secondly, Senator Jones, how this would actually help minority hirings. Currently the private ambulance providers - Burns Ambulance, Capital, - lot of your private ambulances - hire a lot of minorities. They have training already. If they were to go to a municipality to take the exam, they would get the five points, whether they be minority or not. They would receive the five points. It is permissive. So it would not preclude them from getting the five points. It would enhance them getting the five points. To say that someone could be working on an ambulance and getting money while they are going to school is almost incorrect, for the simple reason as the law states, you can't work as a paramedic unless you are a paramedic. And a lot of these departments do not allow you to be hired unless you are a paramedic already. So this bill actually, in a roundabout way, helps minorities, and I think it really does deserve your Aye vote.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. I rise in support of -- this bill, and basically, the Senator has complied -- did comply with the request of the committee. As she stated, it originally started out at ten points and she did bring it down to five, and I just would like to point that out to our fellow Senators, and I rise in support of Senate Bill 282.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Butler.

SENATOR BUTLER:

Yes. I'd like to -- Mr. President, I'd like to point out one further thing. Remember that there are five points given if the applicant has studied two years in fire -- fire techniques. So this merely continues that bonus, if you please, for extra effort in getting a little more education. It is not anything new.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Thank you. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Briefly, Mr. President, Ladies and Gentlemen of the Senate, the people who do get certified as paramedics to begin with, they have to take intensive training, and you need that, really, when you are in the fire department. I know. And having been the Mayor, I can tell you, our fire department -- just about every one of them is certified as a paramedic. And I'd urge favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. I -- I don't -- I don't mean to belabor this, but the -- the fact that this bill exempts Chicago or Cook County, still does

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not solve the problem, because we have pockets of minorities around this State, and they are growing -- increased numbers of minorities in Peoria and Decatur and of course, East St. Louis, and Belleville and those areas. No one here, basically, in -- most of those areas represent or speak for those people. And let me tell you something: if you have been watching the papers -- the last couple of weeks, you will see some of the problems down in the Belleville area where they have never hired -- never have hired a minority in State Government, and that's ridiculous. And -- and this kind of bill would further complicate that process.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Karpziel, to close.

SENATOR KARPIEL:

Thank you, Mr. President. I will be very brief. I want to thank Senator Daley, Raica and Butler, Geo-Karis - all the proponents of this bill. Senator Collins, it -- it doesn't just exempt Chicago. It exempts all home rule units. It -- it's -- this is only for non-home rule municipalities. Because home rule units can develop their own personnel procedures. Just to reiterate one more time: already in the Statute we give five points - preference points - to anyone that has completed two years of either fire techniques or police training, and we give five preference points for any veterans. This is just making one more category giving five preference points to someone who has already completed their paramedic training and is certified, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall Senate Bill 282 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, Madam Secretary. On that question, there are 43 Ayes, 10 Nays, 2 voting Present. Senate Bill 282, having

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received the required constitutional majority, is declared passed. Senate Bill 293 is on a recall. Senate Bill 322. Senator DeAngelis. Senate Bill 330. Senator Marovitz. Senate Bill 375. Senator Weaver. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 3-7-5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. Senate Bill 375 raises the General Obligation Authorization by one dollar. Try to answer any questions.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? Discussion? If not, Senator Weaver may close. The question is, shall Senate Bill 375 pass. Those voting 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, Madam Secretary. On that question, there are 56 voting Aye, 1 voting Nay, none voting Present. Senate Bill 375, having received the constitutional majority, is declared passed. Senate Bill 389. Senator Friedland. Has been -- Senate Bill 410. Senator Rea. Senate Bill 414. Senator Woodyard. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 414.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Woodyard.

SENATOR WOODYARD:

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Thank you, Mr. President and Members of the Senate. This bill originated with a Youth in Government class in my home school district, and in a meeting in January with LRB and staff people, this bill was kind of put together, and it was adopted by the Youth in Government group, statewide. And what it does is -- is prohibit a landfill's being constructed within a thousand feet of a school. Our intent was not to impact on higher education - that -- they had been amended out - and that's what the bill does. It just says you can't put a landfill within a thousand feet of a school.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he will yield.

SENATOR KEATS:

Is this limited to landfills or does it include anything under the subtopic? 'Cause if it's limited to landfills, it's fine, but you might have other subtopics that are there in the City of Chicago with very densely populated areas. I guarantee the City of Chicago is in total violation of this in several cases. Limited to landfills, I'm sure the City's okay, but other than that, you might have a problem.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Woodyard.

SENATOR WOODYARD:

Well, my intent is to limit it to landfills, yes. But, what are you saying? What is your question?

SENATOR KEATS:

We are trying to check the terminology. And the point is -- if -- it might be -- to just take it out of the record a minute,

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because you might have a real problem with all of Cook County. You might want to take it out for a minute, just to make sure on that wording.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill is, it says you can't put a hazardous waste facility within a thousand feet of a school. Now is anybody for doing that? That's what Senator Keats raised as an objection. Is anybody for putting a landfill within a thousand feet of a school? I don't think so. Maybe one -- maybe one person. I would move -- I would urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Jacobs. Senator Woodyard, to close.

SENATOR WOODYARD:

Thank you, Mr. President. I would also urge an Aye vote on this. If we do have problems with it, Senator Keats, I will be glad to address those over in the House.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall Senate Bill 414 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, Madam Secretary. On that question, there are 57 Ayes, none voting Nay, and 1 voting Present. Senate Bill 414, having received the constitutional majority, is declared passed. Senate Bill 427. Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 427.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Senate Bill 427, which passed out of committee with little debate and little opposition, amends the public contractor article of the Statutes and requires that any change orders be in writing and that any changes be germane to the original project or contract. I'd be happy to answer your questions, and would otherwise urge a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? Any discussion? All right. The question is, shall Senate Bill 427 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 56 Ayes, none voting Nay, 2 voting Present. Senate Bill 427, having received the required constitutional majority, is declared passed.

PRESIDENT ROCK:

441. Senator Cullerton. Madam Secretary, read the bill a third time, please.

SECRETARY HAWKER:

Senate Bill 441.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. This bill simply creates the Illinois Health Care Fund. The purpose of this bill is to allow for this fund to receive some private funds. Those private funds then may be combined with any State funds to

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provide health care services for indigent persons. The moneys and the funds then can be combined, as I said, with the State moneys to match federal moneys. So the goal was that we would be able to capture more federal funds as a result of setting up this fund. I'd be happy to answer any questions, and know of no opposition.

PRESIDENT ROCK:

Discussion on Senate Bill 441? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President. A question of the sponsor, please.

PRESIDENT ROCK:

Sponsor indicates he will yield, if he can hear. Senator Topinka.

SENATOR TOPINKA:

Yes. We have about four bills out here now that kind of try to create funds, in terms of providing more health care dollars. How does your bill differ from those other bills, and kind of where do you intend to go with this, or do you intend to keep it much in the same form it's in now?

PRESIDING OFFICER: (SENATOR D'ARCO)

...(machine cutoff)...Cullerton. Senator Cullerton. Senator Cullerton. Senator Jacobs.

SENATOR CULLERTON:

As far as I know, the -- those other funds may be limited to certain counties. This is statewide. I think that as far as what happens to the bill, if it is to be changed at all, it would depend on what happens with the budget. But I think that if nothing happens to the bill, it still is a good idea, because it's just a simple concept that says if there are some private donations, that you can -- that hospitals can raise, they combine it with State moneys, they get more federal matching dollars. That's the purpose of it.

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Jacobs.

SENATOR JACOBS:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. Would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR D'ARCO)

Indicates he will.

SENATOR JACOBS:

Well, Senator Cullerton, I see this bill come out of committee 14 to 0, and as I read the bill, it amends the Medical Assistance Article. What do you know about the Medical Assistance Article?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Cullerton.

SENATOR CULLERTON:

As I was -- I was reading it over the weekend, and it is very involved.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Jacobs.

SENATOR JACOBS:

Senator Cullerton, I understand that, and I know it's quite involved, and I have been informed that the reason it got out of the committee was because of your vast knowledge of the Medical Assistance Article, and I just think it would be appropriate if you could at least share some of those thoughts with us as to what you may have portrayed to the committee in order to do such an excellent job in the committee, because it appears to me that you're fumbling the ball a little bit here on -- on this particular Floor debate.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Fawell.

SENATOR FAWELL:

Senator Cullerton, the way you are stumbling around, it seems like this is almost your first bill. Does this have anything to

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do with the County of DuPage? Are you planning on taking our hospitals over or something with it?

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR DeANGELIS:

Did the Speaker of the House say this amendment is okay that you put on this bill?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Cullerton.

SENATOR CULLERTON:

Well, you never know what the House is going to do with the Senate Bills, so I really don't know what they are going to do.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall Senate Bill 441 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? You want to withdraw the bill, Senator? Have all voted who wished? Have all voted who wished? Have all voted who wished? Wished. Wished. Yes, they have. Take the record. On that question, there are 53 Ayes, 1 Nay, 2 voting Present, and Senate Bill 441, having received the required constitutional majority, is hereby declared passed. Senate Bill 4-4-5. Senator Joyce. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 4-4-5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This amends the Horse Racing Act. What it does is put a thoroughbred breeder and a standardbred breeder on the board when the terms come up. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any questions? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR MADIGAN:

The intent of the bill, as I understand from committee, was to add professionalism and knowledge to the racing board. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. That is correct.

SENATOR MADIGAN:

What would be your opinion -- I believe currently that board members receive a hundred and fifty dollars per meeting -- what would be your opinion if we were to increase that per diem or fee? Do you think that would add the professionalism to the board, in that it would -- could attract more members or people that would be more interested in spending their time on this?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR J.J. JOYCE:

Well, I'm not sure what our per diem is. I think it's seventy-five. But do you think that if we increased our per diem,

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it would make us more professional? So -- yeah. I -- I don't know. I suppose that -- that it could be argued that that would help.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR DeANGELIS:

If I am not mistaken, the board is composed of members of -- a certain amount of members of one party and the other members of the other party. Now by injecting representation by specific interests, how do you overcome the initial desire of the General Assembly to appoint people of the opposite party so it doesn't get stacked one way?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR J.J. JOYCE:

Well, I -- I am sure that there are Republican thoroughbred people out there and Democratic thoroughbred as well as Democrat and Republican standardbred, and I am sure that that could be taken into consideration on these appointments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, that's precisely the point. I think that flies right in the face of what you are trying to do. You are either going to have to decide that this board is selected in the process that it currently is, or we are going to change the entire method, because you are not, in fact, going to get the most professional, if you have to take the political consideration. The other thing, I

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don't believe that you benefit racing in general by putting people on with specific interests. Those people will, in fact, take care of those interests, and tend - perhaps not to disregard - but not to put the same emphasis on the whole racing picture, but rather deal with those issues that interest them.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR WEAVER:

Senator Joyce, would this preclude these members from participating in racing after they are appointed to the board?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes, I believe it would.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Weaver.

SENATOR WEAVER:

Well then, having formerly been active in thoroughbred or harness racing, standardbred, then their service on the board would preclude them from racing in Illinois anyway. Is that right?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR J.J. JOYCE:

During their term.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

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Yes. Thank you, Mr. President and Members of the Senate. I urge an Aye vote on this bill, simply because this is one of the many issues that's up as it relate to the racing industry in Illinois. The bill will eventually be dealt with with other bills dealing with similar subject. We passed this bill out of committee so that this issue could be addressed. Currently the appointees do -- do not really address the issues as they really relate to the horsemen as such, and this is the reason why this bill is in. And I urge an Aye vote on the bill, simply to let it get over to the House, so that we can address this bill when we deal with all the other racing issues in Illinois, and I urge an Aye vote on Senate Bill 445.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall Senate Bill 4-4-5 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? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 29 Ayes, 23 Nays, 2 voting Present, and Senate Bill 4-4-5, having failed to receive the constitutional majority, is hereby declared failed. Postponed Consideration. Sponsor's asked for Postponed Consideration. Senate Bill 4-5-5. Senator Rea. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 4-5-5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. The 1990 Clean Air Act, as we indicated earlier, can have a severe effect

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upon Illinois in terms of the loss of jobs and the use of Illinois coal. In fact, we could lose twenty-two thousand jobs - six thousand here in Illinois, and an additional sixteen thousand jobs related to mining. Now the intent of this legislation is to promote the continued use of Illinois coal as a preferred fuel for electric generators. And a new Clean Air Act amendments place severe restrictions on utility plants' emissions as a result of high -- as a result of high sulfur coal. A switch to low sulfur coal imported from other states may result in the loss of many jobs. Over six thousand jobs here in Illinois, plus the ones that are related. This bill would require the Illinois Commerce Commission to consider these economic consequences in approving a change from Illinois coal to low sulfur coal, and of course the labor stats have shown that each mining job lost -- that there is an additional two or three other jobs that are lost. So this really compounds the negative effect upon a coal switch. Basically, it insures the balanced Clean Air Act compliance decisions of the Illinois Commerce Commission, provides equitable tax treatment for new coal cleaning technology, and broadens an existing State program to oversee compliance and to advise the Governor and General Assembly. This legislation has been worked on by the Illinois Coal Association, United Mine Workers, legislators from coal-producing areas, and many other people. And as a result, have come up with this and feel that it is very important to the ongoing economy of the State of Illinois and the role that coal plays in that. I would ask for your support.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. This bill is a good compromise. In fact, as we work to try to keep and retain jobs throughout the State, this is a modest investment to

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retain many, many jobs. It's a compromise between labor and management. It is a good bill for Central and Southern Illinois, but I also believe it's an excellent bill for all of Illinois, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Dunn. Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. I, too, urge an Aye vote on 455 -- Senate Bill 455. This provides the least cost solution for burning of Illinois coal. The Commerce Commission would have to take in consideration the economic loss to the jobs in Illinois when they allow utilities to switch. It also amends the Public Utilities Act and the Natural Resources Act, and it allows the coal development board - of which I am a member - to report to the Governor and the General Assembly regarding new markets for Illinois coal and the effect of the Clean Air Act. I'd urge an Aye vote too, please.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. I rise in support of this legislation. If we're concerned about the environment doing something about the environment and also developing this abundance of natural resource we have here of energy, we need to -- and maintaining the jobs that we have, we need to get serious about doing something about sulfur in our coal, and I would move the adoption of this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I rise in support of this bill. Howard, if you don't shut up, I'm gonna sign your

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death certificate, "Accidental death on purpose." Senate Bill 455 does something that we have done for other industries already in Illinois, and it gives a industry that we have that is in dire straits. It gives an opportunity for us to keep not only these people employed, but it gives an opportunity for those employers of the retail businesses in the communities in which these people live an opportunity to stay in business and give their employees work. If this doesn't happen, we're not only going to lose income tax and sales tax and then when we have the added cost those individuals who will have to be taken care of under the unemployment and God hope not, back to public welfare, et cetera. This is a good bill. We are trying to come up with an answer. It has the support of the Illinois coal operators and the mine worker unions. One of the few times that I have seen both of them together, and I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall Senate Bill 455 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 57 Ayes, no Nays, 1 voting Present, and Senate Bill 455, having received the required constitutional majority, is hereby declared passed. Senate Bill 456. Senator Jones. Senator Jones. Take them all out. 4-5-7. 4-5-8. Take them -- all of them. Take them all out. Senate Bill 468. Senator Collins. It's on the Recall List. Senate Bill 472. Senator Collins. No. 487. Senator Schaffer. Senate Bill 499. Senator Watson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 499.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. When we passed the Sales Tax Reform Act of 1990, one of the impacts of that legislation was to affect the enterprise zones throughout this State. I hope most of you have been contacted by the enterprise zones in your particular district. The Illinois Enterprise Zone Association is -- has really taken an initiative here in regard to this legislation. What this says is it will establish the local control back in -- in regard to the sales tax exemption for building materials, when a manufacturer or when -- quite honestly, when anyone comes into an enterprise zone district, right now, the -- the sales tax will be exempted. Whether you are a homeowner or whether you are remodeling an apartment building or whatever it might be, the general public isn't aware of this yet, but what we did with that Sales Tax Reform Act was create a situation by which everyone is eligible for this exemption. What we are trying to do here is let the enterprise zone administrator take care of the program and allow for whatever sales tax deductions need to be made at the local level. I'd be glad to answer any questions, otherwise I appreciate your support.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any questions? The question is, shall Senate Bill 4-9-9 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 49 Ayes, 1 Nay, none voting Present, and Senate Bill 4-9-9, having received the required constitutional majority, is hereby declared passed. Senate Bill 504. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

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Senate Bill 504.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill -- it's pretty simple. We adopted an amendment from Senator Schaffer, I believe, that adds conservation districts to the provisions of the bill. The bill would say that landfills should not be found in forest preserve districts and, now with the amendment, conservation districts. The bill was brought to my attention by some people out in the DuPage County area. There's a couple of landfills in forest preserves out there. The basic problem came about, I think, in 1972, '74. When the landfills were first proposed, it was suggested that they would become areas for ski hills and chalets and the like. And it turns out that those promises were broken, and now all we have in those forest preserve districts is a landfill. And so, the -- the bill's pretty simple, in that regard; it just says that this is not the place to put them. And be happy to answer any questions and appreciate your support.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Joyce.

SENATOR J.J. JOYCE:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR J.J. JOYCE:

Well, we have witnessed this in the past, Senator, here and I suppose in the House as well, but where people come in with a certain area - forest preserve, park district, what have you - and

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say, well, you know, this should not be a landfill area - well, that's right; it shouldn't be. However, we see these places all get in this area that cannot possibly contain a landfill, and then we see the legislators from that area all this time are being great environmentalists. And then, once their area is so that they cannot possibly have a landfill anymore, then they become not quite so concerned, and then they become concerned about where this garbage is going to go. We have so much of it, and it is piling up on us. And we may have to loosen up the siting process or we may have to do this or, you know, perhaps we have this problem - we ought to push it downstate a little bit. And that's what concerns me. And my question to you is - I would certainly hope that you wouldn't be one of those folks that once an area gets so that you cannot possibly have a landfill in your area, then think that, you know, we do have a problem and we need to loosen up the controls and site some of these landfills downstate where it won't hurt these people down there, because there aren't very many of them. You wouldn't be one of those, would you, Senator?

PRESIDING OFFICER: (SENATOR D'ARCO)

I think -- I think that was a question, Senator. All right. Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR WELCH:

Senator Cullerton, a few years ago we passed a law that says that every county has to come up with a solid waste management plan. Now, DuPage County has been working on this plan for several years. Now, at the last minute, after their plan is due, you're coming in with a bill telling them you're going to close

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down two landfills in their county after they've -- yes, you are. You're telling them that you have to close down two landfills in their county, in their forest preserves, when they've already drawn up a plan to determine what happens to their garbage. So, if you're going to tell DuPage County they can't dump garbage in their two landfills, where are they going to dump it?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Cullerton.

SENATOR CULLERTON:

Yes, this is important. It's a point I probably should have made; I apologize for not making it. This talks about expansion of any current landfill. So, it does not shut down the current landfills that are there. The landfills are permanent. They can be continued to be in use. It's expected to -- that that should go for another two or three years. The purpose of this bill is only to say that -- that new -- I'm sorry -- that expansion is what would be prohibited.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Welch.

SENATOR WELCH:

Well, from my reading of the suburban papers, they have already planned to expand those landfills, and that's part of the DuPage County waste management plan. So, with those landfills being full in one or two, or three years, you have a choice. You are encouraging the building of more incinerators in the Chicagoland area, or you're going to ship it down to other landfills downstate. Now, which is it going to be?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Cullerton.

SENATOR CULLERTON:

Well, the bill says that there shall be no expansion of any landfills in a forest preserve district. Now, I believe that this

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would apply currently to two forest preserves that now have landfills, and it would apply to any future plans to expand a landfill in a forest preserve district. And if it -- if it increases the need to be tougher on recycling, or if it increases the need to -- to have incinerators, whatever -- that -- that might be the result, but what we're saying is that the people, especially the people in these areas that were promised recreational facilities, that were lied to, that they should have - and they're the ones that have brought the bill forward - they should have the peace of mind to know they're not going to have even more landfills in their forest preserved areas.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Welch.

SENATOR WELCH:

Senator, all of us who have landfills in our area have been lied to. All of us were told they wouldn't leak, Senator. We were all told they wouldn't leak, so all of us have been lied to. But the choice isn't to just stop that one landfill. What's DuPage County going to do with their garbage in two years? You've got a great interest in DuPage County here. And you know, one of the arguments that's often used against any of our environmental plans is that this is not part of a comprehensive solution. Well, this certainly is not a part of any comprehensive solution. It's an attempt to make one area of the State - DuPage County - sacred, where no garbage can be buried.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will.

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SENATOR LECHOWICZ:

One, I'd like to know - has the county board reviewed this matter, and have you received this recommendation from the DuPage County Board?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Cullerton.

SENATOR CULLERTON:

No.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Then, Mr. President, -- my question is addressed to you. Under the home rule powers, how many votes does this bill require?

PRESIDING OFFICER: (SENATOR D'ARCO)

Let's wait on a ruling. And, Senator Schaffer.

SENATOR LECHOWICZ:

Well, before we get to that, then let me just address the bill, if I may.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Address the bill.

SENATOR LECHOWICZ:

I'm going to stand in opposition to this bill, because I don't believe that there has been proof that the County Board of DuPage County has done anything wrong to the people of DuPage County in reference to landfill operations. There's no question that this area is probably one of the most critical areas, next to health care, that's going to be addressing -- that's going to have to be addressed by this General Assembly. And Pat Welch was absolutely correct. We asked for coordinated plans as far as the areas of putting waste from all counties of this State. DuPage County, in their wisdom, adopted this program some years ago. There has been an extension in asking for an -- extension in time on one of the

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landfills, to my knowledge. The reason for it -- there is not an alternative site that they have to use. We've also increased the tipping fees throughout this State this past year. I don't believe we should be picking on a county, whatever county it may be, on this important subject matter when you don't have an alternative site that they can use. I would strongly recommend a No vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Lechowicz, on your question - it requires thirty votes. There's no express exemption for home rule in the bill, and it amends the Forest Preserve Act. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the House. I am rising in support of this bill. If there has been any one particular subject over the past few months that I have received communication, letters and what-have-you on, it happens to be this one. The landfill in question here, one of them - Mallard Lake and Green Valley - Green Valley happens to be in my district. People are concerned - concerned mainly because there was an agreement entered into by the forest preserve district and others - Waste Management, I guess, back in 1974. Now, this is no Johnny-come-lately idea; 1974, and the agreement, Ladies and Gentlemen, at that time was that this landfill would be developed for recreational purposes and all those other good things. It happens to be part of a forest preserve district, and I would remind you that in DuPage County the forest preserve district members and the county board members are one and the same. So, in most cases, there's very little discussion or disagreement between the two entities on some of these things. But the understanding was that in 1993 -- by 1993, the operation that -- they understood would be undertaken and completed by 1993. Well, this has dragged along and dragged along, and now what presumes -- what the --

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presumably what is going to happen is that this will -- this operation will be extended for I don't know how many more years, but a good number of more years beyond the agreement. So, the people involved around there feel that they've been kind of in a way - they've been kind of - what should we say? Yes, they've been had. They thought they had an understanding, but they didn't have an understanding, apparently. And they are somewhat resentful of this. They're not asking that it be shut down, but that it simply not be continued to be expanded into the next millennium. And I'm -- I happen to be with them. I think they have a case. I think their voice needs to be heard, and somebody up in that area ought to speak in their half -- on their behalf and on their -- in their defense. So I would urge a vote for this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I rise in strong support of the bill. Senator Cullerton was kind enough to allow me to put an amendment on this bill that also includes conservation districts. I feel I should add very quickly that no one in my area, to the best of my knowledge, has any thoughts of putting a landfill in a conservation district; however, times change and I think there is a garbage crisis coming. And when that crisis comes, I do not want my units of local government looking at landfills sited in conservation districts or forest preserves. It seems to me that both of those entities are creatures of the State, were created by the Senate and the House for very specific purposes - conservation of our natural resources and recreation. I do not believe those purposes are consistent with landfills; and, while there may be sites that are appropriate for landfills, I do not believe forest preserves and conservation districts should be the vehicles for

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acquiring and operating those sites. I think it's a good bill, and I think it will be an interesting roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, I, too, think it's a very, very good idea, and I commend Senator Cullerton for doing this. However, having a district that is both Cook and DuPage, I do have one question of the sponsor; that being, if indeed fifty percent of Cook County garbage goes into that landfill, do you have some alternative means for taking care of that fifty percent Cook County garbage?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Cullerton.

SENATOR CULLERTON:

I think the answer is that we've got to increase our efforts at recycling in Cook County. I think, if anything, these limitations of where you can put a landfill increases that pressure.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Cullerton, to close. Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. I'm sorry to rise for the second time, but something is baffling me about this bill. I see all of the Senators from DuPage County standing up and saying what a good idea this is. How come you're not the sponsor of it, one of you fellows over there?

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator -- Senator Cullerton, to close.

SENATOR CULLERTON:

I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

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All right. The question is, shall Senate Bill 504 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? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 36 Ayes, 15 Nays, 3 voting Present. And Senate Bill 504, having received the required constitutional majority, is hereby declared passed. Senate Bill 507 is on the Recall List. Senate Bill 524. Senator Dunn. Senator Dunn. Senate Bill 542. Senator Maitland. Senate Bill 565. Senator Butler. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 565.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ten years ago the State Legislature passed the State Mandates Law, and part of that law required the DCCA to provide a report every two years. Ten years later we have not received that report, and all this bill does is to place a date certain on that of October 1, 1991. It asks merely that DCCA do what the State Legislature required it to do.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Members of the Senate. Again, I have -- I have to rise on a bill that appears to me to be totally innocuous. Here is a piece of legislation that is being offered, it appears that Senator Butler comes down here as the Mayor of almost twenty years and stands here now and is gonna tell us that DCCA has been doing things wrong, when in fact, he's probably been

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on the dole from DCCA all of those years, taking whatever dollars he could find and running with those. So I don't really know why he would even think about sponsoring a bill of this particular magnitude.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dudycz.

SENATOR DUDYCYZ:

Yes. Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will not yield.

SENATOR DUDYCYZ:

Senator Butler, my summary states that the State Mandates Act is amended to require that a report from DCCA on State Mandates reviewing all mandates enacted prior to January 1, 1981, and remaining in effect of the time of the report would be filed as amended, before October 1st, 1991. Is that correct?

SENATOR BUTLER:

Yes. Yes.

SENATOR DUDYCYZ:

Well -- well, what happened during that ten-year period, Senator Butler?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Butler.

SENATOR BUTLER:

Well, I can speak, Mr. Dudycz, with great -- Senator Dudycz -- I can speak with great authority on what happened in the last ninety days. But I can't speak without any -- with no knowledge on what happened ten years ago.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

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A question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR DeANGELIS:

Is this bill a vehicle for the Regional Airport Authority?

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Butler.

SENATOR BUTLER:

I -- I -- Mr. President, I think, in answer to that, it would be over the dead bodies of a lot of people in this room.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I understand this is a duplicate bill in the -- of one identical in the House, and therefore a total waste of time and the taxpayers' funds. If I read our analysis correctly, it creates an unfunded liability of over forty-one million dollars and let's see -- the annual costs to local governments alone is a hundred and seven million dollars. I think we better think this one over very carefully.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Butler, to close.

SENATOR BUTLER:

Well, all I can say if Senator Schaffer was correct, then we all better start saving our money. This is a very simple bill. I appreciate all the support it's obviously going to get. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall Senate Bill 5-6-5 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? To vote. Have all voted who wished? This is -- this is

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not funny. All right. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. Yes. Yes. Yes. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. If an error was made, having voted on the prevailing side, I would move to reconsider the vote by which Senate Bill 565 failed.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Luft has moved to reconsider the vote by which 5-6-5 failed. All in favor, say Aye. Nay. The Ayes have it. The vote is reconsidered. Now, the question is, shall Senate Bill 565 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 -- on that question, there are 54 Ayes, 1 Nay, none voting Present, and Senate Bill 565, having received the required constitutional majority, is hereby declared passed. Congratulations, Senator Butler. Senate Bill 608. Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 608.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you very much, Ladies and Gentlemen of the Senate. This bill establishes the Podiatric Scholarship and Residency Act. It is patterned after the Family Medical Practice Act and the Dental Practice Act. It is designed to encourage the offering of residencies for doctors of podiatric medicine and to further encourage them to practice in areas of the State where there is a

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particular need for their services. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall Senate Bill 608 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 49 Ayes, 2 Nays, 1 voting Present, and Senate Bill 608, having received the required constitutional majority, is hereby declared passed. 617. Senator Joyce. 622. Senator Jacobs. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 622.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. And inasmuch as I was the start of both of the first bills, we don't need any retaliation. This bill does exactly what it says - it excludes from the definition of real property a boat or barge that is not resting on a permanent foundation. This bill was brought up mainly because of a -- a problem that exists in my area, and it also is contrary to that -- is being looked at differently in other parts of the State, and it just makes it consistent.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? Any discussion? If not, the question is, shall Senate Bill 622 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 48 Ayes, 4 Nays,

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none voting Present, and Senate Bill 622, having received the required constitutional majority, is hereby declared passed. Senate Bill 634. Senator Joyce. Senate Bill 641 is on the Recall List. Senate Bill 644. Senator Topinka. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 644.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, this particular bill would amend the Public Community College Act, the University of Illinois Act, the Regency Universities Act, Southern Illinois University Management Act and the Board of Governors Act. In other words, all of those groups that control the operations of public universities. And it would prohibit the governing boards of public colleges and universities from barring United States Armed Forces training programs or organizations from their campuses, strictly on the basis that those organizations are complying with federal law. And basically this addresses the question that comes out of Northern Illinois University, but it is copied through other universities throughout the State of Illinois - even out of state - where there is a desire because of various groups who disagree with federal provision to eliminate ROTC programs on these campuses. I would like to point out that upwards of twenty-five percent of ROTC now provides minority and women's scholarships plus federal funding to the State, and this bill would not preclude other forms of -- of a contract from -- it would not preclude universities from disengaging from other contractual means, but it would preclude them from doing anything

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-- getting rid of ROTC in terms of strictly being in compliance with federal law. That's it.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall Senate Bill 644 pass. Those in favor, 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. On that question, there are 51 Ayes, no Nays, 4 voting Present, and Senate Bill 644, having received the required constitutional majority, is hereby declared passed. 645 is on the Recall List. 651. 707. Senator Kelly. Read the -- read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 707.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. Senate Bill 707 increases the General Obligation Bond Authorization for capital facilities by twenty-five million, and authorizes the Department of Mental Health and Developmental Disabilities to make capital grants to community residential facilities for the mentally ill and developmentally disabled. The Senate bill was introduced at the request of the Citizens Council on Mental Health and Developmental Disabilities. It would comply with the 1987 OBRA Act, and it's supported by the Alliance for the Mentally Ill. I would request your support and...

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall Senate Bill 707 pass. Those in favor, vote Aye. Opposed, Nay.

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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 53 Ayes, no Nays, none voting Present, and Senate Bill 707, having received the required constitutional majority, is hereby declared passed. 710. Senator Kelly. Senator Kelly. 710.

SENATOR KELLY:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 710.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and all the Members of the Senate. Senate Bill 710 would add a new paragraph to the State Statutes to provide a twenty-day paid leave of absence for a year for teachers who are elected by the board of trustees for the Downstate Teachers Retirement System. The retirement system is required to reimburse the respective school districts for the cost, so there is no cost to the local district. This bill would -- well, it should have been probably on the Agreed Bill List, it is supported by the Teachers Retirement System, the State Board of Education, and the IEA, and I request your support.

PRESIDENT ROCK:

All right. Senator Kelly has moved the passage of Senate Bill 710. Discussion? If not, the question is, shall Senate Bill 710 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, no Nays, none voting Present. Senate Bill 710, having received the required constitutional majority, is declared passed.

END OF TAPE

TAPE 4

PRESIDENT ROCK:

...(machine cutoff)...ll. Senator Kelly. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 711.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, Members of the Senate. Can I receive the same vote I did on the last two bills? Mr. President, Members of the Senate, Senate Bill 711 is very similar to the Brady Bill, which is under deliberations in Washington. It provides a seven-day waiting period for those persons who wish to purchase handguns. The purpose of that legislation is to extend the cooling-off period and to allow additional time for individual background checks. Now we know that under the current system - under the FOID card - there's a thirty-day period which we do have a background check, and which is not one of the privileges that is going on with the Washington legislation. But the real fact is that there is additional time needed to check out backgrounds, to

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find out about the mental stability of these applicants, to review the matter closer. And what we have now is a seventy-two hour wait. And this would require a one-week wait. And it would only apply to handguns. This doesn't apply to shotguns, to rifles, to assault weapons. And, I don't have to tell you, in the last three years, there's been over fifty thousand people killed by handguns - by these triggers of handguns either being pulled or by accidental deaths. But fifty thousand people have died in the last three years. Now, in Washington, I'm not sure what's gonna go on. As you know, there's been some changes taking place - or trying to - in the Senate. And -- but I do know this - that Jim Brady would be very proud to know that we are trying to support legislation which he favors. I know President - former President Reagan has even endorsed this concept. And I just think it's time that we should give a message to allow for more understanding and more protection from handguns in this State and in the nation. And I'd request your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Brookins.

SENATOR BROOKINS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR BROOKINS:

Senator, how do you register a gun in the City of Chicago now?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly.

SENATOR KELLY:

Well, I'm not sure what you do in Chicago. But I know if you -- in order to get a handgun anywhere in the State, you have to have an FOID card in order to -- to receive a -- in order to go in and purchase a weapon, whether it's in Chicago or anywhere else in

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the State. Now, what you do differently, I think -- why don't you tell me, 'cause I think you probably know the answer to that better than I do.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Brookins.

SENATOR BROOKINS:

The answer is you can't register a gun in the City of Chicago at present. It's impossible, unless you're a -- a peace officer or police officer. So I'm asking, what good would this do, and who would this get after, and who would this prevent from shooting who? Who goes into a store, purchase a gun, register it, and then comes out and shoots someone with it? I'm saying to you that this will make criminals out of law-abiding citizens. That's the point, because those folks that will register guns are the folks that abide by the law. So it's unnecessary - this is totally unnecessary legislation for Illinois.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield. Senator Kelly <sic>.

SENATOR RAICA:

Senator Kelly, can you tell me what the three additional days are going to do, or what we hope to accomplish by those days?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly.

SENATOR KELLY:

It's -- in response to that question - and thanks for raising it, because Senator Brookins asked a similar -- or at least made a similar statement that, you know, what good is it going to do to

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get an extra day or two. It might mean a lot to the lives - and would mean a lot to the lives - of individuals whose lives are taken. It gives a little longer cooling-off period. I don't have to tell you that there are domestic quarrels. There are people that get mad at their neighbors. And there are others that want to attack, because they're a member of a gang and they want to get a hold of a gun to pay back that gang member. So there's a lot of reasons why a little cooling-off period will save some lives.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Raica.

SENATOR RAICA:

Senator Kelly, all this would do would say that the gun shop owner or the dealer would hold that weapon for an extra three days. Am I correct?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly.

SENATOR KELLY:

Yes, you are, Senator. You are correct.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Raica.

SENATOR RAICA:

Senator Kelly, if an individual was arrested who held a FOID card, and the FOID card was just renewed and it's good for five years, and the Department revoked the FOID card, could that individual go into a gun shop, after spending one year in jail, and purchase a weapon?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly.

SENATOR KELLY:

Well, he would still have to comply with all the requirements of the FOID Statute. So that -- that requirement would still be in place.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Raica.

SENATOR RAICA:

Senator Kelly, my question was can that gentleman who has a FOID card present that FOID card in a place of business that sells guns, and purchase a weapon?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly.

SENATOR KELLY:

Well, I guess that's one reason -- another additional reason for this legislation, because it would make that possible. And by having an extra few days, it would allow for the -- in some cases, especially for the gun owner, the one that owns the shop, to contact a law enforcement agency and say, "What about this card? What about this individual?" I -- I think it gives a little extra time to the shop owner to -- to make a determination on this applicant as well.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Raica.

SENATOR RAICA:

Senator Kelly, it's my understanding that that gun shop owner would do nothing. He just waits three days. So how is that contacting the local gun enforcement people or law enforcement?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly.

SENATOR KELLY:

Well, as it is now, it's -- it's three days right now. What we're talking about is four days. What I'm saying, after the -- the third day, let's say the fourth day or the fifth day, if somebody comes in there and they act insane - and there's a few people out there that are insane that have guns or want guns - that shop owner would have a couple of days to contact the law

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enforcement agency to decide whether or not they're going to pull that FOID card and to prevent that individual from purchasing that gun.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Raica.

SENATOR RAICA:

Thank you, Madam President. To the bill, please. Right now, if someone from out of state, who is a dealer, decided to come in the State of Illinois and sell a weapon to a dealer, he can sell that weapon to a dealer. That gun - the handgun that he sells to the gentleman in Illinois, whether it be a reputable owner or not. That gun that is sold in Illinois can be hot. There is no way for that gun dealer, presently, to check to see if that weapon is hot or not. There have been guns sold by dealers in the State of Illinois, who in good faith, buy weapons from outside the State of Illinois, who have no knowledge whether that weapon is hot or not, or has been stolen. Secondly, the three-day cooling-off period - the example that I just gave. If someone committed a crime and had a FOID card that was -- that -- that has a five-year expiration, held that card, got out of prison, went into a gun dealer shop, he can still purchase a card, 'cause that dealer does no check under this legislation. The three-day cooling-off period, if we want to call it that, would just punish, in my opinion, the innocent person who goes and purchases a weapon within the -- within the State of Illinois. In addition, currently the FOID card has -- needs no information except for the address of the individual. There's no social security number, there's no driver's license, and there's no certificate of birth. Senator Kelly, I'm coming up with an amendment that will help to give added protection to the people within the State of Illinois. I do not think this is the way to go, because this does not give any checks to the gun owners, the dealers within the State of

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Illinois. And the crimes that are being committed within this State of Illinois are by people who have no FOID cards, not by people who have FOID cards. These are by gang members, and gang members cannot get FOID cards. So I think that this is an invasion of privacy to people who have the right to own a weapon and who wish to do it legally. And I would ask for a No vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR DUDYCZ:

Senator Kelly, assuming that your bill becomes law and the waiting period is extended from the seventy-two hours to the seven-day period, who is to provide this background check?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly.

SENATOR KELLY:

Well, the current law covers the FOID -- covers the background check. This seven days allows some extra time in case there's additional time needed. But we already have the background check under the FOID. What this does -- it gives a little extra time just in case there's additional facts that have to be reviewed by either the Department or by someone else. So it's -- it will just assist in -- by increasing, it'll -- it'll help to cool it off and it'll give it more time for a background check.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dudycz.

SENATOR DUDYCZ:

Senator Kelly, the -- there is no magic in that number seven. Seventy-two hours, seven days, I know that during my time on the

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Chicago Police Department, the record section was so behind on their -- inputting their records that many times it took more than seven days. It took weeks to check backgrounds on certain individuals. So I don't think it's workable. Plus you're adding an extra burden onto law enforcement - on the various police departments - requiring them to come up with some sort of response within that seven-day period. As far as your statement regarding the crime of passion and the cooling-off periods, when somebody is -- is engaged in a crime of passion and if there is a -- handgun on their side, yes, they will use it. And if there is no handgun, based upon my experience, I've seen them use knives, tables, or anything from the pictures off the walls to the kitchen sink. If it's a crime of passion, they don't care what they use. If they wish to inflict bodily injury upon somebody, be it a handgun or anything else, they will inflict that bodily injury. And finally, to answer Senator Brookins' question. He's correct. In Chicago, you cannot -- for at least the last ten years, you cannot register a handgun. Yet in the last year alone, the Chicago Police Department confiscated approximately twenty thousand handguns. So the law isn't working. The ordinance isn't working in Chicago. There's no reason to believe that this magic seven number is going to make it work in Illinois. And I think that we should go about enforcing some of the laws that we have, rather than posing some of these restrictions on our law-abiding citizens.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Kelly, to close.

SENATOR KELLY:

Well, Senator Dudycz, if it's working so well, why is there so many homicides occurring right now? I'd like to say that we're not talking about the FOID card. We're talking about a cooling-off period - a seven-day period. This is exactly what

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they're deliberating in Washington. And I think Illinois ought to be one of the first states to let Washington know that we are strongly behind the Brady Bill. And I request your support.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 711 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 Secretary. On that question, there are 24 Ayes, 33 Nays, none voting Present. Having failed to receive the constitutional majority, Senate Bill 711 is declared -- the sponsor has requested Postponed Consideration. Senate Bill 3 -- 735. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 735.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. What this bill will do is amend the Public Utilities Act and create a new act concerning hydroelectric power. The bill will provide that electric utilities shall purchase electricity from public-owned hydroelectric producers at a wholesale rate. The purpose behind this bill is to provide a clean source of energy for the State of Illinois. We currently require that utilities purchase energy from incinerators that burn garbage. It seems only fair to me - and it seems a good public policy - to require that electricity be purchased at the same rate, from a clean source of energy - that of hydroelectric power. This bill will do something else, as well as create a source of energy for the State of Illinois. Approximately three hundred and forty million dollars will be

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invested within the State for the development of Illinois' hydroelectric potential. The vast majority of this investment will be contracted with Illinois firms. Since Illinois hydroelectric potential is made up of numerous smaller projects, their development will have a definite economic impact in local areas throughout the State of Illinois. Local construction companies, equipment suppliers, laborers, concrete batch plants, electricians, carpenters - locally will all be used in the development of these projects. In addition, significant manufactured components would be needed which are presently manufactured by Illinois companies. Hydroelectric power plants use a variety of manufactured equipment, including electrical controls, wiring, valves, fittings, hydraulic devices, transmission equipment, rubber components, electrical fixtures and more. All of these are manufactured in the State of Illinois. This bill is both a jobs bill and an environment bill. I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If -- if not -- Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I just have one question. How can we benefit our own consumers by adding capacity, on a noncompetitive basis, to an industry whose costs have risen because of overcapacity?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Senator, capacity is not always there to meet the needs on peak demand days. Commonwealth Edison has often explained that during the summer months their generation capacity is at its maximum. The question, I think, that should be posed, is whether we in the State want to create energy sources that are

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nonpolluting, that are more reliable than those we currently have. I think that hydroelectric power is something we should be developing. It's a source of energy that we need. Power can be wheeled not just within Illinois but also outside the State of Illinois. And it's a source of energy for which, basically, we just went to war in the Persian Gulf to secure as well.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator, I have no problem with developing other sources of energy that don't pollute. But what I do have a problem with is doing that on the basis in which you put the burden on the existing power companies. If you want to go out and develop hydroelectric power, be my guest. Love to have you do it. But don't put the burden on the back of the people that are in the business already, so that we, who are consumers, are going to end up paying far more, as we have in the past, because we're going to pay for capacity that isn't needed. That -- that capacity that's being generated is not going to be sold on a competitive price. You are forcing those very same people to buy that on a fixed price.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, Madam President. I rise in strong opposition to this piece of legislation. Senator DeAngelis has explained very well why this is not a good bill at this particular time. One more time, it will mandate that the existing utility payers will have to pay for this particular new experiment as well. For many, many reasons, I just think that this is a very poor idea, and I'm sure that there are probably other speakers who will want to also speak in opposition to this bill. But I think this is a bad way to go

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at this particular time. And I urge a No vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Madam President and Members of the Senate, I rise in support of this legislation. Now everybody talks about excess capacity and all that malarkey, but for some reason, utility companies already have plans either before or have made indications, they want the ICC, the Illinois Commerce Commission, to grant them permission to increase their capacity by several umpteen million watts by the year 2000, while they're trying to tell us right now they're sufficient. Another point in this bill which you all supported, which I appreciated, was an amendment that I put on here last week that will put additional money into the Clean Coal Technology Fund that will allow the opportunity for more development, produce electricity from coal -- Illinois coal, and it will burn clean and meet the clean -- the Federal Clean Air Act. This is a good bill. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate -- Madam President, I'm sorry. Let's not kid ourselves. We've got to look ahead for -- for more energy resources. And I think this would be a good energy resource. And I -- I'm -- I speak in favor of the bill, and urge your support of it.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Madam President. I know the bill tried to make it look better by putting on a ten percent of the revenue collected

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will go to the Coal Technology Assistance Fund. But I think what the bill doesn't say is that if we generate electricity with hydroelectric, we don't generate it with coal. We don't help our coal industry. We don't help an industry that's really troubled in Illinois. And I think it might be a good idea if we voted this bill down and vote No, and look at it further before we pass it. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator J.J. Joyce.

SENATOR J.J. JOYCE:

Thank you, Madam Chairman. I -- Senator Dunn, I'm a little bit surprised to hear you say that. You know, some of us from Central Illinois have voted for every coal bill that comes down the pike. So, if -- if you're telling us that we're supposed to -- you're supposed to just abandon us to take care of Illinois coal, I think you're sadly mistaken. And I would urge everybody from my part of Illinois - across the midsection and further north - to vote for this bill, and -- and to take a look at some coal bills the next time they come up.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR RIGNEY:

Can you tell me how many of these water-generating plants we have currently?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

At most, at this time, we have two or three.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rigney.

SENATOR RIGNEY:

How many did we have years ago, when this was at its peak?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

I'm not sure what you mean - when it was at its peak. What -- what do you mean?

SENATOR RIGNEY:

Well I -- I see a lot of these facilities that are just, you know, they've been given up. And I just wonder how many of those were -- did we have at one time? I guess maybe I just simply make my point in saying, you know, we did have this technology at one time. We obviously abandoned it. It must not have been too efficient or something. And I just kind of wonder why we're back re-inventing the wheel at this time.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch, to close.

SENATOR WELCH:

Well, Senator Rigney, the reason we abandoned it was because a lot of people fell in love with nuclear power about fifteen years ago, and we went on that binge. What this bill is trying to do is to go back and find a source of energy that is nonpolluting. As far as the cost, we've hear a lot of hullabaloo about how much this is going to cost. Well, our estimates are -- it will cost money - all of fifteen cents a year - fifteen cents a year. Now, when -- Senator Davidson hit the nail on the head. Commonwealth Edison is looking to increase their capacity. So you can't argue on the one hand that we've got too much capacity and yet have Commonwealth Edison come in and say, "Well, we've got to increase capacity." Those two arguments contradict each other, but yet

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that's what's going on. This is a good bill. It's got a lot of features of jobs. It helps the coal industry. And why the coal legislators are standing up against this, I'd kind of like to know myself. We just -- we just voted a couple million dollars in subsidies to coal companies here. So maybe we should take another look at that if this bill doesn't pass. Because certainly, if we're going to be saving consumers' money, what's good for the goose here is good for the gander. So I think that we should, perhaps, revisit that issue as well. But -- but, setting that by the wayside, this bill, on its own merits, is a good bill, and it's something that should be supported. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 735 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 Secretary. On that question, there are 36 Ayes, 18 voting Nay, 1 voting Present. Having received the constitutional majority, Senate Bill 735 is declared passed. Senate Bill 740. Senator Rea. Senate Bill 753 is on the Recall List. Senate Bill 756. Senator Brookins. Senate Bill 757. Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 757.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. This is the first of a series of four bills introduced at the request of the Illinois Alcoholism and Drug

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Dependence Association. And what this bill does is -- this particular bill does -- is to further define what is meant by "intervention services." I would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Discussion? If not, the question is, shall Senate Bill 757 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, Madam Secretary. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the constitutional majority, Senate Bill 757 is declared passed. With leave, we'll go back to 756. Senator Brookins didn't hear. So, on the Order of 3rd Reading, Senate Bill 756. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 756.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Madam President. This bill creates a Homeless <sic> Prevention Fund, and serves as a depository for all monies appropriated under the Act and federal reimbursement qualification. And there's no opposition to it as I know of. And I ask for a Do Pass.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall Senate Bill 556 <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, Madam Secretary. On that question, there are 56 Ayes, none Nay -- no Nays, none

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voting Present. Having received a constitutional majority, Senate Bill 756 -- I mean 756 is declared passed. Senate Bill 758. Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 758.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Madam President and Members. This bill would require the Department of Alcohol and Substance Abuse to coordinate, among all State agencies, a statewide comprehensive plan for the prevention, intervention, and treatment of substance abuse. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Any further discussion? If not, the question is, shall Senate Bill 758 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 Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. Having received a constitutional majority, Senate Bill 758 is declared passed. Senate Bill 759. Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 759.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Madam President and -- and Members. This bill

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contains a redefinition of alcoholism in order to further clarify what that means, and also its impact on dependents within a family.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall Senate Bill -- Senator Leverenz.

SENATOR LEVERENZ:

Would the sponsor yield to a couple of quick questions?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR LEVERENZ:

Could you give us some examples of how this would expand the current law that we are serving people through the Department by?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

It does not expand the -- the definition. It merely clarifies it, Senator.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

It seems that it should now include the co-dependents. But it allows them to redefine and expand, as I understand it. I'm reading from the synopsis on Page 181.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator, it's -- my understanding is that what this bill does is to simply bring the Statutes up to date on what treatment professionals have agreed upon for -- for some years - that it is really not an expansion behind current practice.

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Leverenz.

SENATOR LEVERENZ:

Well then, would you nod your head if you're going to call Senate Bill 760, which may have a -- an impact to the State of about a billion, eight hundred thousand?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge. Further discussion? If not, Senator Etheredge, to close.

SENATOR ETHEREDGE:

I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 759 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 Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Having received a constitutional majority, Senate Bill 759 is declared passed. Senate Bill 760. Senator Etheredge. Read the bill.

SECRETARY HAWKER:

Senate Bill 760.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you very much, Madam President and Members. What this bill does is to clarify those instances when the -- when treatment can be refused to persons who are unable to pay. It was suggested by one of my colleagues a few minutes ago that there might be a very severe fiscal impact in this bill. Actually the reverse is true. What this bill does is to recognize the need for treatment services to addicted persons, but it also recognizes that there is

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a limited amount of public funds available for these services. And the bill assures that providers will accept nonpaying patients if there's enough public funds to pay for the treatment.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 760 pass. Discussion? Senator Leverenz.

SENATOR LEVERENZ:

And can you give us some idea of the cost or impact to local agencies that deliver the service, inasmuch as this mandates those agencies to do the work, even though we do not appropriate the money to them, as I understand it?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Exactly the opposite is true, Senator. There is zero fiscal impact.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Can we get, from the Department, that statement? Because I understand the whole package is contingent on what we appropriate. And you are now mandating that upon local agencies. So, we'll be over to get it. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 760 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 Secretary. On that question, there are 54 Ayes, 3 Nays, none voting Present. Having received a constitutional majority, Senate Bill 760 is declared passed. Senate Bill 790. Senator Cullerton. Senate Bill 795. Senator Cullerton. Senate Bill 797. Senator Berman. Senate Bill 98 --

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798 is on the Recall List. Top of Page 22. Senate Bill 828. Senator Mahar. Senate -- Senate Bill 832 is on the Recall List. Senate Bill 836. Senator Jacobs. Senate Bill 868. Senator Fawell. Senate Bill 873. Senator Etheredge. Senate Bill 882. Senator Topinka. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 882.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka.

SENATOR TOPINKA:

Yes. Madam President, Ladies and Gentlemen of the Senate, this particular bill would allow any suburban Cook County school district to withdraw from the jurisdiction of their respective township school trustees and treasurers. It is very -- well, it's not similar - it's exactly the same as what Senator Berman passed last year for the City of Evanston. And we are just basically expanding on that. We have checked in terms of what the committee asked in terms of if this bill should pass, would there be a logical listing of how to make this transition. And that, indeed, does track the Berman Bill. It is law now. And I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 882 pass. Any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

I reluctantly rise in opposition, because I do believe there's need to make some changes in the system. However, this one is rather radical, and either through some misunderstanding on my part or the sponsor's part, I felt some amendments were forthcoming. There is a bill coming over from the House which

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will, in fact, make this job optional. But I think this is a wholesale destruction of a system which has had merit. Although it may have had some excesses, many of the smaller school districts have benefited from this position. So I would reluctantly rise in opposition to this.

PRESIDENT OFFICER: (SENATOR COLLINS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I rise in opposition without any reluctance and pretty much for the same reason that Senator DeAngelis did. There is a -- this -- this subject has been long under discussion, and there is, I am told, a bill that either is here or is on the way here from the House that will afford some orderly transition for these boards with respect to these trustees. This, I suggest, is much too radical an approach. We did deal with this, Senator Berman, if you will recall, with respect to Evanston. Representative Giglio has a bill that's on its way here, or perhaps is here already, that I understand some can live with. This one, I would suggest, we may well be better advised to either vote No or let it sit here on the Calendar. And I would urge the sponsor to consider that.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka, to close.

SENATOR TOPINKA:

Yes, Madam President and Ladies and Gentlemen of the Senate. My concern would be that if indeed we went with the House bill and its rather interesting provisions on how to get from Point A to Point B, which are rather complicated and really may be different than what is already in place already from the Berman bill of last Session affecting the City of Evanston. The City of Evanston has already been on this program one year, and civilization has hardly

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fallen. So it's not particularly a radical concept at all. In fact, this does not make local schools pull out from their township school treasurers. It just gives them the option for doing so, if indeed they wish to do so. And certainly in the West suburban areas, also with ED-RED, The State Board of -- or the Illinois School Board Association. They're all in support of this particular option as well. I would contend that the law now contends, or now puts forward, a -- a progression of how to make this process occur. It is working. Let's go for it.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 882 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 Secretary. On that question, there are 22 Nays -- 22 Ayes, 25 Nays, 6 voting Present. Having failed to receive a constitutional majority, Senate Bill 828 <sic> is declared lost. 882. The sponsor is requesting Postponed Consideration. Senate Bill 895. Senator Woodyard. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 895.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President, Members of the Senate. This is the Regulatory Retaliation Bill - so-called because it would impose regulatory reporting on institutions out of state - domiciled out of state - that are doing financial business in the State of Illinois. And it's in response to the fact that some of the states, particularly Indiana, are adopting franchise taxes

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imposing taxes on Illinois financial institutions. And we have no other recourse other than to try to impose some kind of retaliation on them to get them, hopefully, to repeal their types of bills. I don't know that this bill is going to do that. But we would like to move it along and keep it alive and -- and continue some dialogue with particularity the State of Indiana, to see if we can't get some relief for our financial institutions on which those taxes are imposed.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. -- Madam President, Ladies and Gentlemen of the Senate. I, too, stand in support of this legislation. If -- if we're going to get our full day in court, this has got to continue on. And I -- I think it stands to reason that it may not be everything we're looking for, but it sure as heck is a nice equalizer. And I stand in support of the legislation.

PRESIDENT ROCK:

Any further discussion? Further---discussion? Senator Woodyard, do you wish to close? The question is, shall Senate Bill 895 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. Senate Bill 895, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, Senator Philip and I have determined we're going to be out of here by six o'clock. So we will, with leave of the Body, stop now and go to the Order of Recalls. A list of recalls has been distributed. I would ask you to pay just particular attention to the amendments as they are offered. We will try to handle this as expeditiously as possible, with the hope that we will conclude our business by

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six o'clock. We will start again tomorrow morning on the Order of 2nd Reading and then again go to 3rd Reading and take up, Senator Rigney, right where we left off, at Senate Bill 922. We will start tomorrow morning at nine o'clock in the morning, Ladies and Gentlemen. And I would encourage everybody to be prompt. There has been one change in the earlier-announced schedule, and that is at the request of the Appropriations Chairman and Minority Spokesman, we will not handle the appropriation bills until Wednesday morning. They are still conferring about amendments. The Governor has called for a meeting on Wednesday afternoon. So we will handle the appropriation bills - the Senate appropriation bills - on Wednesday morning, first thing. And then, of course, we have the Memorial Day observation and also the Agreed Bill List. So tomorrow we -- we will start on Senate Bills 2nd Reading and then move immediately to Senate Bills 3rd Reading and take up where we left off. In the meantime, we're going to go to the Order of Recalls. Everybody has received, I hope, a recall sheet. All right. We're still on the Order of Senate Bills 3rd Reading. We will, with leave of the Body, revert to Page 17. On the Order of Senate Bills 3rd Reading is Senate Bill 90. Senator Davidson seeks leave of that 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 Senate Bills 2nd Reading, Senate Bill 90, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Davidson.

PRESIDENT ROCK:

Senator Davidson, on Amendment No. 1.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, Amendment No. 1 is an agreed-on amendment that came out of discussion at the hearing - at the committee hearing - on this bill and by the individual

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private bus company owners who furnish bus transportation. This is an agreed-on amendment between them, the regional superintendent's office, the State Board of Education and the State Police. I move the adoption of Amendment No. 1.

PRESIDENT ROCK:

Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 90. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, please. We -- we are attempting to accommodate everyone. At the same time, I would ask you please to pay attention. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. Senator Davidson, did I hear you say that you are exempting out the private bus carriers from this fingerprinting bill?

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

No. They wanted a temporary driving permit issued while they waited for the report to come back. And that's what this does. It lets the regional superintendent issue a school bus driver a temporary permit, on a probationary basis, while the -- the fingerprinting report comes back from both the State Police and/or the FBI.

PRESIDENT ROCK:

Further discussion on Amendment No. 1? 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. 2 offered by Senator Davidson.

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PRESIDENT ROCK:

Senator Davidson, on Amendment No. 2.

SENATOR DAVIDSON:

Mr. President, this amendment is a technical amendment that Enrolling and Engrossing's found us from the Reference Bureau. And it changes -- puts in the word "the" before -- instead of the word "such." I'd move the adoption of Amendment No. 2.

PRESIDENT ROCK:

Senator Davidson has moved the adoption of Amendment No. 2 to Senate Bill 90. 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. On the Order of Senate Bills 3rd Reading is Senate Bill 203. Senator Schaffer 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 Senate Bills 2nd Reading, Senate Bill 203, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Schaffer.

PRESIDENT ROCK:

Senator Schaffer, on Amendment No. 2.

SENATOR SCHAFFER:

Mr. President, this amendment was requested by the Township Officials of Illinois, and it just would require the mail notice in the bill to be done by registered mail.

PRESIDENT ROCK:

Senator Schaffer has moved the adoption of Amendment No. 2 to Senate Bill 203. Discussion? If not, all in favor, indicate by

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

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. On the Order of Senate Bills 3rd Reading, again on Page 18, is Senate Bill 222. 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 Senate Bills 2nd Reading is Senate Bill 222, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka, on Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this amendment would clarify that vehicles owned and operated by units of local government are exempt from the requirements of the bill.

PRESIDENT ROCK:

Senator Topinka has moved the adoption of Amendment No. 1 to Senate Bill 222. 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. Top of Page 18. On the Order of Senate Bills 3rd Reading is Senate Bill 232. Senator Welch 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

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Order of Senate Bills 2nd Reading, Senate Bill 232, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The original bill created a Task Force on Environmental Laws. The reporting date in that bill was June 30th, 1992. What this amendment does is change the reporting date to April 1, 1992, so that any recommendations of the Task Force could be enacted into law. I would move the adoption of this amendment.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 2 to Senate Bill 232. 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. 2-4-8. Senator Berman. On the Order of Senate Bills 3rd Reading, Senate Bill 248. Senator Berman 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 Senate Bills 2nd Reading, Senate Bill 248, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

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Thank you, Mr. President. This amendment assures the confidentiality of the siblings that are included in the bill, pursuant to my commitment to Senator Hawkinson. I move the adoption of Amendment No. --

PRESIDENT ROCK:

3.

SENATOR BERMAN:

3.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 3 to Senate Bill 248. 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 Berman.

PRESIDENT ROCK:

Senator Berman, on Amendment No. 4.

SENATOR BERMAN:

I'll withdraw that at this time.

PRESIDENT ROCK:

Amendment's been withdrawn, Madam Secretary. 257. All right. With leave of the Body, Senator Dudycz will handle that amendment for me. Leave has been sought to return Senate Bill 257 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 257. My understanding, Madam Secretary, is we have to Table Committee Amendment No. 1 and offer No. 2 in its place. Senator Dudycz, having voted on the prevailing side, moves to reconsider the vote by which Committee Amendment No. 1 to Senate Bill 257 was adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote's reconsidered. Senator Dudycz now moves to Table

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Committee Amendment No. 1 to Senate Bill 257. All in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. The amendment's Tabled. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by President Rock.

PRESIDENT ROCK:

With leave of the Body, Senator Dudycz will handle it. Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. Amendment No. 2 corrects a technical error that was in Amendment No. 1. I ask a favorable vote.

PRESIDENT ROCK:

Senator Dudycz has moved to adopt Amendment No. 2 to Senate Bill 257. 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 Cullerton, on 293. Senator Cullerton. On the Order of Senate Bills 3rd Reading, middle of Page 18, is Senate Bill 293. Senator Cullerton 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 Senate Bills 2nd Reading is Senate Bill 293, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Woodyard and Barkhausen.

PRESIDENT ROCK:

Senator Woodyard yields to Senator Barkhausen. Senator Barkhausen. Senator Barkhausen. Why don't you move next door to Senator Weaver's. That -- that one's not used enough anyway.

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Senator Barkhausen.

SENATOR BARKHAUSEN:

Do a poor imitation of Senator Weaver here. I'm tempted to yield to Senator Cullerton. Senator Woodyard and I have our name on this amendment, and we know little about the bill. I'm not on the committee. My understanding is that this amendment comes from the Secretary of State's Office and delays the effective date, or the compliance date, somewhat, for those who would come under the jurisdiction of this law. If I've somehow misrepresented this bill or amendment, Senator Cullerton has an amendment to follow.

PRESIDENT ROCK:

Sponsor indicates he agrees. Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 293. 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. 2 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton, on Amendment No. 2.

SENATOR CULLERTON:

Thank you, Mr. President. This amendment clarifies that the statement shall be only delivered to individuals, not to financial institutions and related entities. I move for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 2 to Senate Bill 293. 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. 460, the sponsor has indicated, does not wish to

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recall at this time. 468. Bottom of Page 19. On the Order of Senate Bills 3rd Reading is Senate Bill 468. Senator Collins has -- requests 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 Senate Bills 2nd Reading is Senate Bill 468, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Collins.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Thank you. This amendment merely adds to this task force the State Appellate Defender's Office, which they requested that they be included in the bill, and also adds, by inserting juvenile disposition after the word sentencing. And -- and the rest of it is technical, and I would move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 468. 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. Bottom of Page 19, on the Order of Senate Bills 3rd Reading. Senate Bill 491 -- 471. I beg your pardon. Senator Collins 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 Senate Bills 2nd Reading is Senate Bill 471, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Collins.

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PRESIDENT ROCK:

Senator Collins, on Amendment No. 2.

SENATOR COLLINS:

Yes. This is a technical amendment discovered by Enrolling and Engrossing. And I would move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 471. 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. If I can direct your attention, Ladies and Gentlemen, to Page 32 on the Calendar. Of course, I'm sure you're all aware that once a bill is on the Agreed Bill List and then amended, it comes off the Agreed Bill List. Senator Savickas seeks leave of the Body, bottom of Page 32. On the Order of Senate Bills 3rd Reading, Senator Savickas seeks leave of the Body to return Senate Bill 556 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 556, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Savickas.

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, this amendment was drafted for the Real Estate Board and the Realtors, and basically allows property owners to enter into an agreement with a broker and enables the broker to file a lien that insures the broker to get his

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commission. The bill, as amended, protects the Real Estate Board and the Realtors against the sale of the building or default. And with that, I think it makes it the same bill that was in the House. And I would move its adoption.

PRESIDENT ROCK:

Senator Savickas has moved the adoption of Amendment No. 2 to Senate Bill 5-5-6. Discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Jones.

SENATOR JONES:

Senator Savickas, we amended this bill in committee, and that was -- the amendment was an agreed-amendment with the Realtors' Association and those persons also concerned. Now this is another amendment. Now this amendment that you have here - has the Realtors agreed to this amendment, 'cause it does make substantial changes. And staff has not had a chance to give me the background on what's in this amendment, because it changes the bill in many areas. So could you tell us about that or was this agreed to likewise?

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President. In my earlier remarks, I said that it was -- this amendment was put in at the request of the Real Estate Board and the Realtors. And it further refines the language between the parties. Evidently, the Real Estate Board and the brokers had a few concerns about the language in the original amendment. They drafted this to refine the language. And that was the purpose of it.

PRESIDENT ROCK:

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Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, is this still limited to commercial property?

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

As far as I know, it is.

PRESIDENT ROCK:

Further discussion? Any further discussion? If not, Senator Savickas has moved the adoption of Amendment No. 2 to Senate Bill 556. Those in favor will vote Aye. Opposed, vote Nay. The voting is -- whoops. All in favor of the adoption of the amendment, 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 33 on the Calendar. The bottom of Page 33. On the Order of Senate Bills 3rd Reading, on the Agreed Bill List, is Senate Bill 623. Senator Madigan 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 Senate Bills 2nd Reading, Senate Bill 623, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Madigan.

PRESIDENT ROCK:

Senator Madigan, on Amendment No. 1.

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SENATOR MADIGAN:

Thank you, Mr. President. Could I ask the Secretary what the last two digits of that amendment are?

PRESIDENT ROCK:

Madam Secretary.

SECRETARY HAWKER:

0-1.

PRESIDENT ROCK:

Yeah. Okay.

SENATOR MADIGAN:

Could I move to withdraw Amendment No. 1?

PRESIDENT ROCK:

You may indeed. That amendment's withdrawn at the request of the sponsor, Madam Secretary. Any amendments?

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Madigan.

PRESIDENT ROCK:

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Amendment No. 1 narrows the scope of the bill and is agreed to by the interested parties involved. And I would move for its adoption.

PRESIDENT ROCK:

Senator Madigan's moved the adoption of Amendment No. 1 to Senate Bill 623. 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. We revert now, Ladies and Gentlemen, to Page 20. Page 20 on the Calendar. At the bottom of Page 20, on the Order

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of Senate Bills 3rd Reading, is Senate Bill 641. Senator Watson 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 Senate Bills 2nd Reading, Senate Bill 641, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Watson.

PRESIDENT ROCK:

Senator Watson, on Amendment No. 2.

SENATOR WATSON:

Thank you, Mr. President. This now becomes the bill and tries to clarify the intent of the legislation which we're allowing for marching band students to be exempted for -- from physical education for the first semester. What this says is that they have to be enrolled in band, receiving credit for a band program. I move for its adoption.

PRESIDENT ROCK:

Senator Watson has moved the adoption of Amendment No. 2 to Senate Bill 641. 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. Bottom of Page 20. On the Order of Senate Bills 3rd Reading is Senate Bill 645. Senator Ralph 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 Senate Bills 2nd Reading is Senate Bill 645, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Ralph Dunn.

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PRESIDENT ROCK:

Senator Dunn.

SENATOR R. DUNN:

Thank -- thank you, Mr. President, Members of the Senate. This makes the bill apply to only one community. It was a desire of the Elementary and Secondary Committee -- that I do that, and I inadvertently let the bill move to 3rd, so I returned it for this amendment. I move its adoption.

PRESIDENT ROCK:

Senator Watson's -- I mean Senator Dunn has moved the adoption of Amendment No. 1 to Senate Bill 840 -- 645. 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 Ralph Dunn.

PRESIDENT ROCK:

Senator Dunn.

SENATOR R. DUNN:

Thank you. This gives the bill an immediate effective date, and I move its adoption.

PRESIDENT ROCK:

Senator Dunn moves the adoption of Amendment No. 2 to Senate Bill 840 -- 645. 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. Middle of Page 21. On the Order of Senate Bills 3rd Reading is Senate Bill 753 - 7-5-3. Senator Watson 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

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granted. On the Order of Senate Bills 2nd Reading, Senate Bill 753, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Watson.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment was requested by the Illinois State Police. And it returns the ability of truck weight inspectors to write citations for trucks which are overweight on their registration plates. The amendment's supported by the Department of Transportation, the Midwest Truckers and the Illinois Trucking Association. I move for its adoption.

PRESIDENT ROCK:

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 753. 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. Bottom of Page 21. On the Order of Senate Bills 3rd Reading is Senate Bill 798. Senator Berman 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 Senate Bills 2nd Reading, Senate Bill 798, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman, on Amendment No. 1.

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SENATOR BERMAN:

All that this amendment does is to correct, at the request of the Legislative Reference Bureau, to insert a period after the word "act." I move the adoption of Amendment No. --

PRESIDENT ROCK:

1.

SENATOR BERMAN:

1.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 798. 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. 832. Senator Jacobs. At the top of Page 22, Ladies and Gentlemen. On the Order of Senate Bills 3rd Reading is Senate Bill 832. Senator Jacobs 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 Senate Bills 2nd Reading, Senate Bill 832, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs, on Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment merely fulfills the request of Senator Watson in committee to regionalize the changes that we made in Senate Bill 832. And that's all it does.

PRESIDENT ROCK:

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Senator Jacobs has moved the adoption of Amendment No. 1 to Senate Bill 832. 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. On the Order of Senate Bills 3rd Reading, on the Agreed Bill List, Page 40 - 4-0 - Page 40 on the Calendar, is Senate Bill 1066. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the -- leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1066, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you. This -- this amendment clarifies the intent of the bill as to the filing of the report. Provides for twenty-eight days after receipt of the report in the mail. Move the adoption of Amendment No. 1.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1066. 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. On the Order of Senate Bills 3rd Reading is

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Senate Bill 1119. Bottom of Page 23. Page 23, Ladies and Gentlemen. Senator Madigan seeks leave of the Body to return 1119 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1119, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Madigan.

PRESIDENT ROCK:

Senator Madigan, on Amendment No. 2.

SENATOR MADIGAN:

Thank you, Mr. President. Amendment No. 2 is an amendment requested by Enrolling and Engrossing to correct a couple typographical errors. And I would move for its adoption.

PRESIDENT ROCK:

Senator Madigan's moved the adoption of Amendment No. 2 to Senate Bill 1119. 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. On the Order of Senate Bills 3rd Reading is Senate Bill 1125, on the Agreed Bill List. Page 41 -- Page 41 on the Calendar. The top of Page 41 is Senate Bill 1125. Senator Brookins 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 Senate Bills 2nd Reading is Senate Bill 1125, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Brookins.

PRESIDENT ROCK:

Senator Brookins, on Amendment No. 2.

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SENATOR BROOKINS:

Mr. President, first I must Table Amendment No. 1. So I have to have leave to Table Amendment No. 1, because it is flawed.

PRESIDENT ROCK:

All right. Senator Brookins, having voted on the prevailing side, is moving to reconsider the vote by which Committee Amendment No. 1 to Senate Bill 1125 was adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The vote is reconsidered. Senator Brookins now moves to Table Committee Amendment No. 1 to Senate Bill 1125. Discussion on the Motion to Table? If not, all in favor, 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 Brookins.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Amendment No. 2 is the same as Amendment No. 1, only thing is it is technically correct. It was pointed out by the LRB that it was incorrect. So I ask to adopt Amendment No. 2.

PRESIDENT ROCK:

Senator Brookins has moved the adoption of Amendment No. 2 to Senate Bill 1125. 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 24. On the Order of Senate Bills 3rd Reading is Senate Bill 1200. Senator Severns seeks leave of the Body to return that bill to the Order of 2nd Reading for

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purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1200, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Severns.

PRESIDENT ROCK:

Senator Severns, on Amendment No. 1.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Amendment No. 1 simply increases the percentage from a hundred and ten percent to a hundred and twenty-five percent.

PRESIDENT ROCK:

Senator Severns moves the adoption of Amendment No. 1 to Senate Bill 1200. 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. 1202, the Chair understands, has been withdrawn. 1408. Senator Berman. Middle of Page 25, Ladies and Gentlemen. On the Order of Senate Bills 3rd Reading is Senate Bill 1408. Senator Berman seeks leave of the Body to return that bill the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1408, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman, on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. This is a Legislative Reference

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Bureau bill. They've asked that we adopt Amendment No. 1 and that this bill remain on 2nd Reading. So -- it deals with the Criminal Code Recodification. I move the amendment -- move Amendment No. 1 on Senate Bill 1408.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1408. 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:

All right. The bill will remain, at the request of the sponsor, on the Order of 2nd Reading, with the amendment adopted. Ladies and Gentlemen, that concludes the recalls. We have a number of housekeeping items. We have effectively finished our roll calls for today. We've done a good day's work. Tomorrow's going to be even longer. We'll start at nine o'clock in the morning and we will continue through Senate Bills 2nd and 3rd. Resolutions, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 390 offered by Senator Jones.

Senate Resolution 391 offered by Senator Maitland.

Senate Resolution 392, by Senator Savickas.

Senate Resolution 393, by Senator Savickas.

As is Senate Resolution 394, 395, 396.

Senate Resolution 397, by Senator Mahar.

Senate Resolution 398, by Senator Watson.

Senate Resolution 399 offered by Senator Geo-Karis.

And Senate Resolution 400 offered by Senator Ralph Dunn.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

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Consent Calendar.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 401 offered by Senator Philip.

Senate Resolution 402 offered by Senator Woodyard.

And Senate Resolution 403 offered by Senators Ralph Dunn,
O'Daniel, Rea and Watson.

They're all substantive.

PRESIDENT ROCK:

Executive. With leave of the Body, as long -- and I would again encourage the Membership, the House is due to go into Session at six o'clock. That's why we're going to quit at six. But I'm sure some of the Members have asked the Senate to sponsor some of their House Bills. Please let the Secretary or the Assistant Secretary know. In the meantime, with leave of the Body, we'll move again to Page 45 on the Calendar. It just makes the clerical work upstairs easier. We'll move to the Order of House Bills 1st Reading, Mr. Secretary. House Bills 1st.

ACTING SECRETARY: (MR. HARRY)

House Bill 98 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 104 offered by Senator Rea.

(Secretary reads title of bill)

Senate Bill -- or House Bill 215 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 266 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 738 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 1105 offered by Senator Luft.

(Secretary reads title of bill)

House Bill 1230, by Senator Jacobs.

(Secretary reads title of bill)

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House Bill 1303, by Senator Mahar.

(Secretary reads title of bill)

House Bill 1571, by Senator Hall.

(Secretary reads title of bill)

House Bill 1797, by Senator Carroll.

(Secretary reads title of bill)

House Bill 2017 offered by Senators Smith and Jacobs.

(Secretary reads title of bill)

House Bill 2110 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 2206, by Senator Woodyard.

(Secretary reads title of bill)

House Bill 2410, by Senator D'Arco.

(Secretary reads title of bill)

And House Bill 2413 offered by Senator Topinka.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Is there any further business? Further announcements to come before the Senate in its regular Session? If not, Senator Kelly moves that the Senate stand adjourned until nine o'clock on Tuesday, May 21. Nine o'clock tomorrow morning, Ladies and Gentlemen. I've asked everybody to be prompt. Nine o'clock tomorrow morning. Have a good evening. Senate stands adjourned.

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