

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

124th Legislative Day

June 24, 1992

PRESIDENT ROCK:

The hour of ten 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 morning by the Reverend William Hanneford, Church on the County Line, Oakbrook, Illinois. Reverend.

THE REVEREND WILLIAM HANNEFORD:

(Prayer by the Reverend William Hanneford)

PRESIDENT ROCK:

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

SECRETARY HAWKER:

Senate Journal of Tuesday, June 16, 1992.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

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

...(machine cutoff)... President, I move that reading and approval of the Journals of Wednesday, June 17th; Thursday, June 18th; Friday, June 19th; Monday, June 22nd; and Tuesday, June 23rd, in the year 1992, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Any

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discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Messages from the House.

SECRETARY HAWKER:

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

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

Senate Bill 400, together with House Amendments 1 and 2.

Passed the House, as amended, June 23rd, 1992.

I have like Messages on Senate Bill 1555, with House Amendments 1 and 2; Senate Bill 1615, with House Amendments 1 and 2; Senate Bill 1667, with House Amendments 1 and 3; Senate Bill 2138, with House Amendment 1; Senate Bill 2139 with House Amendment 1; and Senate Bill 2176, with House Amendment 1.

PRESIDENT ROCK:

Secretary's Desk, Concurrence. All right. Ladies and Gentlemen, the Recall List is being distributed. We will begin on the Order of House Bills 3rd Reading and attempt to accommodate the Members who wish to recall bills for purposes of amendment, and then we will go to 3rd Reading for final action. Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

Thank you, Mr. President. If it would be in order, I would ask leave for immediate consideration of Senate Resolution 1434. It's a congratulatory resolution for the Athens Christian Church, and they have a ceremony this weekend. So with leave of the Body, I would ask for that.

PRESIDENT ROCK:

All right. The Gentleman seeks leave of the Body to go to the Order of Resolutions for the purpose of the immediate

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consideration of Senate Resolution 1434, a congratulatory resolution. Is leave granted? Leave is granted. Senator Madigan now moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 1434. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Madigan now moves the adoption of Senate Resolution 1434. 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 Marovitz, for what purpose do you arise, sir?

SENATOR MAROVITZ:

Thank you very much, Mr. President. I filed a Motion to Reconsider the vote by which House Bill 2824 passed. It's my bill. It passed 57 to nothing. It's noncontroversial, and I'd like to move to reconsider the vote by which that passed.

PRESIDENT ROCK:

All right. If you turn to page 34 on the Calendar. Senator Marovitz, having voted on the prevailing side, is moving to reconsider the vote by which House Bill 2824 passed, and asks that the bill be returned to the Calendar on the Order of 3rd Reading. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and House Bill 2824, at the request of the sponsor, will be placed on the Order of House Bills 3rd Reading. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 1438 offered by Senator Topinka.

And Senate Resolution 1439 offered by Senator Ralph Dunn. They are both congratulatory.

PRESIDENT ROCK:

Consent Calendar. Ladies and Gentlemen, we will begin on the Recall List. If I can turn your attention to page 9 on the Calendar. Page 9 on the Calendar, on the Order of House Bills 3rd

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Reading, is House Bill 1081. 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 House Bills 2nd Reading is House Bill 1081, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you. This amendment deals with the determination of residency for special ed students. It was a bill that was introduced in the House, didn't move forward to here, but allows the State Superintendent to determine the -- district of residency regarding the placement of special ed children. Move the adoption of Amendment No. 1.

PRESIDENT ROCK:

Senator Berman's moved the adoption of Amendment No. 1 to House Bill 1081. 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 3374. 3587. On the -- on page 15 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 3587. Senator Berman seeks leave of the -- 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 House Bills 2nd Reading is House Bill 3587, Madam Secretary.

SECRETARY HAWKER:

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Amendment No. 2 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Yes. This amendment amends the Prompt Payment Act. Amendment No. 1 was adopted by Senator Davidson. This complements that, and what it does is to say that the Prompt Payment Act should be modified so that the interest rate that the State has to pay is reduced from two percent to one percent. It would only apply on purchases over fifty dollars, but that the vendor does not have to apply for the interest. The interest indeed has to be paid over to the State. I would ask for a favorable vote.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 2 to House Bill 3587. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Savickas on the Floor? 3610. Senator Luft. 3674. Page 16 on the Calendar, Ladies and Gentlemen. On the Order of House Bills 3rd Reading is House Bill 3674. Senator Luft seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3674, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

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Thank you, Mr. President. This amendment has been cleared by the Chairman of the Banking Committee or Financial Institutions and also the Minority Spokesman, Senator Keats, as well as both banking groups within the State of Illinois. What the amendment does -- presently a banking or bank holding company can buy, under FIRREA, a failed or almost failed savings and loan, convert the savings and loan into a bank, and those facilities all become banks and are able to circumvent the home rule office. What this amendment does is simply allow the purchase of a healthy savings and loan and those same components comply.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 3674. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator DeAngelis, on 3692. Middle of page 16. Senator DeAngelis seeks leave of the Body to return 3692 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3692, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators DeAngelis and Severns.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. You will find on your desk a rather extensive amendment, which is the DCCA amendment to this vehicle bill, 3692. It has in it about ten or twelve different Sections. The amendment is sponsored by Senator Severns and myself. I would

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like to put the amendment on, and then we can debate the issue on 3rd Reading.

PRESIDENT ROCK:

Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 3692. 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. 3857. Senator Marovitz. Page 17 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 3857. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3857, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. I would move to table Amendment No. 1, which is -- which was adopted and was flawed, and I would move to table Amendment No. 1.

PRESIDENT ROCK:

Senator Marovitz, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 1 to House Bill 3857 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 Marovitz now moves to table Amendment No. 1 to House Bill 3857. All in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it.

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Amendment No. 1 is tabled. Further amendments?

SECRETARY HAWKER:

No further amendment -- pardon me. Amendment No. 2 offered by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. I would move to adopt Amendment No. 2 to House Bill 3857. It is the same amendment that we adopted - the -- the community service amendment - but it doesn't strike anything after the enacting clause, which means that the hate crimes legislation will remain in the bill and the community service portion will be in addition to that. I would move the adoption of the amendment.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 3857. 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. 4025. Senator Welch. Senator Watson, for what purpose do you arise, sir?

SENATOR WATSON:

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

PRESIDENT ROCK:

State your point, please.

SENATOR WATSON:

I know you're all going to get tired of hearing about this, but we did have a softball game, and the -- of course, we were -- the Senate was victorious. And the Regional Commerce and Growth

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Association of St. Louis sponsored the game, and we have with us today -- Steve Hoven, who's their governmental liaison for the Regional Commerce and Growth Association out of St. Louis is with us. And he brought some pictures of everybody who was there for the picture after the game. So if you were there for the picture, we have one here for you, courtesy of the RCGA. We also have a trophy -- change in the trophy. We're going to put this plaque on it which will say, "The Pete Miller Annual House-Senate Softball Game Traveling Trophy," in honor of our former Member, Pete Miller. And then we have another addition to the trophy which will say, "On June 9th, 1992, Senate 13-House 11." So -- and he's also -- guy's bearing gifts. Each year now, the RCGA will be sponsoring this event, and they have brought a photographer from the -- from St. Louis here, and we have pictures, some action shots of some of the -- of the players and all. And the House gets one of these; we get one of these. Each year we'll add to it. So it's a really nice addition to what I hope will be a real annual event in which we're very pleased to have Steve Hoven and the RCGA and others sponsor this for us. Thank you.

PRESIDENT ROCK:

Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Thank you, Mr. President. While we're on the order of winners, I rise on an order of personal privilege. I have with me today a very special guest, Mr. Peter Fitzgerald, who is a candidate for the 27th District in the Senate. And I'd like to have -- have all of you welcome him here, please.

PRESIDENT ROCK:

Mr. Fitzgerald, please stand and be recognized. Welcome. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President. A purpose of an introduction,

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please.

PRESIDENT ROCK:

State your point, please.

SENATOR HUDSON:

All right. In the gallery in back of me I have my -- the pastor of my church at home, Pastor Bill Hanneford, and -- who gave the invocation this morning, and his wife, Sharon, and his daughter, Rachel, and his son, Paul, and my wife, Barbara Hudson, sitting right up here.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. All right. Ladies and Gentlemen, we will begin on page 9 on the Calendar, recognizing the fact that it is Wednesday, June 24th. This will be final action. We're on the Order of House Bills 3rd Reading. 1081. Senator Berman was on the Recall List. 1181. Senator Woodyard. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 1181.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. Senate Bill -- or excuse me, House Bill 1181 deals with the transportation, without notification, of a child out of State. The bill is actually the amendment that -- that we adopted yesterday. I'd be glad to run through the three provisions of the bill, but it is an agreement worked out between the Bar Association and the proponents of the bill.

PRESIDENT ROCK:

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All right. The Gentleman has moved passage of House Bill 1181. Any discussion? If not, the question is, shall House Bill 1181 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1181, having received the required constitutional majority, is declared passed. 1680. Senator Palmer. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1680.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President and Members of the Senate. This bill had bipartisan support in the House. It is a bill that establishes the Minority and Female Franchise Investment Program within the Attorney General's Office, and empowers the Attorney General to, among other duties, make loans to qualifying businesses; increases fees provided for by the Franchise Disclosure Act of 1987; and provides for the deposit of net increases into the Illinois Franchise Trust Fund, which is created within the State Treasury. This is a bill that is very important in today's times, because it allows economically disadvantaged persons who lack adequate capital and managerial training to begin and develop a franchise, under the rules and regulations of the franchise operators. There was a recent study conducted that showed that franchise businesses have a composite failure rate of far less than the failure rate for nonfranchise businesses. I would ask for support on this bill, and I'm willing to answer any

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questions.

PRESIDENT ROCK:

All right. Senator Palmer is moving passage of House Bill 1680. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I think you all ought to take a very close look at this bill. This allows the chief legal officer for the State of Illinois to go into the loan business. My understanding, one of the duties of the Attorney General of the State of Illinois is to be after -- collect those people who are bad debtors or owe the State of Illinois, because he's the chief legal officer. How he can become a banker and assume that they have the expertise, without adding onto his payroll, the ability to make small business loans, is kind of beyond me. You may understand it; I don't. We asked some questions in committee about this, didn't get a suitable answer as to how he could share this conflict. How can you be the chief collector for the State, at the same time you're offering loan? The other thing you want to look at - there's a fee increase for every franchise fee in the State. This is going to jeopardize some of the small businesses who are in the franchise -- or the franchisee to be able to operate. This is not a good idea. This time has not arrived. You can quote Maryland if you want, and that's what they quote, but Maryland and Illinois are two different cats. I urge all of you to vote No. How a chief legal officer could then become a loan officer, I don't think makes good legislation.

PRESIDENT ROCK:

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ladies and Gentlemen, I agree with Senator Davidson. We ought to take a good look at this. First of

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all, it is just one more fund we're creating. I wonder if anybody has ever taken a census of all the funds we have for special purposes. It would seem to me, secondly, that the Attorney General has no business in this kind of a business. He is not a loan officer, in any way, shape or form, for the State. Third, and this is a question for the sponsor -- will she yield, please?

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Butler.

SENATOR BUTLER:

In what way is the State responsible for these loans if they default? Are we in any way, shape or form responsible?

PRESIDENT ROCK:

Senator Palmer.

SENATOR PALMER:

Senator, the initial loan is made by the State, and a reasonable return on investment is required in seven years. It requires that the liability of the Attorney General and the State is limited to the loan amount, and it imposes a criminal penalty, a Class 2 felony, with a three-year Statute of Limitations for knowingly making a false statement on any application or document.

PRESIDENT ROCK:

Senator Butler.

SENATOR BUTLER:

So in other words, we are responsible on any default. The State will, in effect, be a -- be left holding the bag, as I understand it. I think this is a bad idea, and I would urge the Chamber to reject it.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Members of the Senate, please take a look at this bill. What the proponents are seeking to do is put

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the Attorney General in the loan business. Now there certainly should be plenty of work for the Attorney General of this State to do in being the chief legal officer of this State. We have other agencies of State Government, if this is really a good program and should be established - perhaps the Treasurer's Office or the Department of Commerce and Community Affairs - but certainly not the Attorney General. This bill should be rejected.

PRESIDENT ROCK:

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

SENATOR PALMER:

Thank you, Mr. President. I agree with those who've spoken before; you should take a close look at this program. It's one whose time has come. It should have been initiated a long time ago, and I congratulate the Attorney General for taking the initiative. I want to emphasize that this is a self-sustaining program. We are not asking for huge funds to carry this out. This is a program that provides an opportunity in a period of time when we have an economic downturn, for those who should be able to get an opportunity to be self-employed to run small businesses. This is, I hope, a Yes vote. I ask for your support. Thank you.

PRESIDENT ROCK:

Question is, shall House Bill 1680 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 31 Ayes, 22 Nays, 3 voting Present. House Bill 1680, having received the required constitutional majority, is declared passed. 1852. Senator Geo-Karis. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1852.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment 1 replaces everything after the enacting clause and becomes the bill. It creates the Trench Safety Act. Provides that a unit of local government shall have the authority to inspect every trench of more than five feet in depth on construction sites within its jurisdiction boundaries. If the local government determines that the trench is not protected according to OSHA standards, the local government shall notify the nearest OSHA area office and advise them of the alleged violation. Be effective immediately. This language is permissive, in that it merely gives local governments the power to inspect the trenches. The language does not affect home rule governments, and this is language that's been worked out between the contractors and labor. And I ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

Indicates she will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, you indicated that this is permissive authority only. Just to follow up on that for purposes of legislative intent, you intend, by this amendment, to impose no duty upon any local unit of government to make these inspections and -- nor to impose any liability upon any unit of local government for failure to make these inspections. Is that correct?

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PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in strong support of this bill, as currently amended. It, as Senator Hawkinson so aptly pointed out, really does not put a -- a tremendous amount of influence upon the municipalities. I think as it stands, it's pretty -- pretty much watered-down. And I ask for your support.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I ask for a favorable vote. And as I said, this amendment only speaks to the authority of the district to inspect its own construction projects. And we've had two people killed in my county, two people killed in Sangamon County, because of poor shoring in underground trenches, and I ask for a favorable vote.

PRESIDENT ROCK:

Question is, shall House Bill 1852 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 25 Nays, 1 voting Present. House Bill 1852, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you arise, sir?

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SENATOR DEMUZIO:

Well, let's see who's all with us this morning.

PRESIDENT ROCK:

Gentleman has requested a verification. That request is in order. Will the Members please be in their seats? Senator Demuzio has requested a verification. Will the Members please be in their seats? Madam Secretary, please read the affirmative roll.

SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen, Butler, Collins, Davidson, DeAngelis, del Valle, Dudycz, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Holmberg, Hudson, Jacobs, Joyce, Karpiel, Kelly, Leverenz, Macdonald, Madigan, Mahar, Maitland, Marovitz, Philip, Raica, Rea, Schuneman, Topinka and Woodyard.

PRESIDENT ROCK:

Senator Demuzio, do you question the presence of any Member?

SENATOR DEMUZIO:

Senator Maitland.

PRESIDENT ROCK:

Senator Maitland's in the back of the Chamber.

SENATOR DEMUZIO:

Senator Leverenz.

PRESIDENT ROCK:

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

SENATOR DEMUZIO:

Senator Collins.

PRESIDENT ROCK:

Senator Collins on the Floor? Senator Collins on the Floor? Strike her name.

SENATOR DEMUZIO:

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That's enough.

PRESIDENT ROCK:

All right. The roll has been verified. There are 28 Ayes, 25 Nays, 1 voting Present. The Lady has requested that further consideration be postponed. It is so ordered. 1890. Senator Berman. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 1890.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1890 is the initiative of the State Board of Education to try to reduce the time burdens of the current IGAP testing program throughout the State of Illinois. The areas of major concern after the bill came out of the House was dealing with the special ed students, which would have been totally included in the bill as it passed the House. We have amended that so that each special ed student must be addressed as to their particular needs, and the appropriate testing would be included in their individualized education program. We've also addressed the question of bilingual students, as to appropriate tests for them. I'll be glad to respond to any questions, and solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 1890 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 52 Ayes, 1 Nay, none

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voting Present. House Bill 1890, having received the required constitutional majority, is declared passed. Top of page 10. Top of page 10. Senator Kelly, 1910. Senator Kelly. Senator Kelly. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'd ask this bill be referred to committee, taken off the Calendar.

PRESIDENT ROCK:

All right. Gentleman has moved to re-refer Senate Bill 1910 -- House Bill 1910 -- the Gentleman has moved that the House Bill 1910 be re-referred to the Committee on Finance. Is leave granted? Leave is granted. The motion carries. So ordered. Senator Berman, for what purpose do you arise, sir?

SENATOR BERMAN:

Thank you, Mr. President. On a point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR BERMAN:

In the President's Gallery, we have the pleasure of the presence today of the Allied Ambassadors from the Cook and DuPage 4-H regional clubs. They are here with their sponsors, Barbara Dennis, Sandra Lignell and Ken Morgan. If they would stand and be recognized.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. If I can have your attention. There's also been a request by WCIA to shoot some videotape. Without objection, leave is granted. 1918. Senator Jacobs. 2016. Senator Jacobs. 2134. Senator Luft. 2433. Senator Berman. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2433.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 2433, as amended, is the Legislative Reference Bureau's 1992 Revisory Act. It's only about two feet thick. Be glad to respond to any questions, and solicit your Aye vote.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 2433 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 2433, having received the required constitutional majority, is declared passed. 2334 <sic>. Senator Berman. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2434.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is a shell bill, as amended. It's to be used for later revisions by the Legislative Reference Bureau. I think it'll be held in conference committee until the fall. I -- I solicit your Aye vote.

PRESIDENT ROCK:

Senator Berman has moved the passage of House Bill 2434. Discussion? If not, the question is, shall House Bill 2434 pass.

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Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2434, having received the required constitutional majority, is declared passed. 2697. Senator Severns. Read the bill, please.

SECRETARY HAWKER:

House Bill 2697.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This is the prompt payment bill, which provides for an automatic payment on late penalty fees. I'll be glad to answer any questions, and would be -- would appreciate a favorable vote.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 2697 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. House Bill 2697, having received the required constitutional majority, is declared passed. 2711. Senator Marovitz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2711.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Marovitz.

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SENATOR MAROVITZ:

Thank you very much, Mr. President, Members of the Senate. House Bill 2711 is aimed at protecting children in abuse and neglect situations. There is already an -- hearsay exception in the Juvenile Court Act. This just adds the exact same exception to the Marriage and Dissolution Act where there is custody or visitation petitions, and the Juvenile Court Act where there's a delinquency or guardianship determination to protect the child in abuse and neglect cases. And I would ask for the adoption.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 2711 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 2711, having received the required constitutional majority, is declared passed. 2723. Senator Woodyard. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2723.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This is an amendment to the Illinois Nursing Act, and it allows the Department of Professional Regulation to issue a temporary permit for licensure. The bill attempts to address a problem that we have where an Illinois nurse may be out of the State for a period of time and then move back into the State and have to go through a full licensing process. And this would allow the endorsement

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process to license, temporarily, that nurse.

PRESIDENT ROCK:

Discussion? Any discussion? Senator Raica.

SENATOR RAICA:

Just a question of the sponsor, Mr. President.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Raica.

SENATOR RAICA:

Senator Woodyard, is this just going to -- is this RNs, LPNs, both?

PRESIDENT ROCK:

Senator Woodyard.

SENATOR RAICA:

For the -- for the permit. I mean, will this allow an LPN - licensed practical nurse - and a registered nurse, or just -- or just the one, RNs?

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

Senator, I -- I guess I don't really know at this time. The intent was for the RNs, but I don't really know from the analysis whether it applies to an LPN or not.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall House Bill 2723 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2723, having received the required constitutional majority, is declared passed. Top of page 11. 2755. Senator Demuzio. Read the bill, please.

SECRETARY HAWKER:

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House Bill 2755.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill that pertains to cooperative educational programs, and it would set out certain standards for public participation at these cooperative educational program board meetings. It would allow the president of the teachers' union to attend daytime meetings of the board without any loss of pay. And if the cooperatives would agree, obviously, to have their meetings in the evening time, it would be not necessary to have this bill, but apparently that has not been the case. And therefore, I would ask for your support for 2755.

PRESIDENT ROCK:

Gentleman has moved passage of House Bill 2755. Discussion?
Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Just to say that this is an issue that ought to be at the bargaining table - has no business being passed by the General Assembly. This is an issue that clearly should be bargained and -- at the various locations, and I would -- would seek opposition to the bill.

PRESIDENT ROCK:

Further discussion? Any further discussion? Senator --
Senator Karpiel.

SENATOR KARPIEL:

Yes. Thank you, Mr. President. I, too, rise in opposition to House Bill 2755. This -- as everyone should know, this is an

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unfunded mandate, and if all the cooperatives take advantage of -- and they -- they send these -- these people go, it can run up to like ninety thousand, a hundred thousand dollars. So as -- just so that you know that you -- if vote for this, you're voting for another unfunded mandate on your school districts. I urge a No vote.

PRESIDENT ROCK:

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

SENATOR DEMUZIO:

Well, thank you, Mr. President. I obviously -- I rise in support of this measure. Let me suggest to you that the best way for the public to be deterred from attending these meetings is for them to be in the daytime, because those individuals who are interested can't be there during the daytime, unless they are compensated by the respective school boards that they are working for. If all of the boards would meet in the evening time, we would have no need for such legislation. And therefore, it seems to me, that if this is passed, this would, in fact, force all of the meetings to be held in the evening time when the public can participate. And therefore, I would ask for your support.

PRESIDENT ROCK:

Question is, shall House Bill 2755 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's 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 35 Ayes, 23 Nays, none voting Present. House Bill 2755, having received the required constitutional majority, is declared passed. Senator Carroll, on 2758. Senator Di Turi, for what purpose do you arise?

SENATOR DI TURI:

Point of personal privilege, Mr. President.

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PRESIDENT ROCK:

State your point, please.

SENATOR DI TURI:

Thank you, Mr. President and Members of the Senate. I would like to introduce Courtney to you. Hi, hon. Okay. Courtney is a drug-free baby born of -- drug free. Her mom was on cocaine and alcohol and they live at the Hay Market House. I visited them for the last two weeks, and this is a very important issue. I brought them down here -- they came to visit us because I want you to know this is important. Here's a baby that's got a chance - a baby that has a chance to be -- no drugs in this little girl. See up here? See your Republicans and your Democrats? No drugs for Courtney. She's a drug-free baby, and her -- Patricia's in the gallery. She was also on drug and alcohol abuse. She was living in a dumpster. You know where she's living now? She start -- she graduated high school through a diploma, and now she's working hard in Hay Market, helping people. So this is what it's all about. I know I'll have no sympathy here, because these kids are important. We won't cost the State money, because they're born drug free. I love these children, and I hope you love them as much as I do.

PRESIDENT ROCK:

Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

To respond to that too, because for a long time around here, the last three years, everybody was calling me Miss Cocaine Baby in my district, and -- and this is a result of the legislation that we fought so hard to get money into, so that these girls can be -- you know, early detection most certainly will prevent an extraordinary cost that we were paying for these babies after they were born, in hospitals. So if you -- if you're opposed to social service programs, you ought to look at them, because we can save

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the taxpayers money, because these are going to grow up to be healthy kids.

PRESIDENT ROCK:

2767 is on the Recall List, I'm informed. 2798. Senator Macdonald. Bottom of page 11. 2916. Senator Cullerton. Top of page 12. Senator Severns. 2949. Senator Luft. 2950. Senator Schaffer. Read the bill, Madam Secretary. 2950. Top of page 12.

SECRETARY HAWKER:

House Bill 2950.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and Members of the Senate, House Bill 2950 is the last of the bills that were presented on behalf of primarily the large urban downstate counties involving tax sales. In fact, the provisions of 2949 - that bill that Senator Luft is having so much fun with - has -- have been amended into this bill, and the bill, as amended, does several things. It clarifies that a private detective or agency may serve notices in compliance with the Revenue Act. That's "may" at the decision of the local sheriff. It amends the county to add special deputies which may also serve notices on these tax sales. And the reason we need these provisions, of course, is that no sheriff's department is staffed up to handle the tremendous volume they get in certain counties at tax sale time. We also have some language in here - at the request of the State's Attorney's Office of Peoria County and it's supported by the Municipal League - that allows the tax collectors to include some of the municipal liens against some of these delinquent properties so that the Treasurer's Office may, in fact, collect those -- sundry liens, which in most cases are too

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small to merit individual legal action. I don't think there's any opposition, and I'd be happy to answer any questions.

PRESIDENT ROCK:

Discussion? Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Could you please describe to me what Amendment No. 2 does, and who's for it and who's against it?

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

That amendment was tabled - taken out.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall House Bill 2950 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2950, having received the required constitutional majority, is declared passed. 2954. Senator Cullerton. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2954.

(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 would require the Department of Revenue to collect the Chicago and the Cook County use taxes on motor vehicles from automobile dealers in Cook County and the Collar Counties. We passed, last year, a bill that required the Department to do this for Chicago.

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It's working very well. The Cook County Board initiated a three-quarter-percent sales tax and use tax on these motor vehicles which begins September 1st. They do not have a Department of Revenue to collect this tax, so it's up to the State to do it. The amendment does not grant any additional taxing authority to Chicago or Cook County. Merely provides that the State shall collect the tax. And the result will be for a -- an efficient and uniform administration of existing taxing authority. I'd also point out there's a two-percent fee which will be retained by the Department, which would be for administrative expenses, and we expect that to be a total of four hundred and twenty thousand dollars. I would also add that this bill is supported by the Illinois New Car Dealers' Association. Be happy to answer any questions. And I would ask for an Aye vote.

PRESIDENT ROCK:

Gentleman has moved passage of House Bill 2954. Discussion?
Senator Karpel.

SENATOR KARPIEL:

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

PRESIDENT ROCK:

He indicates he'll yield, Senator Karpel.

SENATOR KARPIEL:

Senator, would you clear something up for me? Is it now the law that if you -- if you purchase -- if you're a Cook County resident and you purchase a automobile in another county, you have to pay the Cook County tax and that dealership has to collect your tax?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. The individual has to pay the tax if they purchase the vehicle outside of Cook County, and this bill would request that

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the State would do the collecting. The State would collect the use tax in the Collar Counties.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

When you say the State, now under this bill, are you now saying that dealers in other parts of the State of Illinois will have to be collecting the Cook County tax portion? And are you saying that that is now -- that is not now the law, but will be the law under this bill?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, I -- I thought I answered the question the first time. Maybe I am not understanding it. Right now -- first of all, we're talking about a new tax which begins in the -- in the county September 1st, and it's a three-quarter-cent sales tax. And what this bill contemplates is that since the individual is going to be liable for paying that tax, and if they bought it out in the Collar Counties, they would be liable. And what this bill says is the State shall collect that tax. And it all will be done when the purchase takes place. And it'll be easy to determine the -- the address or the residence of the purchaser, because you have to put that on the title, what county you're from. So I hope that answers the question.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Well, it doesn't exactly answer my question, because I realize this is a new tax or at least an increased tax. But at the present time Cook County has a higher sales tax than other counties, and I want to know, under the present law, how it is --

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how it is worked. How do -- how does the State collect the Cook County tax at the present time? Because it is -- now it is higher than other counties and this is going to make it higher yet. I understand that. But under the present law, how is it collected now?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, when you say how is "it" collected, that's where I'm having a problem. If you're talking about the City sales tax, for example, the County -- the City of Chicago has a sales tax. So if you buy a car in Schaumburg and you live in the City, the State, right now, is collecting that tax and sending it to the City. That's a use tax. And this would work the same way.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpel.

SENATOR KARPIEL:

I just don't understand, I guess, what the difference is between the present law and what is going on and what you're proposing in this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Luft.

SENATOR LUFT:

Thank you, Madam President. Maybe I can clarify what the bill is trying to do. There are two things that the amendment, which was added to the bill, are attempting to do. The Legislature two years ago, or a year ago, passed legislation that allowed the State of Illinois to collect for the City of Chicago a use tax. What this amendment does is permanentize <sic> the collection of the use tax, the law that is in existence today. The second part of it is -- is that the sales tax that was passed by the County of Cook - not a use tax, the sales tax at three-quarters percent -

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this bill allows the Department of Revenue to collect that tax, which is applied only in the County of Cook, and only on motor vehicles.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you. Will the speaker yield, please?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR BUTLER:

As I understand it then, any county could pass a similar tax and require the State to collect it across its borders. Are we not then setting up a whole new mechanism that puts the State in the middle of a special use tax collection process. What -- the thing I have trouble understanding is what business does the State have, or what responsibility does the State have? That law, that was referred to just now, dies this year or has died. So we're going to permanentize <sic> it. So...

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, to answer your question, Senator, it's a good question. First of all, Cook County is the only home rule county. So they would be the only one that would have the authority to increase or create a sales tax. But let me -- let me give you a good example of why the State ought to collect this tax. You used to be a mayor of a village, and the Cook County Collector collected the property taxes for all of the county and then they remitted it to your village. They remitted it to your library district, they remitted it to your fire protection district or your village. And it's obviously a more efficient way for the Cook County Collector to collect and distribute property tax exemptions to all local

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governments. To do otherwise would require both businesses and government to duplicate their efforts, and it would just antagonize consumers. Remember now, we're not voting on creating a new tax. The tax is in place. We're only talking about the most efficient way to collect the money, and of course that's why the -- the Illinois New Car Dealers Association is in favor of this.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Butler.

SENATOR BUTLER:

Well, I can appreciate it's more efficient. There's no question about that, because it puts the State in the -- in the position of being a tax collector. My objection to it is that a county now says it will reach into another county in order to collect the special use tax passed for its own benefit. And that's crazy. Why are we putting the State in the position of having to collect -- as a collector? It just doesn't make any sense to me.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Madam President and Ladies and Gentlemen of the Senate, if I may ask the sponsor some questions.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR TOPINKA:

First of all, besides just overlooking the fact that obviously the City of Chicago Department of Revenue can't get its act together to do it itself - which I find somewhat frustrating - is the Illinois Department of Revenue geared up to be able to do this on a continuing basis, and if so, are we getting any kind of payment for making this collection service? 'Cause even private

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sector collection services do get percentages from being able to do this type of job.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Very good question, and maybe you missed my explanation. Yes, the Department will receive a two-percent fee. This would bring in approximately four hundred and twenty thousand dollars for administrative purposes. We determined in the committee, by asking questions of the Department, that it would be extremely easy for them to collect this tax, because when you purchase a car, you have to have a title, and on the title you put down what county you're from. So it's easy to identify people from Cook County. Four hundred and twenty thousand dollars is a lot of money just to change a program. They said that they have been collecting the tax for the City of Chicago right now, and it's working very well. I asked them to give me some figures as to how much money they're collecting from the City of Chicago and how much it's cost them to collect it, and they haven't done so yet. But I assume that if it was a major problem, they would have been in here with a bill to change the -- their fees. So I really don't think that there's a problem with the -- the Department collecting this fee.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka.

SENATOR TOPINKA:

A question, if I may. Will the monies you are projecting to be collected for the State indeed enough to be able to administer the program, as per the Department of Revenue? And also, why does the Department continue to remain in opposition?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

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SENATOR CULLERTON:

Well, they didn't tell us how much it's going to cost them to collect this. We told them it's going to be four hundred and twenty thousand dollars, and we asked them -- that's a lot of people to hire; that's a lot of computer programming changes you can purchase with four hundred and twenty thousand dollars, and they didn't say -- they've never told me -- I wrote them a letter asking them how much they expected it to cost. They never responded. But I would suggest that four hundred and twenty thousand dollars -- I think the State will make money on this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. First of all, could we have a little order?

PRESIDING OFFICER: (SENATOR COLLINS)

Will the staff please take your conferences off of the Floor? This is a very important bill. The noise level is too high. I can't even hear up here. So will you please lower your voices? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Senator Cullerton, isn't it true that Chicago had agreed that they would take this tax off; they would sunset the tax June 30th, 1993, as far as the Collar Counties were concerned, and that they would no longer require, after June 30th, 1993, that they would be forced to collect this tax? Wasn't that the agreement, and isn't this bill renegeing on that agreement?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Absolutely not. That provision was put in Senate Bill 45.

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You may recall Senate Bill 45, which was a major piece of legislation last year where we cut the cost of State government dramatically. That was included in that bill. I would suggest a more likely scenario was that the City asked for it to be permanent, and the Department of Revenue said, "Well, let's -- we'll only allow you to do it for two years," as part of a political compromise. But the fact is that this is going to extend it as it should be. The State should be the one to collect this tax, not the City of Chicago.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Now what you are doing -- in the first place, it was an agreement. It was an agreement. It was a compromise, but it was an agreement. Now -- now, you are not only taking the -- reneging on the agreement; the second thing you are doing is you are adding to it. You are saying to the Collar Counties that they must collect not only the Chicago tax if somebody happens to -- for instance, in Hinsdale, where we have both Cook County and DuPage, if somebody who happens to live on the wrong side of the street comes across and buys a car in his own town, that dealer may indeed have to collect an additional tax for the County of Cook. Isn't that true?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

A use tax was passed in Cook County, which right now requires the automobile dealer to collect that tax, if the person lives in Cook County. If they live in Cook County and they go to DuPage County, whether we pass this bill or not, they have an obligation -- the used car and new car dealer has an obligation -- to collect that tax and send it to the county. That's the law. What this

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bill says is, the State, instead of the automobile dealer, ought to collect the tax and send it to Cook County. That's what it does. Now if you're opposed philosophically to the concept of use taxes, then so be it. But they have the authority to do it; they passed it, and it's the law. With regard to renegeing on the deal, I would -- I would object to your characterization that this is a renegeing on any -- on any deal. It's -- that provision where the City was going to have the State collect its use tax was put in for two years, for whatever reason, at the request of the Department of Revenue. They're collecting it. They're being paid for it, and it doesn't pose a problem for them.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Is this a reciprocal deal? Does Joliet, for instance, who has a use tax -- if someone from Joliet goes into Cook County, will -- does Cook County then collect Joliet's tax?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, Cook County is the only county that has the authority to do it. If you're talking about municipalities, like Chicago, that have a use tax, it's not included in this bill. And I'd be happy to support it if you want to offer it on another bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question -- couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

Hold up. Senator Fawell wants...

SENATOR FAWELL:

Well, to the bill: First of all, this was a deal that was

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worked out that this tax would come off our -- the Collar Counties in -- June 30th, 1993. That was the agreement. Now we are expanding the tax so that all the Collar Counties must be required to collect this tax if they have their dealership inside the County of Cook -- I mean, inside the Collar Counties, for the County of Cook and for the City of Chicago, forever and a day. It is not reciprocal. I even question whether this bill is constitutional. One of the reasons the deal was worked out is because Celozzi-Ettleson, which is my district, did not want to take it up to the Supreme Court because your guys were saying that, in effect, they were going to go back for twenty years and look at their books. So the deal was the tax would be taken off in three years. That was the deal. Now you have reneged on the deal. Where does it stop? Is the next thing going to be when somebody comes into my county in Oakbrook from Berkley and wants to buy a refrigerator? That's a use tax, in effect. They use the refrigerator in Cook County. Where does it stop? I don't think this is constitutional. I think this is a bad idea. I think we ought to defeat this bill and stop this nonsense once and for all, before it completely gets out of hand.

PRESIDING OFFICER: (SENATOR COLLINS)

Yes. If -- Senator Davidson.

SENATOR DAVIDSON:

Couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR DAVIDSON:

Senator Cullerton, is this sales tax imposed by the County over and above what Cook -- excuse me, what the City of Chicago is now collecting, or does that apply both for the City and the County?

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Cullerton.

SENATOR CULLERTON:

Senator, I'm sorry. I did not -- I'd have to ask you to repeat that.

SENATOR DAVIDSON:

Is the three-quarter-cent use tax that Cook County's now imposing, is this over and above the sales tax or use tax the City of Chicago has already in place?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

SENATOR DAVIDSON:

So other words, if you live in the City of Chicago, which is part of the Cook County, you're going to now pay one and a half additional cent sales tax?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

By action of the County Board, not by action of this bill. You understand, this bill doesn't raise any taxes.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Davidson.

SENATOR CULLERTON:

But, yes.

SENATOR DAVIDSON:

I understand it doesn't -- this doesn't raise tax. I understand the County Board did it, but I just wanted to make clear that all you people who live in the City of Chicago -- because you are part of the Cook County, whether you want to agree or not, are now going to paying one and a half percent additional sales tax. Second question is -- I should say two other

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questions. First, my understanding under the present forms that Revenue and the software they use, the county's not identified. Does that mean now the Department of Revenue is going to have to reprint all their forms and reprogram all their software if this would become law?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, we asked them about that, and we said, "How much is this going to cost you?" And they said, "Well, we're going to have to reprogram our computers." And we said, "Okay. How much is it going to cost?" And they said, "Well, we're not sure." And we said, "Well, we're going to give you four hundred and twenty thousand dollars to do it." And they said, "Really? That much?" And we said, "Yeah." So we expect, as I said to Senator Topinka, the State might actually make money on this bill. It is not going to cost them that much to reprogram their computers.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Davidson.

SENATOR DAVIDSON:

Well, I'm also aware -- and Joliet was a poor town to use, 'cause they charge a vehicle registration tax - not a sales tax, but it equals out to about the same. But there are three other -- I mean, excuse me, five other home rule counties -- excuse me, cities that now have a home rule city use tax, and they collect it and doing very well. And that happens to be all of them Downstate, one of them which happens to be Springfield. Frankly, Ladies and Gentlemen, if the City of Chicago imposes a tax, Cook County imposes a tax, that's within their prerogative. But one catcher that hasn't been explained - if this would become law, the Cook County Sales Tax, or at least the State collecting it, couldn't be effective until September 1993, because the ordinance

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as it was adopted by the County doesn't call for the State to -- to collect it. And it's past the deadline for the filing of doing that. So the County would have to change their ordinance and so, actually, the State wouldn't collect it for a year and three months if this became law. I think this is terrible idea. And I urge all of you to consider this, particularly those of you who are from Downstate. You're asking the State to do something that if the County wants to impose it, let them do the collecting, just like the Downstate home rule units and the cities are doing now. This is a good No vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Watson.

SENATOR WATSON:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR WATSON:

What, under current law, happens if a resident of Chicago comes to Bond County and buys a car? What happens under current law?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Senator, the individual who purchases that automobile down in your county has an obligation to notify the City of Chicago that he purchased a car outside of the Collar County. And they have to be -- the City has the obligation of collecting it.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

I guess, the City - you mean that to be Chicago, I guess, obviously. Now what happens under your proposal? Same scenario.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

No change whatsoever. This only applies to the Collar Counties.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

Well, are we going to see then next year future legislation that'll just domino this all the way Downstate, because I can see now where the Collar County people are going -- are going to want to say, "Well, if we're going to provide this protection -- this legislation to us, shouldn't it then be applied to the counties that surround us?" That's a question.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

No, I don't believe so, Senator. You know, the City of Chicago, for example, is not asking that this thing be extended beyond those counties. As a practical matter, in terms of the volume, somebody who lives in the City of Chicago or the County of Cook, if they want to buy a car, they'll look for -- in the general area around the counties -- around the Collar Counties to purchase the vehicle. There might be some exceptions. Somebody might come down to your neck of the woods to get a good deal and drive down to your -- Bond County and then drive back up. But they still have an obligation of paying the tax, but it's not necessary for us to put in the legislation the obligation of the State to collect the tax down there.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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Thank you, Madam President. I got up this morning and I read the Chicago Tribune, and on page three it says, "Edgar gives up on plan for taxes." But you know what? The General Assembly is not giving up on it. This is, in fact, the largest tax increase - two hundred and seventy-two million dollars - imposed upon the County of Cook. And we are, in fact, going to be part and parcel if we pass this bill. You know, if you hand an assassin, who has an unloaded gun, a bullet and he killed somebody with it, you're as guilty as that assassin. This bill is the bullet for Cook County. You can sit up here all day long and talk about, "Oh, this doesn't increase the tax." Well, I'll tell you one thing - it delivers the bullet. And I am really, really concerned with some of the comments, because some of the major points are being soft-pedaled and overlooked. Senator Cullerton, the Department of Revenue is opposed to this bill. Don't give me that, "Well, they didn't say this; they didn't say that." They are opposed. In the meantime, while we're doing our budget work, we are laying off auditors and collectors who would collect it, and now we're going to put on some new ones, or at least take some of the ones who are collecting that four hundred million dollars, to go ahead and do the footwork for the County of Cook. And you know, I get a little tired of hearing, "Well, they can't do it themselves," ta-da, ta-da, ta-da. Well let me point out to you - the Town of Bloomington does it. Much smaller than Cook. The Town of Granite City does it themselves. Much smaller than the County of Cook. The Town of Mt. Vernon does it. Much smaller than the County of Cook. The Town of Normal does it. Much smaller than the County of Cook. The Town of Springfield does it. Much smaller than the County of Cook. The Town of Joliet does it, Senator Dunn. Much smaller than the County of Cook. You know, I'll tell you something. This bill - this bill - is, in fact, a tax increase. Because without it, you won't collect the tax. And I want to tell

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you, for somebody who lives on -- in a district that borders Indiana on the east and Will County on the south, not only is this a tax increase - it's a drain on our business. I would like some of you to drive down Steger Road, which one side of the road is Cook County, and the other one is Will County. You will see along there liquor stores with names like "No Cook County Tax Liquor Store." And I can remember, I told Bill McHenry, when he built this Gas City gas station that looked like the Alamo, because it was out there all by itself on the corner of Steger Road and 394, I said, "McHenry finally made a dumb move." That Gas City gas station - now a Shell - was the busiest Gas City gas station in the entire chain. So not only are you imposing a tax -- tax, but you're disintermediating <sic> our total economy in the South Suburban area, and I cannot fathom anyone wanting to support this kind of action, particularly in the kind of climate that exists today, plus the fact that we have refused, on our own behalf - on our own behalf - to look at tax increases that are far less than this. In fact, they're infinitesimal compared to what this tax increase is. I urge the defeat of House Bill 2954.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Madam President. I would like to have your attention just -- and I'll try to be brief, Senator Sam. But I've listened to so much junk for the last few minutes that I really can't believe it, and I would like to think that somewhere along the line common sense prevails in this Body. And let me give you the points of common sense. If Senator DeAngelis was correct - that this is an income tax increase - then everybody that was here three years ago that voted for the Sales Tax Reform Act voted to collect six billion dollars and impose six billion dollars' worth of taxes on the people we serve, because that bill mandated that

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we collect the tax for every local unit of government in the State of Illinois. Not only our percentage, but every municipality's percentage and every county's one-quarter percent. You voted on it. I think it was 56 to nothing. Now we just imposed six to seven billion dollars' worth of taxes. What a philosophy that is. That doesn't even make sense. What does a collection process have to do with the imposition of a tax? Absolutely nothing. We collect TIFs from local units of government; we do that for them. We collect motor fuel tax for local units of government. Are you kidding me? We collect almost every State tax there is. And then someone alluded to the municipalities. You know why they can do it? They have departments of revenue. The County of Cook does not have a department of revenue. And this is not going to stop this tax from being collected. What the -- Cook County would probably have to do is simply create a department of revenue. My guess is if the Department of Revenue of this State would have provided us with the figures that they're making - what they're making, the two percent for collecting this - it's an asset to us; it's a profit to us; and it's a benefit to those people and those taxpayers in the State <sic> of Cook. Now, Senator Butler was worried about going into other counties. Are you kidding me? We go into other states. We go into other countries to collect sales tax from the State of Illinois. The Supreme Court just ruled that we can go after catalogue sales. There's nothing new about this. There's nothing sinister about this at all. My suggestion is that we pass this. No one's going back on any deals. We collect everybody's tax in the State of Illinois - everybody's. So why deny this when in the bottom line, it's a profit maker for the State of Illinois?

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Cullerton, to close. Senator DeAngelis, for a second time.

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SENATOR DeANGELIS:

Personal privilege, Madam President. My named was mentioned in debate. Senator Luft, I participated in that committee. What that committee did is it made sure that all taxes were uniform. If they were not uniform, we weren't going to collect them. This is why we have to pass this bill. This is not part of the uniform tax situation. Those taxes were already in existence. This is a new tax. This is a new tax. And let's make that distinction.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton, to close. Senator Luft, for a second time.

SENATOR LUFT:

I really apologize to the Membership. We collect a new tax every time a sales tax in a TIF district is imposed. It has nothing to do with the imposition of taxes. There is no argument to make for it. It is a tax that every local unit of government, when they create a TIF, is a new tax and we collect it. So that argument doesn't fly.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton, to close, please.

SENATOR CULLERTON:

I'd ask for an Aye vote, please.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 2954 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. On that question, there are 54 <sic> (34) Ayes, 24 Nays, none voting Present. Having received the required constitutional majority, House Bill 2954 is declared passed. House Bill 2987. Senator Cullerton. Read the bill, Mr. Secretary.

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END OF TAPE

TAPE 2

ACTING SECRETARY: (MR. HARRY)

House Bill 2987.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. This bill -- thank you, Madam President and Members of the Senate. This bill was debated yesterday. I took it out of the record. This is a bill which is, I believe, on the Governor's desk, except for one provision, which is Amendment No. 1, which is on this bill. So the only purpose of passing this bill would be to pass Amendment No. 1. What the bill dealt with, briefly, was, in effect, to take advantage of a federal tax policy which would allow companies to take out life insurance policies on their employees, then borrow money from -- on that policy, and then use that money to provide health benefits after people retired. The federal law allows for them to take a deduction on the interest that they pay on the loan. And that's why they want to do it. What the amendment does is deal with the issue of the consent. The employees have a right to be informed as to whether or not they want to have a life insurance policy taken out on their life. And the question was, how should we give them that notice. So rather than requiring consent by the insured to be provided in writing, it would require the employer to provide written notice of the coverage, then the insured has the -- thirty days from receipt of notice to reject the coverage. This is not a typical

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situation where you're -- you're looking for a consumer point of view, providing them with their rights, because, as a practical matter, the way I understand it, every employee would want to have this life insurance taken out on their life. They're not going to be paying the premiums. They're just going to be benefiting from the money when they retire, for their health benefits. So for that reason, I don't think this amendment is unreasonable, and I'd be happy to answer any questions, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HAWKINSON:

Senator, when I got up on this yesterday, my concern was that the notice be given in such a way that the employee actually learn of it, and that it not be part of some big employee handbook or a big package that explains the employee benefit package and therefore probably would never see the notice and have a chance to reject it. The proponents of the amendment came to my office and indicated that they were working on language to further define the notice. And I guess my question is, is it your intention to take this to conference committee so that that kind of clarification of how the notice would be sent would be incorporated in the final bill?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I was unaware that they were working on that language. So yes, we'll pass the bill. I'll ask the House sponsor to nonconcur. We'll go to a conference and then we can address your

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concerns. So I'd ask for an Aye vote.

PRESIDENT ROCK:

Question is, shall House Bill 2987 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2987, having received the required constitutional majority, is declared passed. Senator Schaffer, for what purpose do you arise, sir?

SENATOR SCHAFFER:

Mr. President, on a point of privilege. We have with us today in the gallery, checking up on her husband, Sue Watson and her parents, Everett and Lucille Rasler, from Greenville. He's here. He's been here most of the week. He's been doing his job.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome, again. Senator Collins, on 2994. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2994.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. This is basically a shell bill. We are trying to get it into a conference to put on the public works program that we've been working with for the past several months. I would be happy to answer any questions. If not, I would just ask for a favorable roll call.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 2994 pass. Those in favor, vote Aye.

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Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2994, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR GEO-KARIS:

In the President's Gallery is a very charming lady by the name of Penny Link - L-I-N-K, and her son, Jaimie - J-A-I-M-I-E - my constituents from Antioch who are here to witness our doings. And we're delighted to have them here. Would you stand up, please.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Joyce on 3029. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3029.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Joyce.

SENATOR JOYCE:

Thank you, Mr. President and Members of the Senate. What this is doing is just changing the Local Hazardous Waste Collection Program Act that was voted in in 1991. It's just making some -- kind of firming up this program. It's been changed to the Household Hazardous Waste Collection Program. And it -- the changes are minimal. They also require a report to the Governor

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and the General Assembly by 1995 as to how this program is coming along. The program is now -- IEPA is now doing this on not regular intervals, but they have been doing this program once in awhile and finding it's working very good. It's mainly your paints, your solvents, things that we do not want going into landfills. And with this program being firmed up a little, I think it will make it much easier to site landfills if these things are not going into them.

PRESIDENT ROCK:

Discussion? Any discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support of this bill. We discussed it in committee. It is a good bill. It came out on the Agreed Bill List. And I recommend its passage.

PRESIDENT ROCK:

Question is, shall House Bill 3029 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. House Bill 3029, having received the required constitutional majority, is declared passed. 3070. Senator Watson. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3070.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This is the legislation that we debated the other day dealing with the regional superintendents of school. We took out the language that Senator Schaffer had

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some objections to. Now the bill contains language that it would allow the regional superintendents to access to grants and other programs offered by the State Board of Education. The reason for that is in many cases, a regional superintendent will represent several school districts, this -- and they will be able to go together on their early childhood program, or drug program. It could actually save money to allow the regional superintendent to submit the grant. Second provision would allow the regional superintendent to seek reimbursement from the State Board for criminal background checks for -- incurred by the regional superintendent's office. Substitute teachers, again, who may substitute in -- in several different school districts - this would allow just one test to be done -- done to the regional superintendent's office. And again, it could be a cost-saving provision. I'll be glad to answer any questions, otherwise appreciate your support.

PRESIDENT ROCK:

Senator Watson has moved passage of House Bill 3070. Is there any discussion? If not, the question is, shall House Bill 3070 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3070, having received the required constitutional majority, is declared passed. 3105. Senator Thomas Dunn. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3105.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Dunn.

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SENATOR T. DUNN:

Thank you, Mr. President. This bill simply permits townships outside of Cook and DuPage to access Lake Michigan and the Mississippi River to become members, and will enable them, in unincorporated areas, to have adequate water supplies. I know of no opposition to this bill.

PRESIDENT ROCK:

Senator Dunn has moved passage of House Bill 3105. Is there any discussion? If not, the question is, shall House Bill 3105 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3105, having received the required constitutional majority, is declared passed. Senator Maitland. 3135. 3139. Senator Cullerton. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3139.

(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. The bill now has three provisions. Provides that a person would be found guilty of aggravated driving under the influence if the person who was driving under the influence was "a proximate" cause of a serious motor vehicle accident, as opposed to "the proximate" cause. It's really just a minor change. We also say that the number of associate judges in the 10th Circuit, which is down in the Peoria area, shall remain the same as it is now, which is eleven. And we also put an amendment on at the suggestion -- if

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fact, it was Senator Keats' amendment, which deals with the fact that in Cook County there would otherwise be a loss of one associate judge because of the loss in population. This amendment says that that judge shall be a full circuit -- a full sub-circuit judge. So it's an agreed amendment and agreed bill. I'd ask for an Aye vote.

PRESIDENT ROCK:

Senator Cullerton has moved passage of House Bill 3139. Discussion? If not, the question is, shall House Bill 3139 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3139, having received the required constitutional majority, is declared passed. 3149. Senator Savickas. 3160. Senator Rea. 3175. Senator Topinka. 3185. Senator Dart. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3185.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Dart.

SENATOR DART:

Thank you, Mr. President, Members of the Senate. House Bill 3185 expands the scope of the rape shield Statute to all prosecutions involved in illegal sex acts. When the bill was originally formed years ago, this was an oversight. This attempts to clarify that. There's no known opposition. This passed out of the House 115 to nothing. It was on the Agreed Bill List here, and I'd solicit your support.

PRESIDENT ROCK:

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Discussion? Is there any discussion? If not, the question is, shall House Bill -- I'm sorry. Senator Philip, on this bill? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I had my circuit clerk from DuPage County call and say the Circuit Clerks' Association's against this bill.

PRESIDENT ROCK:

Senator Dart.

SENATOR DART:

I have received no notice of any opposition whatsoever. This apparently is just a clarification of the law, and I have received no notice of opposition.

PRESIDENT ROCK:

All right. Question is, shall House Bill -- I'm sorry. Senator Philip, do you wish to -- Senator Philip.

SENATOR PHILIP:

And if I remember correctly, he called me three or four days ago. Maybe you have worked that out. But he was pretty insistent on it, and it evidently was an argument in regards to collection; that -- that the way they do it now, they get their money first. The way you want to change it, they have to chase people to get their money. That's how he explained it to me.

PRESIDENT ROCK:

Senator Dart.

SENATOR DART:

Senator Philip, you're correct. That was Amendment No. 1 which I tabled yesterday. There was some opposition on that, and I tabled that.

PRESIDENT ROCK:

Further discussion? Senator Fawell. All right. Question is, shall House Bill 3185 pass. Those in favor, vote Aye. Opposed,

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vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 3185, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, KMOX Television has requested permission to shoot some videotape so all of us can be seen in St. Louis. Sam, are you ready? Without objection, leave is granted.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs, what purpose -- for recognition?

SENATOR JACOB:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

State your point.

SENATOR JACOBS:

I'd like to introduce in the audience two good friends of mine, in the President's Gallery, Daryll Foskl Yeargle, and the other is my bride of thirty-seven years, my wife, Mary Ellen.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let's give them a warm welcome. Please stand and be recognized. And welcome, once again, to Springfield. House Bill 3188. Senator Jones. House Bill 3201. Senator Palmer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3201.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President and Members of the Senate. House Bill 3201 would transfer and change the appointive power for the

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Community Development Finance Corporation from the Governor to the Chairperson of the CDFC Board, the Treasurer, so that this economic development tool can be put into action. In 1983 the Community Development Finance Corporation Act was passed, and to date no appointments have been made to that Board. The CDC is an extremely important economic tool that we are not using, particularly as its purpose is to provide capital to community development corporations, and these projects must be in distressed areas with high rates of unemployment. CDCs have had a significant role in economic development across the United States, particularly in Illinois. They allow local decision making for economic development priorities. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Gentleman from Cook, Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I just merely wish to rise and advise the Members that the Governor's Office still wishes to retain the right to make these appointments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Lady from Cook, Senator Palmer, to close.

SENATOR PALMER:

Thank you. I'd just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 3201 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 31 Ayes, 25 Noes, none recorded as Present. And House Bill 3201, having received the constitutional majority, is hereby declared passed. House Bill 3221. Senator Leverenz. House Bill 3227. Senator Rea. House Bill 3227. Senator Rea. House Bill 3261. Senator Macdonald. Read the bill,

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Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3261.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This is a very important initiative of the Citizens' Council on Women, and it does the following things: It requires at least thirty days' notice on petitions to change custody in dissolution cases; it creates a Domestic Violence Training and Curricula Task Force within the Police Training Board; it allows the court, upon good cause, to prevent mediation or conciliation without the presence of their attorneys; and it allows domestic abuse violent -- or domestic abuse advocates to sit at the counsel table and confer in domestic violence cases. I urge your support of this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall House Bill 3261 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 3261, having received the constitutional majority, is hereby declared passed. House Bill 3281. Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3281.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Gentleman from Whiteside, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is a bill introduced by the Department of Insurance, which makes a number of changes to the Insurance Code. The original bill amended the Health Maintenance Organization Act to apply the Insurance Code to the provisions requiring filing of policy forms and corresponding fees. And the amendment that was adopted yesterday, in effect, reinstates Senate Bill 1909, which I think was sponsored by Senator Madigan and passed out of here on a unanimous vote, and made some other housekeeping changes requested by the Department of Insurance. I know of no opposition. Be happy to try to answer any questions that any Member might have.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall House Bill 3281 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. And House Bill 3281, having received the constitutional majority, is hereby declared passed. House Bill 3282. Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3282.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3282 deals with the eligibility for the Comprehensive Health Insurance Plan. An issue came up recently

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where people who had received some type of a court award as a settlement or a judgment from an accident or injury which award included monies for payments of health care need -- instead of that, the trustees of those funds were placing these people into the Comprehensive Health Insurance Program, thereby costing the taxpayers of the State of Illinois monies to fund their medical needs that have already been provided for by judgment. Basically what we've done by this bill is to track the language in the Workmen's Compensation Act and other similar laws that says that if you've gotten a judgment for that purpose, then the monies should be used for that purpose, and they would not be eligible for CHIP in those instances. I would be willing to answer questions, and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Thank you very much. For legislative intent, you are not talking about monies that have been given to any individual for living expenses, per se, but rather for hospital expenses and that type of thing. Is that right?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

For purposes of legislative intent, Senator Fawell, as we had spoken about before, it is the intent of this to deal with where the judgment was for the medical care, not for other living expenses. Other living expenses they should still be getting, and that should not have anything to do with their eligibility under CHIP.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Carroll, to close.

SENATOR CARROLL:

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I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 3282 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 3282, having received the constitutional majority, is hereby declared passed. Please turn to page 14. Page 14 appears House Bill 3315. Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3315.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 3315 amends the Juvenile Court Act to allow court appointed special advocates, called CASAs, to operate in conjunction with the court to determine what is in the best interest of minors in juvenile court cases. It provides additional authorization for judges to assign citizen volunteers as guardian ad litem in certain cases. These CASA programs, which are currently in Winnebago County, have resulted in the closure of cases involving a hundred and fourteen abused and neglected children. By facilitating the provision of services to these abused and neglected children and to their dysfunctional families, case resolution is expedited and State dollars are saved. This comes from the Illinois Action for Children and from the CASA organization. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Any discussion? The question is, shall House Bill 3315 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 3315, having received the constitutional majority, is hereby declared passed. House Bill 3325. Senator Brookins. Out of the record. 3374 is on Recall. House Bill 3385. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3385.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill does two things to the School Code: first, it allows for a referendum to be held where school board members must run for election from subdistricts -- that they could, by referendum, be -- choose to run at large. The second portion of it requires that petitions for consolidation can only be filed within two years, unless the basis of the petition is substantially different from the one that had previously been turned down, or the school finds itself on a financial watch list. Be glad to respond to questions. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 3385 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. And House Bill 3385, having received the constitutional majority, is hereby declared passed. House Bill

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3394. Senator Cullerton. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3394.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The bill makes a nonsubstantive change in the Medicaid Assessment Program. It's meant to be -- to go into a conference committee for possible use as a vehicle for a Medicaid assessment bill. So I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

Senator -- Senator Cullerton, one of the groups came to me and said that there was a bill on the Floor that, in effect, really was the Universal Health Care. Is this it, or is this another one?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Absolutely not this bill. I will not allow this bill to be used for that purpose.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

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Thank you, Mr. President. I just want to verify what the sponsor said. I went on as a hyphenated sponsor of this bill. It will not be used for the purpose that Senator Fawell is concerned about.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Topinka.

SENATOR TOPINKA:

Yes. If I may ask a question, and that is, if it's not going to be used for Universal Health Care, which is fine, would you have any other use for it other than assessments?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, I don't know of any bill right now that it could be used for. But if it's not used for an assessment and it's on the Calendar, and if somebody wants to use it for some purpose, I'd certainly check with Senator DeAngelis, who is my co-sponsor, and wouldn't -- wouldn't approve it unless he approved it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Just ask -- be happy to ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 3394 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 51 Ayes, 2 Nays, 3 recorded as Present. And House Bill 3394, having received the constitutional majority, is hereby declared passed. We have -- WAND requests permission to shoot video shots of the Chamber - hearing no objections, permission is granted. With that, we have some special guests that have joined us here this afternoon. I'd like to recognize

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Senator Penny Severns and -- to have her introduce the special group that has joined us. Thank you.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I know on this busy day we won't take very long, but it's my honor to welcome to the Senate today the Decatur MacArthur High School Track Team, and to congratulate them on winning the Class AA State Track Title. This is the first Downstate team that has won such a title, and in fact, one of the individuals that helped lead the way, Marcus Phillips, is gone today because he's out looking at various different universities before he makes the decision of which university he's going to choose. I would like to ask Coach Harbeck to come forward to introduce the team members who have joined us in the Senate today.

COACH HARBECK:

(Remarks by Coach Harbeck)

SENATOR SEVERNS:

Coach, and team, we don't always vote things unanimously out of this Senate, but I would hope that the -- Secretary Harry would read the resolution that we would like to present you today.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 1352 offered by Senator Severns.

(Secretary reads SR No. 1352)

SENATOR SEVERNS:

Thank you very much, Coach and team, for joining us, and I would like the Senate to join me in welcoming the track team -- to join us today.

COACH HARBECK:

(Remarks by Coach Harbeck)

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Ladies and Gentlemen, would you please turn to page 14, middle of the page, appears House Bill 3395. Senator Hall. Read the

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bill, Mr. Secretary. 3395. Out of the record. Are you ready, Kenny? 3410. Senator Philip. Senator Philip, 3410? Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3410.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from DuPage, Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm sorry. I was distracted by -- by some of the people in the back row. Anyway, House Bill 3410, as amended, would amend the Illinois Consumer Fraud Act and include automobile dealers. What it's designed to do is encourage reasonable settlements. It allows a dealer defending a suit to make a reasonable offer of settlement any time within thirty days before the trial. Senator Hawkinson's amendment, I believe, has satisfied the Trial Lawyers. The automobile dealers have agreed to it. I'll be happy to ask <sic> any questions, and I ask your favorable consideration.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 3410 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 3410, having received the constitutional majority, is hereby declared passed. House Bill 3418. Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3418.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As amended, House Bill 3418 does three things, each of them, I believe, noncontroversial. The original bill was introduced at the -- at the request of -- of the County Treasurers. What it would do would be -- in those instances where the amount of taxes to be distributed is less than five dollars in a month's time, it could carry -- it would make it possible for the treasurer to carry that over to the next month before making payment. The second part of the bill comes from the Department of Revenue and has to do with the way in which they determine the sales ratios. Specifically, in this instance, what it does would be to enable the Department to -- not to count special rates of interest. The last part has to do with the -- with delinquent taxes. In those instances where they do not exceed more than a hundred and fifty dollars, then that -- those taxes can be carried over to the next spring with the addition of any penalties and interest that might be involved. I would be happy to respond to any questions. If there are none, then I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 3418 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 3418, having received the constitutional majority, is hereby declared passed. House Bill 3437. Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3437.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Macoupin, Senator Demuzio, what purpose seek recognition?

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 3437 reduces the level of State deposits' collateral from lending institutions...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me, Aldo. Would you please give the Gentleman your attention, please? Please proceed.

SENATOR DeANGELIS:

House Bill 3437 permits a bank which receives State deposits to provide deposit collateral from banks that have assets of ten million dollars or more. Currently the level is thirty million. As amended, it adds a provision in here which prohibits the State Treasurer from depositing any amount above a million dollars in a farm credit system bank. And let me point out to you where that came from. On April 4th, the Illinois Community Bankers wrote a letter to the State Treasurer asking several questions. The questions were regarding lending policies of these monies which were derived from bonds purchased by the State Treasurer; secondly, the rate structure; and three, the capital structure of these farm credit system banks. To this date, they have never received a reply. The twelve farm credit banks have required over four billion dollars in bailout funds. Of the twelve, four risk insolvency - in fact, they're included in the -- President Bush's budget. And frankly, I do not see any purpose served by this function, because we have already, in the rural banks in Illinois, adequate capital to make those loans, because those are the very same banks that have to make those loans and guarantee those loans. And I don't believe that it is the public policy - or ought to be the public policy of the State of Illinois - to go and

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purchase from out of State, bonds to be used for predatory pricing practices against Illinois banks which already - already - are in need of that business. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I rise in strong opposition to this bill, and let me point out some inconsistencies, I might add, in the previous speaker's comments. First of all, this bill is going to restrict the State Treasurer's ability to invest in bonds that were issued by the farm credit system, and I will tell you, if you're in Downstate, I assume that you have been receiving a number of telephone calls from your farmers who are currently involved in the loan program with the State Treasurer. I think there are over a thousand of such individuals that are currently involved in this process. And quite frankly, what would we do to these individuals if this program is curtailed? Let me also indicate -- Senator DeAngelis indicates that somehow or other we are taking our State money out of Illinois and we are depositing that or we are doing business in another State. Well, that's where the farm credit regional offices are. We're not depositing any money out of State. We are simply buying their bonds, and therefore that money flows back into the counties in which the loans are, indeed, made. Why do we want to do away with the loans to these farmers who can't get loans otherwise through rural communities, rural banks, who won't make the loans, when these farmers are increasingly facing the elements of their livelihood? And that is, if it doesn't rain and we have a drought - we have all kinds of things that go into a farmer's difficulty. Why would we want to somehow or other take away the ability of that individual to get a better rate, to get a better deal, and do it through the link deposit program of the State Treasurer? I mean, why would we want to -- to limit those?

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It seems to me that this program is working. I know that this is a quarrel between the Treasurer's Office and the banks. It ought not to be so. But it -- in fact, it is. It is here before us, and I would rise in strong opposition. I understand the Illinois Farm Bureau is now in opposition to this particular piece of legislation, and I would ask all of those individuals who believe that farmers ought to get a break - do not support this legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from Champaign, Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. Speaking to the bill: I think that the State of Illinois has an overconcentration invested in this program. In talking with people from my area and throughout the State, I think the need probably is somewhere in the vicinity of twenty million dollars. We've had as much as a hundred million dollars invested. So in essence, I think we're subsidizing farmers in Minnesota, Iowa, Missouri, other states. I would -- I would hope that we would pass this bill, get it in a conference committee, and find out really what our needs are in the rural community throughout Illinois, and set some limits that more accurately reflect what the needs of Illinois farmers are. As I say, we've tried to get information. They haven't been very cooperative. So I would suggest that we pass this bill, get it in a conference committee, and up the limits to more clearly reflect that which our Illinois farmers need, and invest that type of money in -- in this institution. There are -- there are many banks throughout the State that are supplying the needs of their local community. I don't think we want to put them out of business. But there's a realistic level that we should probably support. So I would suggest that we have too heavy a

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concentration of Illinois dollars in this fund, and it should go to conference and work out the -- a limit which is reasonable for the people - for the farming community - of the State of Illinois.
PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I think the previous speaker really said it all pretty well, and I think that possibility still exists. It's like anything around here. Until June 30th comes around, there's always room for compromise. As an example, I was -- I was a little bit surprised, because I had not heard anything to this point either from my farmers and/or from the Farm Bureau. And whenever Senator Demuzio now says the Farm Bureau opposes it, I was a little bit surprised with that. You know, but -- but again, I think we're talking about even playing fields. We've talked about that so many times. With the -- the federal farm credit system, there's talk they can give lower interest rates to the farmers. Well, if we -- if we allow that theory to operate always, then we should not subsidize them. But this is a subsidized organization. We subsidize them federally. They don't pay any taxes, and we have local banks that do both of those. And I think we should do the business with those local banks. Let me just close with one thing, 'cause this is in the Treasurer's own handout, which I think is something that -- that makes a little bit of sense. The loans to farmers and the guidelines under which the two competitive entities - banks and farm credit system - operates are identical. There are no competitive advantage to either side. Well, if there's no -- no competitive advantage to either side, then let's give it to the banks that pay taxes. And that's exactly the way the system breaks down, as I see it. I stand in

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strong support of this legislation, and just to make a commitment that as a co-sponsor of the amendment, I'd certainly be willing to look at any compromise at any time, and I'm sure that the sponsor would too. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McLean, Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I don't know - I guess we need to have, first of all, a mini-education program on what really the farm credit system is. Farm credit system is owned by the farmers of this nation. They buy stock in the company, and that's what sustains the operation. There were some problems back in the mid-eighties, early eighties, as there have been with the S&Ls and others, and there was a federal bailout. But the fact of the matter is, the farm credit system is providing funds for farmers - not farmers who are going down the tube - but farmers who have the ability -- the ability to cash flow their operation. And this system is more heavily used in the areas of this State, and other states, where banks simply can no longer loan the money needed to sustain the cash flow operation of a farm for a given year. This company is owned by farmers. This system has just as much right to this money as the banks do. And I, for the life of me, cannot understand why the Independent Community Bankers have taken this stand. They are tied to the same guideline by a law that we passed in this Body. They can charge no more than three percent above the amount of interest that that money is bearing. Right now that's an interest rate of around seven-one/seven-two percent, I understand. And it's also my understanding - and I have this from a pretty reliable source - that when a bank, or a production credit, loans this money to a farmer, it is just a portion of whatever their operation borrowing is for that year. Much of the money - if not

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most of the money that they get - is on the higher conventional loan rate. I think there's too much misunderstanding on this issue today - some terrible statements made with respect to the issue yesterday when the amendment was put on, about this going to failing farmers. It is not going to failing farmers. As a matter of fact, one of the guidelines established by Congress after the problems in the early eighties, forced the farm credit system to be even more critically cautious about their loans. And in some cases, it's more difficult to get a loan from production credit than it is from the bank in that community. I think this is the wrong approach, and we ought to defeat the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator DeAngelis, to close.

SENATOR DeANGELIS:

Thank you. It's not too often that I disagree with my good colleague, Senator Maitland. But I think if you listened to the comments that Senator Jacobs made regarding how these loans are done, you would have to say, "Why do they exist anyhow? Why does this system?" They make good loans. Yes, I agree, Senator Maitland. I do. Nobody said they were bad farm loans. What's bad is the farm credit bank system, which four are insolvency <sic> right now and have already had a four-billion-dollar bailout. Now, if they, in fact, do identically the same thing as banks do, why do we need them? Why do we buy the seventy billion dollars -- seventy million dollars' worth of bonds from an out-of-state bank to be put into the Illinois system? Senator Demuzio, if that money goes there, you don't get those bonds for nothing. That money does go from Illinois to that to purchase the bonds. Now let me point out some other things. You know, the thing that's most annoying is the Treasurer was asked, through his person who is in charge of the time deposit and collateral, to respond to this. And you're right, Senator Maitland, these banks

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were directed to get up their capital. But you know what? They haven't done it. They were asked to reach seven-percent capital. The average Downstate community bank has had ten percent - far more sounder than what these banks are going to be when they're directed to do -- when they do what they were directed to do. You know, the farm credit bank - and I'm not an expert on it - was created back when banks were prohibited from making these kinds of loans - back during the Depression. Banks can make these loans. Why are we, in fact, allowing a system to come in to take business away from those people, as Senator Jacobs said, pay taxes, that would like to play on a level playing field? And let me point out to you, Senator Demuzio, those thousand loans that you're talking about - every one of those could have been done at a bank. Don't talk about a thousand people not getting their loans, because they would have got their loans. And you know, in the end, I think there's one element of public policy we have to examine in this Body, particularly - particularly -- and I would like some people in here who have had programs that are cut, to listen to this. We are, in fact, allowing the State Treasurer to depart on a program of goodwill for himself at the expense of our deposits - money that would come to us at higher rates of interest, monies that would fund those programs that we're cutting today. And I would believe that doing social good is fine when there are no other alternatives. But government ought to be the last resort, not the first resort. I urge the passage of House Bill 3437.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 3437 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 25 Ayes, 28 Nays, 2 recorded as Present. And House Bill 3437, having failed to receive the constitutional majority, is hereby declared lost. House Bill

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3439. Senator Weaver. Out of the record. House Bill 3445.
Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3445.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3445 is -- is a comprehensive amendment to the Domestic Violence Act. It is similar -- I'm sorry, it is exactly the same as Senate Bill 400, sponsored by Senator Rock and previously passed by this Body. And I'll be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Question is, shall House Bill 3445 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. And House Bill 3445, having received the constitutional majority, is hereby declared passed. House Bill 3456. Senator Rock. Out of the record. Please turn to page 15. House Bill 3464. Senator Jones. Out of the record. House Bill 3479. Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3479.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Carroll.

SENATOR CARROLL:

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

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Mr. Clerk, we hope it would convey governmental efficiency, and that's the intent of the bill. And that is to create some reporting mechanisms with Central Management Services on how to have a more efficient government. By way of Amendment No. 1, we have eliminated their problems with it by giving a little longer phase-in period for the efficiency reports. And by way of Amendment No. 2, we have included, amongst the list of those public radio and television stations eligible for Comptroller grants, any of those programs who are authorized under the authority of the FCC. I would answer questions, and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

Senator Carroll, I have a copy of the bill in front of me, and on Section 15. Report, on page 10 it says, "Each agency or governmental body to which State funds are furnished, in conjunction with the Department of Central Management Services, shall prepare a report regarding the appropriate span of control for its supervisors..." and so on and so forth. The question that I've got, of course, obviously, is when we talk about governmental bodies which State funds are furnished to, we are talking about probably almost every taxing district in the State of Illinois. We are not limited to the State Government. We're talking about school boards; we're talking about municipalities. Would you respond, please?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

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SENATOR CARROLL:

Thank you, Mr. President. In response: if you'll look at Section 5 on legislative findings, it is the intent to restore confidence of the citizens in their investment in State Government. So I believe, by way of legislative intent - and if it's unclear, let's put it into the record - that the intent is to deal with State agencies only.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Adams, Senator Donahue. I'm sorry. I thought you were through. Senator Fawell.

SENATOR FAWELL:

Senator Carroll, is this by any chance going into a conference committee, so we could make sure that the language is -- is cleaned up and -- and, you know, make -- make it a little bit clearer what your intent is?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll. Senator Carroll, please.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell. All right. Gentleman from Champaign, Senator Weaver.

SENATOR WEAVER:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR WEAVER:

Senator Carroll, under your amendment, you're authorizing a program for test authority. I'm just wondering how many -- how many requests have there been for -- for this, and how many are expected to be licensed by the FCC?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Carroll.

SENATOR CARROLL:

We know that currently there are twenty-one public radio and television stations that have been licensed in that category in Illinois. I -- we do not know the number that this would expand it to, but it would make it open to those other radio and television stations that do, in effect, public broadcasting. It's my understanding that the existing twenty-one truly had no problem with this amendment, even though it means that they will get a little bit less. They seemed to know the number better than we did.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver. Weaver, please.

SENATOR WEAVER:

Well, I guess my only concern was if these test stations are not finally licensed by the FCC, what happens to that grant money?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

They would become ineligible if they are not ultimately licensed. I don't think we would get the money back during the test period, however.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Well, I think all of those of us who have public television in our area are concerned about the dilution of that fund that's been not growing at all. The public appeal for more public help for public radio is becoming more prevalent every year, it seems, and diluting that fund on test stations who may never be granted an FCC license, I think is wrong. But I don't -- as I say, I don't know how many of these test stations there are and how many might

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be licensed.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

Again, I don't know the answer, and I know that the test authority though, comes from the FCC. And in my district, by the way, resides the largest of the public television organizations in this State - WTTW. And in speaking with them as well, they seem to have a feel for it and did not -- while it would diminish slightly how much they would get, it was not a big deal to them.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Sangamon, Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DAVIDSON:

Well, in Senator Hall's language, Senator Carroll, who wants this amendment? What station or test station are we trying to help?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

Well, the whole bill is wanted by the people of the State of Illinois, and I think even that amendment is wanted by many people throughout the State of Illinois who like access to public radio and television. But as you know, the amendment was adopted yesterday by Senator Holmberg.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Well, that may be well and good, but those of you who are on

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the Rules Committee -- this amendment was identical -- is Senate Bill 1836, which, in the wisdom of the Leaders, was held in Rules. Secondly, all those of you who represent districts that have public radio or television in them: this is a reduction under grants that the stations in your area are going to receive. And as Senator Carroll <sic> (Weaver) asked, if this test station doesn't get licensed, what happens to the money? And he said, you're not going to get it back. They just wouldn't be able to...(inaudible)... And I think this a very poor idea, and I'd urge all those of you who have public radio/television in your districts to vote No, unless this amendment comes off.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Winnebago, Senator Holmberg.

SENATOR HOLMBERG:

Thank you very much. If I could add a little bit to the discussion. This amendment was put on on behalf of WNIU in -- in DeKalb, also operating out of Rockford. Their new radio station has had a delay on the part of the Federal Government, and just as many, many federal programs do, they haven't finished the testing procedure and they had planned that it would be over by now and that they would be eligible, as are all of your stations, for the grants by now. Probably extends -- adds the station for one year, enables them to stay on the air. And this amendment is supported by the Illinois Public Broadcasting Council, made up of all of your public broadcasting stations. They felt it was a very good amendment. And as I say, although they might have gotten a minor amount less for this one year, they realize that it's the appropriate thing to do. So we have their strong support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from Cook, Senator Butler.

SENATOR BUTLER:

Thank you. A question for the sponsor.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

He indicates he'll yield.

SENATOR BUTLER:

Does this affect constitutional -- I mean, to the main body of it - does this affect constitutional officers? Are they exempted?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

I do not believe they are exempted. Basically, it says any State agency that receives those funds, and I believe that definition would include the other constitutionals as well. I don't think it's limited to the Office of the Governor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler.

SENATOR BUTLER:

To the bill: It seems to me what we're creating here is some sort of a super -- super business consultant, so to speak; because, as I read the bill, every supervisor in every department of every agency - no matter where it is in the State of Illinois - has to submit a report which details, among other things, such a great amount of intelligence -- complexity of the work of subordinates of the supervisor, court orders and accreditation requirements, statutory requirements, et cetera. What we're doing here is -- I wish somebody could explain what we're doing. We're trying to create somebody that's -- that will tell every supervisor in the State exactly how to run his department. And I don't think there's that much -- and it reports to -- this to the CMS. And somewhere, I guess, buried in the CMS, is this super-intelligent person or group of persons who will reach down in the thousands of departments and tell them how to work. It doesn't make sense to me. And I don't think this bill should be supported.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Edgar, Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR WOODYARD:

Senator Carroll, would this also apply to units of local government that would receive money? Is there a place where they are exempted from having to make these reports if they receive any kind of State money?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

Senator Woodyard, I think that question was asked and answered already, and that is that if you look at the intent Section, it talks about State Government. And -- and because this is going to Conference, I will make that crystal clear; that it does not affect the units of local government. All we're trying to do is get some efficiency in State Government. We'll let the locals worry about their own efficiency.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Carroll will close.

SENATOR CARROLL:

I would ask for a favorable roll call. I think we do want efficiency in State Government. As to the issue of -- the Central Management Services now supports it as long as they have time, which we gave them in Amendment No. 1, to actually do these reports. As to the public radio and television issue, as Senator Holmberg pointed out, this has the support of all those who now receive the grants. And if it is an issue, I believe we can say after the one year, if they fail to get licensed, then we can ask

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-- then we can put in the law that there shall be a refund of those funds. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 3479 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 32 Ayes, 25 Nays, none recorded as Present. And House Bill 3479, having received the constitutional majority, is hereby declared passed. House Bill 3483. Senator Severns. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3483.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This bill is intended to go to conference. It's the bill which has the beginning negotiations to provide for a joint child support collection program. Because there are details that still need to be worked out, the intent is that it go to conference and that we can concur on an amendment in conference. I would entertain any questions, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 3483 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. And House Bill 3483, having received the constitutional majority, is hereby declared passed. House Bill 3493. Senator Marovitz. Read the bill, Madam Secretary.

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SECRETARY HAWKER:

House Bill 3493.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 3493 creates a simplified dissolution procedure under certain very limited circumstances. It's supported by the Chicago Bar Association Natural Law Committee. And the circumstances where you can use this procedure are limited, and here -- here is what they are: neither party seeks support or maintenance from the other; irreconcilable differences exist; these are -- you have to have all of these - the parties have been separated for six months or more; no children are born, none have been adopted, and the wife is not pregnant; the marriage duration does not exceed five years; neither party has any interest in real estate; the value of the marital property is less than five thousand dollars; and the party's gross annual income combined is less than twenty-five thousand dollars; and the parties have executed a written agreement providing for the disposition of all assets valued in excess of a hundred dollars and for the allocation of all debts and liabilities. Senator Hawkinson requested that this bill is -- only applies to Cook County, and other counties may opt in by order of their chief judge. Also provides for a verified petition. And I know of no opposition. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DAVIDSON:

I didn't have a question till end of the debate, you just said other counties may opt in at -- by the order of their chief judge. You mean the counties don't make this decision; the judge of the circuit can just say, "We're going to do this"?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

That's correct. I mean, the county -- this is -- a county does not have to do this. But if the county chooses to opt in. Now if you would like, Senator Davidson, if you'd like some other means for the county to opt in, I have no problem, whether it's the county board or whomever one suggests. I have no problem with that, and I will be glad to put that in the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

I -- I, for one, would appreciate you amending the bill that -- so those counties can't be put into it by the order of the chief judge. Because as you know, the chief judge may or may not reside in -- in -- like Sangamon County is part of eight- or nine-county circuit. Chief judge may order them in when the counties - Sangamon or any of the other counties - don't want to do that. And I would appreciate very much to make sure it's locked in, applies to Cook County only, and some chief judge in some circuit of several counties could order these counties, and they have no say over it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from St. Clair, Senator Hall.

SENATOR HALL:

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Thank you. I concur with Senator Davidson here. I mean, why should we leave this to a chief judge? That's a problem with me, and I think we ought to think about that, because your chief judge -- we got Downstate, like he's saying, these cross county lines. So it would be a problem, I think. You ought to be able to work that out somewhere, Senator Marovitz.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield. Billy.

SENATOR WELCH:

Senator, the analysis says that forms are to be provided by the circuit clerk. Are those to be provided for every county? Even if the county doesn't opt in, are these going to be generalized forms throughout the State?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

That only applies to the counties that choose themselves to opt in.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close.

SENATOR MAROVITZ:

The -- the request for -- for opt-in language was made in the Judiciary Committee. I will commit to Senator Davidson that we will make it so that it's not just a chief judge, but any language that you want, so that -- I'm not telling a county how to opt in. I want to provide them the opportunity, not mandate on them, other than Cook County. I will change the language so that the opt-in language is -- is acceptable.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 3493 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, 2 Nays, none recorded as Present. And House Bill 3493, having received the constitutional majority, is hereby declared passed. House Bill 3495. Senator Jacobs. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3495.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3495 started out exempting school districts and units of local governments in counties between a hundred and eighty thousand and three hundred thousand from court filing fees, and that puts them on a par with all other counties. And then an amendment by Senator Madigan clarified that certain fines, fees, costs, penalties, et cetera, collected by the circuit clerk, are to be included with those that are currently disbursed by the clerk, within sixty days after receipt. And then Senator Hawkinson and Maitland had an amendment that asked that the filing of the report of fees for the State's attorney may be waived by written administrative order of the chief judge of the circuit, upon written request and affidavit of the State's attorney of the county within the circuit, that all fines, fees, forfeitures and restitution are collected by the clerk of the circuit court, and that no funds pass through the office of secretary of -- State's attorneys, excuse me. I know of no known opposition, and ask for

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your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 3495 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. And House Bill 3495, having received the constitutional majority, is hereby declared passed. House Bill 3513. Senator Savickas. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3513.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President and Members of the Senate, House Bill 3513 is permissive, and it would allow school districts to provide - either as a part of an existing curricula or as part of an after-school program - support services and instruction for pupils who are chemically dependent or whose parents or guardians are chemically dependent. That is the thrust of the bill. It's permissive, and I would seek your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 3513 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 3513, having received the constitutional majority, is hereby declared passed. House Bill 3563. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

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House Bill 3563.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is what has been referred to as the motor-voter bill. This bill, as amended -- we have taken out the other agencies that were originally in the bill as passed by the House. It only applies to the Secretary of State's facilities. And what it provides for is for the Secretary of State's personnel to have available to them the appropriate registration forms, so that when somebody steps up to the window for a driver's license or -- or vehicle registration, they can be asked whether they are registered, wish to be registered, and can be registered, either in the election authority that -- where that site is located, or adjacent to it. I'll be glad to respond to any questions, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR GEO-KARIS:

Then my understanding from your bill is that whoever is getting their driver's license, for example, can go and ask to be registered as a voter. Is that correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

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Yes.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I have gone to the driver's license bureaus to -- when I've had to renew my license, and I can tell you that they're -- pretty darn busy. And if they're going to have to take the time out to register voters in that bureau -- in that office, it's going to need more personnel and more tax money. And there's no guarantee that whoever applies can be carefully screened - like those of us who are registrars do - to find out just exactly whether or not they're qualified to register. I don't think -- I think the intention is good, Senator. I applaud you for it, but I know what happens in the driver's license stations, because I've been there, and they're never that freed where they have the time to take in registration of voters. And what I'm saying, it's going to cost more money to -- to add to the appropriation of the Secretary of State's Office, because I don't think you can do it with the present personnel.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Well, half the board is lit up, so -- the Chair will recognize Senator Palmer.

SENATOR PALMER:

...(machine cutoff)...and Members of the Senate. I rise in strong support of this bill. I have been director of a national voter registration drive some years ago, and this is one more instance of allowing people to register to vote in those places where they are most likely to have the time. With all due respect to the time factor spoken of by Senator Geo-Karis, I have seen this work in grocery stores. I have seen it work in every other place where human beings are very busy - public aid offices. If our intention is - and certainly it should be, in a democracy - that we provide every means for citizens to exercise one of the

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most fundamental and important pieces of democracy - to vote - then this is certainly a bill that we all ought to get behind. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Whiteside, Senator Schuneman. Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, Members of the Senate. Well, I think the Lady who just spoke indicated the position of all of us - that people should be afforded the means to exercise their right to vote, and I certainly would not quarrel with that. But I rise in opposition to this bill, because people are given every means of registering now. I think what we're going to begin doing now is perhaps taking on the -- the nagging parent syndrome; that we're going to begin asking people in government facilities, "Won't you please vote? Don't you really want to register to vote?" And I'm not sure that we're doing government or the future of our country a great service if we're -- if we're going to begin badgering people to vote, when the fact of the matter is, they probably don't have a lot of interest in participating in this system. But beyond that, this may be the wrong year to start this process, because we're going to saddle the Secretary of State's Office with additional clerical work. Now, no matter how you want to slice it, if they're going to be soliciting voter registration, rather than offering it, that means that everybody - according to the amendment - everybody that shows up at that facility to renew or order a license -- a driver's license, is going to have to be asked the question: "Do you want to register to vote?" And certainly some of them will avail themselves of that - a greater number than are now. And the other problem I see with it is that Secretary of State is going to have to do additional training of his employees, because many of these offices serve voters who live in multi-county areas. There are a number of different

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registration systems that are set up by the different counties around this State. It isn't all like it is done in Chicago. And so that requires training of registration officials. And I just think this is the wrong year to start this process.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I -- I really find it ironic here that we are arguing against a bill that provides more access for people to register in -- and be eligible to vote in elections. We have the lowest number of voter registrations today in Illinois than we have in history. If we are concerned about preserving the democracy, as Senator Palmer indicates, it seems to me that we ought to make this service available to all public facilities in Illinois, and require that they -- they, in fact, do solicit, and they do register people to vote in this State. I don't know why we are making the argument that we ought not to be doing this. Are we trying to somehow or other deter people from voting? I think this is a good bill. It's long overdue. It's not -- this, frankly, doesn't go far enough, but I think it's a start in the right direction.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Keats.

SENATOR KEATS:

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I rise in strong support of this bill. Let's -- let's back off a minute. Art -- Art, in that case, I rise in opposition.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Would you make up your mind, please?

SENATOR KEATS:

In 1990 this bill passed the Senate - maybe with a comma different - 56 to nothing. 56 to nothing, two years ago. Speaker Madigan held it up in the Rules Committee with his usual fair and open treatment of legislation. Excuse me; I should apologize for saying that. There's always an excuse not to move. We've spent a fortune sending these registrars door to door. We used to have in-precinct registrations. And Senator Lechowicz, as well as any of us, knows what that cost us in Cook County for the little number. If there's one place where people go, it's here, and the Secretary of State's function is a service agency. Unlike a Governor or Attorney General or Comptroller or Treasurer, who have very clear functions and things they do, the Secretary of State is the office of "Mr. Catch-All/Mr. Service." They do a myriad of little things, and it's all strictly service stuff, with no philosophy whatsoever. This is a classic place that it ought to be at it. I got a letter from the Secretary of State of the State of Washington - by the way, a Republican - who said, "Great idea. It's worked real well in Washington. We've dramatically increased registration. Everybody loves the system. Cost me zilch." There's always excuses not to do something, but let's move on. Let's just make it easier to register. Let's quit playing these games. The thing passed 56 to nothing, and it's cost zilch in the State of Washington to do. Again, I commend the sponsors, particularly Senator Berman, in his reasonableness in working on the amendments to get the bill in its present form. And I would hope we could all support it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Keats, with your strong support, we got ten more lights on. Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR JACOBS:

Senator, where does the Secretary of State stand on this bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

I have not talked to him personally. I am led to believe - and I stand to be corrected - that he is not supporting it at the moment, but I hope I'm wrong.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator. That was my assumption, and I find that -- Demuzio -- Mr. -- Senator Demuzio found it ironic; I find that comical. As a political animal - which not only am I, but I know that the Secretary of State is - this is the greatest political tool I've seen come down the pike for the Secretary of State in my life. He's going to know every new register before any of us know who he is. But the other argument that I would make in favor of the bill is that not only is it the accessibility, but I'm hearing all of these issues up to bat now that, in fact, say that we may overwork someone. Is that what I'm hearing? And we may be putting some extra work on people who are already overworked? If that's the case, you know, I don't know why we cut the budgets in the first place, and maybe we should be adding some people to take care of this. I stand in strong support of the legislation.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and Members of the Senate, I think you're all forgetting one big -- already item that's in place. If those people who worry about democracy, if the individual has an interest to register to be able to vote, all they got to do is walk into any driver's license facility today, and they can register to vote. The sign invites you. Why should we -- if this would pass and become law - why should we mandate an employee to ask everyone to register? If you don't have enough initiative, enough self-starting to go register yourself when it's right there available, then you're not a very good citizen. Now don't tell me that each employee has to ask someone to register when they can do it if they want. It's available. This is a lot of malarkey. More important, Senator Berman, how do you get around the present law that says if you're a deputy registrar, you must be a registered voter within the jurisdiction of which the person is asking to be registered? That's what the present law is now, is it not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This bill exempts them, and allows them to register them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Cullerton. Pick up the pace.

SENATOR CULLERTON:

Will the sponsor... I'll go quick. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Cullerton.

SENATOR CULLERTON:

Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Yeah. Senator Cullerton.

SENATOR CULLERTON:

Senator Berman, under this bill, is it contemplated that a person who wishes to register to vote at a driver's license facility will have to stand in two lines - one line to get the driver's license and another line for the voter registration?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I was beginning to wonder if my light was flashing up there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, yours is and everybody else's, too. Senator Hall.

SENATOR HALL:

I want to tell you why this is so important. It's a shame today that we -- and if you watch it in the Presidential elections, there are less -- people who are not voting. And one of the greatest things you can do in this country is to exercise your franchise. I thought, like many of you, when we passed that eighteens could vote, and the worst voting record we got are eighteens to twenty-fives. The senior citizens find a way to come to the polls. But to say that you don't want to allow a person to exercise their franchise? I was very happy the time that one of our Presidents even advocated that when you come to the polls, that you could sign up or register that day and still vote. But this is an important thing - very, very important. And I'll tell you this - it's something to...(inaudible)..., because we've got

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something very seriously facing us. It's a strange thing about us in this country today, that a lot of people want change just for the lot of change. And you'd be surprised how -- I noticed down in my county down there that there are people all on out there -- on the tables, advocating, and I think a lot of people think that what we need is to get everyone to vote. And please believe me, it's going to be important in this election.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. To Members of the General Assembly: I rise in support of this piece of legislation, and I'll be very brief. There are some statistics I think we need to know about. Some of you have raised the question about this may be too expensive to take. Some of you have raised the question that it will require additional personnel. In Arizona, where this bill is presently working, they have had this bill on their books for some time. It required no additional staff. In Colorado, where it has been working since 1988, and they have been registering all right along, it's -- no cost was available. The District of Columbia, where they've been registering, no additional person, and the transactional cost was running about three cent per transaction. In Iowa, where this program is working and has benefit, no official cost. In Maine, where motor-voter registration is taking place, the average cost averaged twenty-four cent per transaction. Think about what it costs in your precinct for precinct registrations per person - and no extra persons was hired. I could go down the line through Michigan and through Minnesota and through Montana, Nevada, North Carolina and Rhode Island - none of them had any appreciable additional cost. The highest additional cost was thirteen cent for a transaction of registration. This is the time for this bill. Its time has long been coming, and it's

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now that we should have this bill. Whoever becomes our Secretary of State - for those of you who are worried - will have first crack at new registrants, for whatever reasons. We're not political in this Body. We're merely trying to help out citizens to become good citizens. This is a good piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

All right. Thank you. I -- a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

I believe currently if you are a deputy registrar, you must live within that jurisdictional region of that registered voter or that potential registered voter. How is that impacted by your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The bill provides that the entire Secretary of State's staff are able to serve as deputy registrars, regardless of where they live, so that they are authorized, by the language of this bill, to act as deputy registrars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Only in that facility then, or can they go on in their off-hours and go throughout and register others?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No, they're -- only when they're acting in the capacity as

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employees of the Secretary of State's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

What happens in -- in our area, where Greenville has a facility and people from neighboring counties come in; then they register someone from Madison County or Montgomery County or wherever. How is that handled?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The -- the amendment that we adopted yesterday from the Association of County Clerks provides that the -- the registration may take place in the county for where the location is - in other words, where the facility is - and any adjacent county. So if you have, you know, County A, but I live in County B, but B is adjacent to A, they can register me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

What about temporary facilities? We have them where they -- they'll set up for a day a week. I guess they're going to be obligated to do this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm not aware of any exemption for temporaries. So I guess if it's -- if it's a Secretary of State facility, this would give them the authority to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins. We have -- I'm sorry.
Senator Watson. Senator Watson.

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SENATOR WATSON:

Yes -- thank you. What are the costs?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I don't have an exact number, but in -- in committee the question was raised, and it was indicated that the -- the cost is minimal. Now I -- I don't know -- I don't have a number for that. If you don't like the bill, they'll tell you it's millions. If you like the bill, they'll tell you it's pennies. So, take your choice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and Members of the Senate. I rise in support of this bill, and it's really funny; this has been a really enlightening experience for me, just to hear that the Secretary of State is opposed to this bill. I -- I just -- I can't imagine, in a political year, that here this bill provides the greatest opportunity for him to have access to a lot of free publicity and a lot of other things, too. And here you are fighting against this bill because you seem to think it's going to do something to enhance electing a Democratic majority. This is crazy. This is -- this is something that we ought to be against, from a political standpoint. But because we believe in the right for people to register and vote and to be involved in the political process - because that's what make this country what it is - we were willing to give him this plum. This is a plum, at this time of year, this time of Session, this time of political season, for the Secretary of State. And you're fighting against it. This is crazy. I think you ought to vote for this bill and just cut it out, pick yourself another fight. This one is on your

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side, and let's vote for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have Senators Fawell and Geo-Karis. Senator Fawell.

SENATOR FAWELL:

Thank you very much. Senator Berman, Senator Watson brought up a point. You know, a lot of my people happen to go over to Hillside, into Cook County, to get their driver's license. Now Hillside doesn't have DuPage County voting forms. Naperville and some of the counties in the surrounding -- that surround Cook County don't have Cook County registration forms. When I register somebody - and I am a deputy registrar - when I register somebody, I have to put down my -- my precinct committeeman's number, my township number. I have to sign it. You know, we have a -- a form which is entirely different, I understand, from Cook County's. Are you asking the Secretary of State to get all these forms in all of these surrounding counties in each facility? And I'm going to tell you, my election commission isn't going to be very happy about that, because they parcel those things out like they were gold.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Senator Fawell, the amendment that was adopted yesterday was drafted by the Illinois Association of County Clerks. They have undertaken, and will deliver to every facility, the appropriate registration forms for where that facility is located and the forms necessary for the adjacent forms. So I invite you to go to Hillside and register your voters.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

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Well, I hate to tell you, but your county clerk and my county clerk aren't in charge of those forms. We have election commissions, and our election commissions are the ones that have got the forms. So my county clerk can do all kinds of things, and so can yours. It doesn't mean diddley, for the simple reason they haven't even got the forms. Our election commissions have got the forms, and I'm sure they did not ask my election commission clerk. Because if he did, I know darn well what his answer would be, and the answer would be No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I apologize for rising for a second time, but, Mr. President and Ladies and Gentlemen of the Senate, the estimated cost, if this goes on as a mandatory thing, is one million six hundred and fifty-four thousand dollars. I might tell you that right now there is access in the Secretary of State's Offices around the State. Five hundred -- there's signs, in fact, in five hundred of the places, and about -- rather in all -- in most of the places, and five hundred of the personnel are registrars. All the people have to do is ask if they want to register. But this -- this -- this requires them, requires the Office of the Secretary of State, and it is a costly item. And it's not a matter of politics, for heaven's sakes. It's a matter of common sense. We don't have enough money to pay a lot of our bills. Are we going to add almost another two million dollars? If anyone wants to register, do so. I'm a registrar, and I'll tell you, it takes at least fifteen minutes to do a decent registration. Now figure it out in time. So I'm telling you right now: I don't think it's wise to pass this bill - not when we're short of funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman may close.

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SENATOR BERMAN:

Thank you. That 1.6-million-dollar figure was stated in committee, and there was no explanation given in committee as to where they got that number. Number two: I -- somebody raised the question as to -- that we shouldn't do it this year. If there's any year to do it, it's this year, because we have a Presidential election. I know that every one of you on this Floor shares the embarrassment that I have when the day after the Presidential election we find that a minority of people in this country have elected the President of the United States. We're the outstanding democracy in the world. The entire world wants to be like us, and yet, a minority of -- of our citizens elect our President. If there is any initiative that we should pursue, it is to get more and more people involved in the election process. Every one of you - you're here because you've been involved in the election process. You know how important it is to go door to door in the precincts to get those people registered. That's how you got here. That's how I got here. And that is appropriate from one end of Illinois to the other. I'm not sure why my friend George Ryan isn't supporting this bill, but I will tell you this: this is a bill that every one of us who's up for election this year should vote for, because I'll tell you real simply - I wouldn't want to be on the questioning end of my opponent who says, "Senator Berman, why in the world wouldn't you want to make more available the opportunity for people to register and to vote?" I don't want to have to respond to that question. And the question regarding cost is phony; time is phony. It is a problem of democracy. Let's vote for democracy. Let's vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3563 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, the Ayes are 33, the Nays are 22, 1 voting Present. House Bill 3563, having received the required constitutional majority, is declared passed. Senator Davidson, for what purpose do you rise?

SENATOR DAVIDSON:

How many are here? Let's verify the Aye votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has requested a verification of the Members who voted in the affirmative. Madam Secretary, would you please read those Members who voted in the affirmative. Madam Secretary -- Senator Smith, for what purpose do you arise?

SENATOR SMITH:

...(machine cutoff)...what happened to my button, but I certainly pushed the green, but it doesn't show up on that thing over there. And I certainly want to vote for this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Madam Secretary, read the -- read the Members who voted in the affirmative.

SENATOR SMITH:

Please.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Barkhausen, Berman, Brookins, Carroll, Collins, Cullerton, Dart, del Valle, Demuzio, Di Turi, Dudycz, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Joyce, Keats, Kelly, Lechowicz, Leverenz, Marovitz, Munizzi, O'Daniel, Palmer, Raica, Rea...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Please, no demonstrations.

SECRETARY HAWKER:

Severns, Vadalabene, Watson, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, do you question the presence of any Member

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who voted in the affirmative?

SENATOR DAVIDSON:

Senator Severns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns is right straight back in the -- near the door.

SENATOR DAVIDSON:

She's so pretty, she just overwhelmed me. Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas on the Floor? Senator Savickas did not vote.

SENATOR DAVIDSON:

They're all yours.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, no, no, no, no. They're not all of mine. All right. On the verified roll call, there are 33 Ayes, 22 Nays, 1 voting Present. Then House Bill 3563 is -- is declared passed. 3587. Senator Cullerton. Madam Secretary, House Bills 3rd -- I beg your pardon. It's on Recall, Senator. Beg your pardon? Well, it has to set a day. 3598. Senator Philip. I beg your pardon. Senator Davidson. 3598, Madam Secretary.

SECRETARY HAWKER:

House Bill 3598.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is Secretary of State's administration bill. We amended it yesterday that would allow the Secretary of State to accept credit and debit cards for payment of any fees due them. Also would raise the -- the insufficient check return fee from ten dollars to fifteen dollars,

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and make it very close or as close as possible to the cost that the Secretary of State has to do that. And with that, I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Is this a bill that will enable special license plates?

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

As you listen to your Leader, President Rock, I listen to my Leader when he asks to put an amendment on this bill.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

That is not the question, what my Leader asked me to do, and I do follow Leadership. I'm asking you is -- on this bill, is there an amendment that will add special license plates?

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

If you pay a special fee of fifteen dollars plus the special two-dollar fee each year to renew it, and you're honorable discharge from any of the four branches of the services and make the request, you can get a special license plate and the State -- the Secretary of State makes money, 'cause it'll cost about a dollar forty cents to have the special plate. And the new fee is fifteen and the renewal fee is two dollars a year. So

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consequently, the State will come out ahead.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

To the bill, Mr. President: This bill allows special license plates for a group of veterans and military people, although we have a Disabled Veteran's plate, a Congressional Medal of Honor plate, a National Guard plate, a Armed Forces Reserves, Purple Heart, retired members of the Armed Forces and Pearl Harbor survivors; this will add also some additional veteran plates. It's unlikely -- it is very unlikely that any veteran will opt to take advantage of this special plate that is being created, because the plates that I have just named off for you - all nine of them - are free and without any fees whatsoever. We, in committee, some time ago had a pledge that we would work - and we did attempt to work - to pass bills where that we could have some kind of recognition of where we would place special license plates and how we would go about getting them. That bill was defeated last year in House Bill 341. Senator Kelly had such a bill that would do the same thing. The Secretary of State opted and worked against the bill of Senator Kelly's and it would not pass. And here we are again now, putting together a special plate for some folks that I don't think is interested in having a special plate, who needs it, or who wants it. I'm saying to you that if we go on the highways and as you travel and just look at the plates going up and down the road, you don't know where these people are from. It's confusing for the Illinois State policemen. It's just cumbersome and it's very costly. And therefore, I recommend that we defeat this bill, to remove this amendment.

PRESIDENT ROCK:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

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Thank you, Mr. President. First of all, a point of personal privilege. I have the Jerseyville Library summer reading class that was in the gallery, are now leaving. I'd like to, first of all, recognize them.

PRESIDENT ROCK:

Will our guests please wave as they are moving onward. Welcome.

SENATOR DEMUZIO:

All right. Thank you, Mr. President. Let me, if I might, Senator Davidson, pose a couple of questions to you. According to the Digest, in creating this special veteran license plate category, are we -- are we now eliminating the words "Land of Lincoln" from the license plate, and are we, in fact, now charging, in addition to the forty-eight dollars that a veteran would pay, an additional fifteen dollars per plate?

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

First, we're not eliminating "Land of Lincoln." Secondly, as it is now, you -- ask for a special license plate, you pay a fee on the original additional issuance. That fifteen-dollar fee is there. I think on some of the others it's fifty dollars. Also, you will pay a two-dollar fee each year to renew it to recover the cost of the dollar forty cents it costs to do that each year.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

On page 2 of the amendment, it says, "which may be abbreviated, the phrase 'Land of Lincoln,' except as provided in Section 3-626," which means that, in fact, that creating this new category, you would in fact be eliminating the words "Land of Lincoln" from the Illinois license plates.

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PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

My handler says you are correct.

PRESIDENT ROCK:

Senator -- Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't know why we would want to do that, first of all. And secondly, I don't know why we would want to be charging veterans an additional fifteen dollars on top of the forty-eight dollars that they are already paying. This doesn't make a great deal of sense to me, and I don't know why this bill is here at this time. And I rise in opposition to it.

PRESIDENT ROCK:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I'd like a clarification, Senator Davidson, on a few points. This -- charging the veterans for the license plates - what do they -- what do they pay now? For example, the -- the veterans that are -- Purple Heart, for example. What -- do they pay any extra fees now?

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

I'm wise beyond my years. I will yield to the sponsor of the amendment to answer your question. Senator Philip.

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

I'm sorry. I didn't hear the question.

PRESIDENT ROCK:

Senator Dudycz.

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SENATOR DUDYCZ:

My question is, Senator Philip, the -- currently, the veterans that apply for their plates, for example, the -- the Purple Heart license plate - do they pay any additional fees?

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

You know, I'm not sure. I don't think they do.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

Well, correct me if I'm wrong. I understand that all those that currently have the veterans' -- the various different veterans' plates, they are grandfathered in, so they will not be affected by this. It's my understanding that -- that anyone who applies for a special veteran's plate from this point forward will be issued a -- just a generic veteran's plate. Is that correct?

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

Maybe I can clear the air, seeing that I am the guilty party here. I happen to belong to the DuPage County Marine Corps League. I happen to -- that happens to be the largest Marine Corps League in the State of Illinois. My League came to me and said other states - New Jersey, California - have these special military plates. We would like to have them. And I said, "Well, we're not going to give them to you, unless you're willing to pay for the cost of them." So I said, "And I don't know if the Secretary of State's for it." So I called George Ryan. I said, "My Marine Corps League wants these special plates. I would assume we'll have to include the other services." And I said -- and I said, "We ought to at least get the cost out of doing it."

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George Ryan agreed to do that. I talked to Senator Davidson. We put that amendment on, and quite frankly, I don't know why we don't want it. The law enforcement people like the idea, because it's much easier to identify people with special plates. If you're a speeder or trying to avoid the law, if you've got something with a Marine Corps emblem on it that says Semper Fi or something -- much easier to catch you than a scrambled plate. And it costs you two dollars to renew the darn thing. So you're not getting it for nothing. It's not costing the State anything. It makes a lot of Marines, Navy, whatever it might be, happy about having a special plate.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCYZ:

Well then -- well then, if in fact it does grandfather the current plate holders, it doesn't affect them. And anyone from that point forward does apply for license plates, will get the generic veteran's plate. I think it's a good idea. It will be a little bit more uniformity in the license plates for the future, and it'll be easier for law enforcement. I think we should vote for the bill.

PRESIDENT ROCK:

All right. Any further discussion? Further discussion? Senator Davidson, you wish to close?

SENATOR DAVIDSON:

I just need 30-plus green votes up there, please.

PRESIDENT ROCK:

Question is, shall House Bill 3598 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 31 Ayes, 25 Nays, none voting Present. House

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Bill 3598, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Well, Senator Davidson didn't -- had some good luck a while ago. Maybe I might, too. Let's verify and see who's here.

PRESIDENT ROCK:

All right. The Gentleman has requested a verification. That request is in order. Will the Members please be in their seats. Mr. Secretary, read the affirmative roll, please.

ACTING SECRETARY: (MR. HARRY)

The following Senators voted in the affirmative: Barkhausen, Butler, Cullerton, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Thomas Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hall, Hudson, Karpel, Keats, Lechowicz, Macdonald, Madigan, Mahar, Maitland, Marovitz, Philip, Raica, Rigney, Savickas, Schaffer, Schuneman, Weaver and Woodyard.

PRESIDENT ROCK:

Senator Demuzio, do you question the presence of any Member?

SENATOR DEMUZIO:

Senator Ralph Dunn.

PRESIDENT ROCK:

Senator Ralph Dunn is in his chair.

SENATOR DEMUZIO:

Senator Marovitz.

PRESIDENT ROCK:

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

SENATOR DEMUZIO:

Senator Mahar.

PRESIDENT ROCK:

Senator Mahar is in his chair.

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SENATOR DEMUZIO:

Senator Savickas.

PRESIDENT ROCK:

Senator Savickas on the Floor? Senator Savickas is on the Floor in the back of the Chamber.

SENATOR DEMUZIO:

Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton on the Floor? Senator Cullerton on the Floor? Strike his name. All right. The roll has been verified. On that question, there are 29 Ayes, 25 Nays, none voting Present. The bill, having failed to receive the required constitutional majority, is declared lost. And the sponsor wishes further consideration be postponed. So ordered. 3605. Senator Welch. 3607. Senator Schaffer. Oh, that's on the Recall? 3607. Top of page 16, Ladies and Gentlemen. Top of page 16. 3610, Senator Savickas, is on the Recall. 3630. Senator Cullerton. 3633. Senator Tom Dunn. On the Recall. Okay. 3638. Senator Cullerton. 3650. Senator Severns. 3651. Senator Carroll. Senator Carroll? Middle of page 16, on the Order of House Bills 3rd Reading, is House Bill 3651. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3651.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3651 would require the Department of Public Health to create a Human Poison Control Center, and the Department of Agriculture to create an Animal Poison Control Center. The

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two-year funding period created under this Act would be extended for an additional two years if, in fact, monies were not obtained this year for that purpose. So that in order to do the work, it would not start until dollars were available. I think this is something that's been well-banded about and needed for a long period of time in Illinois, both in terms of human and animal protection, and would ask for a favorable roll call.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3651 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3651, having received the required constitutional majority, is declared passed. Senator Jones. 3673. Senator Luft. 3674 is on the Recall. 3692 is on the Recall. 3695. Senator Berman. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3695.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 3695 does several things regarding the School Code. It allows the transfer of the district's working cash fund to any fund from which taxes are levied, rather than only to the district's educational transportation and operation maintenance funds; it allows school districts to obtain Medicaid reimbursement from the Federal Government for qualified health services provided to students; it allows joint education programs greater

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flexibility in borrowing funds for monies that are owed but not paid to it; and allows -- authorizes the Chicago Board of Education, where there has been a lease agreement for at least ten years for a school -- for nonpublic use, to negotiate the sale of that building. Be glad to respond to any questions, and solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 3695 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3695, having received the required constitutional majority, declared passed. 3707. Senator Schuneman. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3707.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Ladies and Gentlemen of the House, House Bill -- of the Senate, rather. I'm -- I'm sorry. I'd forgotten about that switch. House Bill 3707 is the bill which would ban radar detectors in heavy trucks in Illinois. We had considerable debate about this bill yesterday, when we adopted two amendments, one of which provides that this offense shall be a secondary offense, and therefore is not one where the police officers can stop the vehicle specifically for the purpose of determining whether or not the radar detector is in place. There was another amendment attached to the bill yesterday which, in

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effect, would ban roadblocks which would result in tickets for violation of the seat belt law in Illinois, as well as the radar detector bill. I'd be happy to try to answer any questions.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3707 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 12 Nays, 1 voting Present. House Bill 3707, having received the required constitutional majority, is declared passed. 3739, I am informed, is -- will be on the Recall List, as will 3769. So we're at 3815. Senator Jones. 3843. Senator Welch. Middle of -- top of page 17, Ladies and Gentlemen. On the Order of House Bills 3rd Reading is House Bill 3843. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3843.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill does two things. Number one, it allows the proceeds of a local tipping fee to be used to reimburse a city or highway commissioner for expenses incurred in the removal of nonhazardous, nonfluid municipal waste that has been illegally dumped on public property. The idea is to help clean up the ditches next to the highways where people seem to think they can dump their garbage, instead of going to the landfill, and save themselves some money. The amendment that was added yesterday was an agreed amendment concerning compost quality standards, directing the Environmental Protection Agency to

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develop and make recommendations by July 1st of next year to the Pollution Control Board concerning compost and compost facilities. I'd be glad to answer any questions.

PRESIDENT ROCK:

The Gentleman has moved passage of House Bill 3843. Is there any discussion? Senator Raica.

SENATOR RAICA:

Question of the sponsor, Mr. President.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Raica.

SENATOR RAICA:

Senator Welch, we had a situation - I think it was in Senator Savickas' district and my district - where there was a semitrailer truck that was left in unincorporated Cook County. It was actually in Forest View, part of Stickney. And the State said they will take responsibility for it if it was hazardous waste. EPA said they would take responsibility of it, and it wound up that it was not hazardous waste. It was just chemicals that were left there that were not toxic or anything, but nobody wanted to take the responsibility for it. Does this legislation that you're proposing here address situations like that, where whatever is left on the vehicle -- or if there is a vehicle that is abandoned in an unincorporated area or in an incorporated area, that someone actually has the responsibility or can now give the okay to have this hauled away?

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Senator Raica, the requirement would be that it be on public property - not on private property. If it's on public property, then, yes, it could be hauled away and the township -- road commissioner or your municipal road commissioner could be

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reimbursed for the cost of moving it to the landfill. It sounds like the problem is getting the waste to a landfill, basically? Yeah, that's what this is designed to do. People basically would abandon their garbage or a truck with -- loaded with garbage, because they don't want to pay the fee at the landfill. Well, how do you get rid of it? Well, this is really about the only way you can do it and get somebody to accept responsibility.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall House Bill 3843 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none <sic> (1) voting Present. House Bill 3843, having received the required constitutional majority, is declared passed. 3857 was on the Recall. 3867. Senator Philip. Middle of page 17, Ladies and Gentlemen. On the Order of House Bills 3rd Reading is House Bill 3867. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3867.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3867 amends the State Finance Act to take 6.2 million dollars out of the Road Fund for the Secretary of State's Office for the purpose of paying for union contracts, and providing for a one-year inventory on license plates. Got out of the Executive Committee 18 to nothing. I'd be happy to answer any questions.

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Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in opposition to this, as much as I hate to with my good friend Senator Philip, but it -- you know, this is an ongoing thing - each year we seem to be taking a little more out of the Road Fund. And as we're informed that if we continue to ask for this four-percent increase each and every year, the impact will be -- minimally be thirty million dollars by the time we get through with this contract. So I just think that it's a bad deal. It's going to hurt - as far as I'm concerned - some of the Road funds, and I ask for a No vote.

PRESIDENT ROCK:

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

SENATOR PHILIP:

Yeah. Thank you, Mr. President. I might remind the Members that the Secretary's Office, through license fees and other fees they collect, they collect three times what they spend. So they are -- they are a plus for us. So I'd ask for your favorable consideration.

PRESIDENT ROCK:

Question is, shall House Bill 3867 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 43 Ayes, 11 Nays, 1 voting Present. House Bill 3867, having received the required constitutional majority, is declared passed. Senator Jones, on 3870. Senator Munizzi. 3882. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3882.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Munizzi.

SENATOR MUNIZZI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3882 amends the School Code. It authorizes school boards to develop and implement recycling programs in district offices, schools and attendance centers. It was amended on the Floor to change the effective date to July 1 of '93. I'd appreciate a favorable roll call. Thank you.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3882 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 3882, having received the required constitutional majority, is declared passed. Senator Luft, on 3898. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3898.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 3898 is a montage of events. It started off being a Department of Transportation bill, subject matter of which was eminent domain. It was amended to put this bill in the same posture as Senator Watson's bill that passed out of here. Senator Watson also added an amendment which

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extended the quick-take for the Southwestern Illinois Development Authority. That extension is a two-year extension. Senator Philip granted quick-take power for flood control purposes to DuPage and Lake County - later amended it to limit that quick-take power to DuPage and Lake Counties only for two years. Senator Maitland granted quick-take powers to the Bloomington-Normal Airport Authority to expand the airport. And Senator Demuzio amended it to require auctioneers to pay sales tax on personal property entrusted to -- turn -- by persons who are not retailers and whose names and addresses are not disclosed at or before the sale.

PRESIDENT ROCK:

Any discussion? If not, the question is, shall House Bill 3898 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? All voted who wish? All voted who wish? Take the record. On that question, there are 38 Ayes, 8 Nays, none voting Present. House Bill 3898, having received the required constitutional majority, is declared passed. 3902. Senator Dudycz. Mr. Secretary, read the bill, please.

PRESIDENT ROCK:

House Bill 3902.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 3902, as amended, contains three components. Part number one would allow certain territory in Cook County to incorporate as a city if it contains more than eleven hundred residents. Currently that number is twelve hundred. Back in 1988 the Legislature approved House Bill 3870, which was sponsored by Senator Lechowicz, which set the

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minimum for incorporation for this community at twelve hundred. Recent census figures show that the community in question currently has over eleven hundred, but under twelve hundred, residents. In other words, this area would not be able to incorporate without permission from surrounding villages and cities, including the City of Chicago. Part two of the bill was requested and drafted by AFSCME Council 31. It's technical and it contains clean-up language. The original legislation passed in 1985 stated that HMO coverage would be continued when a local government employee retired, at the retiree's expense, but the legislation did not correctly cross-reference the HMO Act, among others. And since the passage of the original bill, several local government entities have requested a clarification on HMOs. This part has no direct fiscal impact on local governments, because if insurance coverage is continued, the retiree must pay the premiums. And part three was offered by Senator Schaffer as an amendment. It would provide that after incorporation, the first election of village officers shall occur at the next election, rather than the next municipal election. I know of no opposition to this bill. The Municipal League is not opposed to it, and I ask for your favorable support.

PRESIDENT ROCK:

Gentleman has moved passage of House Bill 3902. Is there any discussion? If not, the question is, shall House Bill 3902 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. House Bill 3902, having received the required constitutional majority, is declared passed. 3986. 4024. Senator Jones. Top of page 18. 4025 is on the Recall, or was on the -- 4027. Senator Welch. Read the bill, Mr. Secretary, please.

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ACTING SECRETARY: (MR. HARRY)

House Bill 4027.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. 4027 was amended yesterday to put on Senator Palmer's amendment, which basically deals with doing a study of per-bag disposal of waste, instead of the current system. Currently you throw out as many bags as you want on the curb, and the garbage men haul it away. What the amendment did was require that there be a study done of the effectiveness, cost-effectiveness and effect on the environment of doing a per volume bag-based fee in the municipalities. Those municipalities that have already done studies - and many of them have - would basically meet the requirements of this bill. So they won't have to do studies over again. I'd be glad to answer any questions.

PRESIDENT ROCK:

Any discussion? Discussion? If not, the question is, shall House Bill 4027 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 1 Nay, 1 voting Present. House Bill 4027, having received the required constitutional majority, is declared passed. Senator Karpel, on 4037. Read the bill, Mr. -- no, she does not wish that. I'm sorry. 4039. Senator Karpel. Read that bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 4039.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDENT ROCK:

Senator Karpel.

SENATOR KARPIEL:

Thank you -- thank you, Mr. President. The original bill has been removed from this, and there are three amendments that were put on. The first amendment to House Bill 4039 is Senator Philip's, and so it will -- it provides that the hundred-thousand-dollar deductible amount does not apply with respect to certain underground storage tanks when the owner or operator demonstrates that the site is not contaminated in excess of standards established under the Illinois Groundwater Protection Act. The -- it also provides that deductibles are determined based upon when notice of a release is given to the State, rather than when the release occurred. There is an amendment on, put on by Senator Welch, which establishes a sliding-scale handling fee in attempt at an equitable method for reimbursing prime consultants and prime contractors for subcontracting costs. And the third amendment changes the definition of clean construction or demolition debris to include reclaimed asphalt payment -- pavement.

PRESIDENT ROCK:

The Lady has moved passage of House Bill 4039. Is there any discussion? If not, the question is, shall House Bill 4039 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 4039, having received the required constitutional majority, is declared passed. Senator del Valle, 4070. 4112. Senator Welch. No. 4119. Senator Palmer. Yes. Senator Rea, could I ask you to swing left or right here? Thank you. On the Order of House Bills 3rd Reading is House Bill 4119. Read the bill, Mr. Secretary, please.

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ACTING SECRETARY: (MR. HARRY)

House Bill 4119.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President and Members of the Senate. This bill replaces the Home Ownership Made Easy Program administered by the Treasurer with one supervised by the Treasurer and managed by participating financial institutions. After this bill passed out of committee, we worked with the Revenue Department, which is not opposed to this bill and is, in fact, neutral, for the language that is now the bill. It clarifies that participation in the restructured home program by participants in the current program is optional. It requires participants to purchase a home within four months after terminating participation in the program. Permits participants to apply to the Treasurer for an extension of up to six months. Creates an exemption from the real estate transfer tax for certain participants, rather than requiring the Department of Revenue to refund the tax. I ask for a favorable vote, and I'll be happy to answer any questions.

PRESIDENT ROCK:

The Lady has moved passage of House Bill 4119. Discussion?
Senator Watson.

SENATOR WATSON:

I guess just a question of the sponsor and possibly a comment,
Mr. President.

PRESIDENT ROCK:

I'm sorry? Question of the sponsor. Sponsor indicates she'll
yield. I'm sorry. Senator Watson.

SENATOR WATSON:

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I don't know about you, but in my area we get all these news releases that come out of the Treasurer's Office and come down and tell about all these great programs that are being made available to the people of my district, whether it's a veteran, whether now we've got the new homeowner program, whether you want to go to medical school and come back and serve in that particular -- area, you want to go to college. It just seems like there's a parade of programs that are being made available to the people. And unfortunately, what happens is, they go in and the program's not being made available by the local bank. I mean, there's just a lot of confusion out there right now among the public as to what we are doing and what we're trying to provide to the people of -- of this State. And I -- these make good headlines, and they -- it's good rhetoric. And obviously -- maybe a good program, even. But if the bank isn't going to work with the Treasurer's Office, if the bank isn't going to allow the program to be made available, there's no -- no good comes from it. So that's a point of a -- just a question. I mean, how do we make this available through our local banks if they're not willing to participate?

PRESIDENT ROCK:

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. The bank organizations are in support of this, and I appreciate what you're saying, Senator Watson. There has been a great deal of this going on, and thank goodness for that. We're finally offering some opportunities that didn't exist before. I can appreciate that we have not had time to implement these fully, and I invite you to make suggestions about how these can be improved in your area. In my area, it has been greatly successful, and in fact has involved a population I'm particularly concerned about, the most recent of the unemployed steel workers, who now have an opportunity they didn't have

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before. So I would ask for a favorable vote on this.

PRESIDENT ROCK:

Further discussion? Senator -- further discussion? If not, the question is, shall House Bill 4119 pass. Those in favor will vote aye. Opposed, vote Nay. And the voting's 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 51 Ayes, 7 Nays, none voting Present. House Bill 4119, having received the required constitutional majority, is declared passed. 4163. Senator Marovitz. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 4163.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This will be the physicians' self-referral bill. Everything in the bill has been gutted, so it's not in the bill right now. It is going to go to conference. We have been meeting with the Medical Society. Those who want a public company exception -- we are about ninety-eight percent there, and have reached agreement with just about everybody, including those who wanted the public company exception, and the Medical Society and the Hospital Association and -- I would just solicit your vote. This will probably be back here on Monday or Tuesday with the substance of the legislation.

PRESIDENT ROCK:

Discussion? Senator Raica.

SENATOR RAICA:

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Thank you, Mr. President. This particular bill had a lot of controversy - one portion of it, at least - in committee, and Senator Marovitz withdrew that portion. And I know of no opposition to this bill, and I just solicit an Aye vote, along with the Senator.

PRESIDENT ROCK:

Question is, shall House Bill 4163 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 4163, having received the required constitutional majority, is declared passed. 4188. 4188 is on the Recall. Also, we will move now, for the last time, through House Bills on 2nd Reading. Tomorrow, as I'm sure you're aware, is the deadline for consideration of House Bills on 3rd Reading. So obviously today is the last day for House Bills on 2nd Reading. Bottom of page 18, on the Order of House Bills 2nd Reading, is House Bill 1516. 1516. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1516.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Jones offers Amendment No. 1.

PRESIDENT ROCK:

Senator Jones, on Amendment No. 1.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. Amendment No. 1 amends the Limited Health Service Organization Act

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to make it consistent with the earlier Volunteer Health Service Organization Act with respect to the ability of a licensed organization to offer a point of service product to its enrollers as an option under the plan. This amendment is supported by the First Commonwealth Corporation, Dental Plus, as well as the Department of Insurance. It's an agreed amendment, and I move its adoption.

PRESIDENT ROCK:

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 1516. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. If you'll turn to page 20. Page 20, in the middle of the page, is House Bill 3032. Senator Brookins. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3032.

(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. 3246. Senator Leverenz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3246.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Leverenz offers Amendment No. 1.

PRESIDENT ROCK:

Senator Leverenz, on Amendment No. 1.

SENATOR LEVERENZ:

Thank you, Mr. President. This is the agreed amendment between the Association and General Motors, offered by myself and Mr. Watson. It would specify that there would be an audit and charge-back provisions up to a period of eighteen months, and it allows the manufacturer the right to charge back any fraudulent claim if the manufacturer establishes in an Illinois Court that the claim is fraudulent. Further, it allows dealers to relocate their franchise within two miles of the existing location, and also allows dealers to relocate, provided the location is no closer to an existing franchise. I would move for the adoption of the amendment.

PRESIDENT ROCK:

Senator Leverenz has moved the adoption of Amendment No. 1 to House Bill 3246. 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. 3266. Senator Marovitz. Read the bill.

SECRETARY HAWKER:

House Bill 3266.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary I offers

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Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Marovitz, on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you very much. Move to adopt Amendment No. 1, which just restores some language that was -- it is the committee amendment. It was -- restored some language that was inadvertently deleted from the bill.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to House Bill 3266. 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:

Senator Marovitz offers Amendment No. 2.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 2.

SENATOR MAROVITZ:

I want -- withdraw Amendment No. 2.

PRESIDENT ROCK:

Amendment's been withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Okay. Amendment No. 2 defines "abandoned child"; it clarifies the definition of "abused child" and defines

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"drug-involved child"; it expands the definition of "neglected child." It inserts an objective reasonableness standard. It addresses jurisdictional objections. Establishes petition summons and service requirements, and provides that a finding of unfitness shall be given preclusive effect in ancillary parental rights termination proceedings.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 3266. 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. 3454. Senator Brookins. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 3454.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Brookins offers Amendment No. 1.

PRESIDENT ROCK:

Senator Brookins, on Amendment No. 1.

SENATOR BROOKINS:

Thank you, Mr. President. Amendment No. 1 depletes the effective date and therefore we'll have a bill for the override section.

PRESIDENT ROCK:

Senator Brookins has moved the adoption of Amendment No. 1 to

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House Bill 3454. 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. Page 23. 3807. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3807.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Cullerton offers Amendment No. 1.

PRESIDENT ROCK:

Senator Cullerton, on Amendment No. 1.

SENATOR CULLERTON:

Thank you, Mr. President. The amendment simply removes the immediate effective date of the bill, and move for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 1 to House Bill 3807. 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 23. 3884. Senator Cullerton. Yes. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

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House Bill 3884.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Cullerton, on Committee Amendment No. 1.

SENATOR CULLERTON:

Yes, thank you, Mr. President and Members of the Senate. Committee Amendment No. 1 allowed for the circuit court clerks, who would be collecting this additional penalty, to retain two percent, and this two percent allows the Department of Public Aid and Public Health to retain three percent of the monies for administrative costs. Move for its adoption.

PRESIDENT ROCK:

Senator Cullerton has moved the adoption of Committee Amendment No. 1 to House Bill 3884. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Cullerton offers Amendment No. 2.

PRESIDENT ROCK:

Senator Cullerton, on Amendment No. 2.

SENATOR CULLERTON:

Yeah. This is a technical amendment. The language was deleted originally by House Amendment No. 1, but the House Enrolling and Engrossing failed to delete the language in the engrossed version. So move for its adoption.

PRESIDENT ROCK:

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Senator Cullerton's moved the adoption of Amendment No. 2 to House Bill 3884. 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 Jones.

PRESIDENT ROCK:

Senator Jones, on Amendment No. 3.

SENATOR JONES:

Yeah. Thank you, Mr. President. Ask leave to withdraw the amendment.

PRESIDENT ROCK:

Amendment's been withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. When the bill passed the House, it was contingent upon the Supreme Court increasing the required bail. And it turns out the Supreme Court did that after the bill passed the House. So what this amendment does is to recognize that fact, and move for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 3 to House Bill 3884. 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. 4124. Senator Severns. 4160. Senator Severns.

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And that concludes 2nd Reading. Senator Alexander, for what purpose do you arise?

SENATOR ALEXANDER:

Thank you, Mr. President. A point of personal privilege. I have with me for the first time my niece from Chicago, who's trying to lobby me, and her little friend, Myeesha. And I just want the Senate to welcome them here.

PRESIDENT ROCK:

Ladies, welcome to Springfield. All right. Ladies and Gentlemen, we have been through the Order of Business for House 3rd and House 2nd. We, I'm told, have a number of Member requests to recall bills. That list is currently being distributed. I'd ask you just to stand at ease for a moment and take a look at the list while we check and make sure the amendments have, indeed, been filed.

(AT EASE)

(SENATE RECONVENES)

PRESIDENT ROCK:

Senator Hudson, for what purpose do you arise, sir? Senator Hudson, please.

SENATOR HUDSON:

Thank you, Mr. President. While we're standing at ease here momentarily, a point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR HUDSON:

In the gallery, in the back -- back of me, and over on the far

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side, we have a group of my Kendall County Farm Bureau people that are down here with their spokesman and leader, Mr. Dan Reedy. And they're sitting right over there.

PRESIDENT ROCK:

Will our guests please stand and be recognized? Welcome to Springfield. All right. Ladies and Gentlemen, you have before you the Recall List, so we are on the Order of House Bills 3rd Reading. I'd ask that you pay attention to the content of the amendments. Should be able to handle this list with some dispatch and effectively conclude our business for today. Direct your attention to page 11 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 2767. Senator Dart seeks leave of this Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2767, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Dart.

PRESIDENT ROCK:

Senator Dart, on Amendment No. 3.

SENATOR DART:

Thank you, Mr. President and Members. This amendment was suggested by the Department of Corrections to take care of a technical problem that they've been encountering. I know of no opposition to this amendment. I'd ask for its adoption.

PRESIDENT ROCK:

Senator Dart has moved the adoption of Amendment No. 3 to House Bill 2767. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDENT ROCK:

3rd Reading. 2824. Senator Marovitz. That bill is on the Order of 3rd Reading, having been reconsidered. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2824, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Amendment No. 1 is technical in nature. No substantive change, and I would ask for its adoption.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 2824. 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. Page 11. Bottom of page 11 is House Bill 2916. 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 House Bills 2nd Reading is House Bill 2916. Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 2 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton.

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SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. The bill -- a portion of the bill is a recodification of the Municipal Code. We discovered that there's an error in that recodification. This amendment simply corrects the error. Move for its adoption.

PRESIDENT ROCK:

All right. Senator Cullerton moves the adoption of Amendment No. 2 to House Bill 2916. 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 12 is House Bill 2927. Senator Severns seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2927. Senator -- I mean, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is a little bit of a hostile amendment to the sponsor. I want to make that -- that clear up front. But what this amendment does is it exempts the key employees from the Family Leave Act in those cases when the employee's absence would cause economic hardship on the employer. It's quite simple. Be willing to answer any questions if you have any.

PRESIDENT ROCK:

Any discussion? If not, the question is the adoption of

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Amendment No. 3 to House Bill 2927. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 5 Nays, none voting Present. Amendment No. 3 is adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 13. 3175. Senator Topinka seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3175, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka, on Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President. I would seek to withdraw the amendment.

PRESIDENT ROCK:

Amendment is withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton. -- I'm sorry. No amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 14 on the Calendar. Top of the page, on the Order of House Bills 3rd Reading is House Bill 3374. Senator Cullerton seeks leave of the Body to return that bill to the Order

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of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3374, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton, on Amendment No. 3.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. This bill deals with preannexation agreements. This amendment's agreed to by the Urban Counties Council, the Metro Counties Council and several of the municipal conferences. The Municipal League, which had been opposed, is now neutral. What it says is that in certain counties, property that is subject to a municipal preannexation agreement must be contiguous, at the time that the agreement is signed, to the annexing municipality in order for the annexing municipality's ordinances, control and jurisdiction to be the same as the property that lies within the annexing municipality's corporate limits. As I said, it's an agreed amendment, and I ask for an Aye vote.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 3 to House Bill 3374. 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. Page 15 is 3598, which is now residing on the Order of Consideration Postponed. Senator Davidson seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Leave granted? Leave is granted. On

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the Order of House Bills 2nd Reading is House Bill 3598, Madam Secretary. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I think I have to move, because I want to table that Amendment No. 2 that caused all the controversy. And -- voted on the prevailing side, I'd move to reconsider the vote which Amendment No. 2 was adopted to 3598, and then I wish to table it.

PRESIDENT ROCK:

All right. Senator Davidson, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 2 to House Bill 3598 has been adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote's reconsidered. Senator Davidson now moves to table Amendment No. 2 to House Bill 3598. All in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 2 is tabled. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3610. Senator Savickas. Page 16. 3633. Senator Dunn seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3633, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 <sic> (4) offered by Senator Thomas Dunn.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This deals with ritual child abuse.

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Senator Dudycz raised a question about religious ceremonies, and this amendment addresses that and exempts religious ceremonies from this bill.

PRESIDENT ROCK:

Senator Dunn has moved the adoption of Amendment No. 2 <sic> (4) to House Bill 3633. 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.

END OF TAPE

TAPE 4

PRESIDENT ROCK:

3692. Senator DeAngelis. Hello. Senator DeAngelis. 3692. You don't have to. No -- nobody's forcing you. Senator DeAngelis seeks leave of the Body, reluctantly, to bring 3692 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3692, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

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

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This is an amendment I think every Member in this Chamber would want to be alerted to. We have this running debate each year about enterprise zones, and each year we affix a numerical number to the number of enterprise zones that ought to be awarded by the Department of Commerce and Community Affairs. Many of us have thought for a long time that the entire State of Illinois ought to be an enterprise zone. And as a consequence, I have put forth this amendment that indicates that the procedure for applying for an enterprise zone is the same. It is still the certification by the Department of Commerce and Community Affairs; however, it does afford every community in Illinois, whether a size or -- in terms of numerical -- numerical numbers of population or size, to have equal access to be in an enterprise zone, just like everyone else. And this is a matter of fairness, and therefore I would move adoption of this amendment.

PRESIDENT ROCK:

Senator Demuzio has moved the adoption of Amendment No. 2 to House Bill 3692. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I not only find this amendment hostile; I find it dilatory, abusive, obnoxious, irrelevant, everything else. I mean, it's -- but I gave the sponsor a chance to plead his case. I'd like to ask him to withdraw his request to put this amendment on.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, we've had a number of discussions about this amendment, and we even had a discussion in committee. And you know it is the right thing to do. You know it is a matter of fairness to all of these communities who do not have the same clout and political connections as other communities do. And as a consequence, I

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believe that this is an amendment that ought to be voted on by everyone and everyone in here ought to be able to support it. I mean, everybody in here wants an enterprise zone, in some capacity, in some part of their district, in some municipality, and therefore I don't find this amendment dilatory and duplicative and all the rest of those adjectives that he's used -- used a few minutes ago. And I would move its adoption.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, this would not -- if this passed, you would not require property tax caps, because you would abolish property taxes with this, because enterprise zones don't pay property taxes.

PRESIDENT ROCK:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Personally, I think the amendment is an excellent amendment. When I look at all of those small Downstate communities that ought to have the same privileges as the others, and I would just like to have leave to go on as a co-sponsor of your bill, Senator DeAngelis, as soon as we get Demuzio's amendment on it.

PRESIDENT ROCK:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Yes. Mr. President, I'm -- I'm opposed to this amendment. When the enterprise zones were set up, they were set up for blighted areas and communities that were in need. If we make this just a blanket policy, hell, our blighted communities will still be at a disadvantage. They -- you know, the enterprise zone is there to help communities that have high unemployment and are blighted areas. Well, I think you know if we pass this thing, it'll be very detrimental to -- to some of our blighted

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communities.

PRESIDENT ROCK:

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I concur with Senator O'Daniel. There was a purpose for this. I think the -- another thing that you should consider is that I'm not so sure the enterprise zones have done anything beneficial at all. I'm not so sure that they have been as successful as they provided. And one thing - the last thing you should consider - is that an enterprise zone provides that area with a twenty-year abatement on property taxes, up to twenty years. I'm not so sure your school districts would be very happy. If you put an enterprise zone in every city and allowed that enterprise zone to abate taxes up to twenty years, when they're struggling for funds already to survive, this would only endanger the species known as the local school district.

PRESIDENT ROCK:

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I rise in opposition to the Gentleman's amendment. I think the last two speakers were exactly right. Enterprise zones were created in Illinois for a good purpose. That purpose was to encourage business to go into areas that were depressed. Now we have many areas in Illinois who are not depressed, and I could name a few of them. But to give the same kind of tax breaks to every community in Illinois, whether they need this or not, I think would have the effect of continuing to see the erosion of business into those booming areas, and the loss of business in those areas where business needs some kind of an incentive. I think the Gentleman's amendment is entirely out of order, and we ought to reject it.

PRESIDENT ROCK:

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

SENATOR DEMUZIO:

Well, thank you, Mr. President. There's -- there's some confusion as to what this amendment, in fact, does, and let me clarify it very -- very succinctly. This changes none of the criteria, none of the application process. Everything that's applicable to providing for the -- to qualify for an enterprise zone is still in the Statute. All this says is we take that the -- the numerical number out of the Statute. You still have to apply. You still have to apply to DCCA. And so you still have to, Senator O'Daniel and Senator Luft, you still have to meet the same criteria if you were applying for an enterprise zone today. The only thing this thing does is it takes the cap off and says that DCCA still makes the decision, but it's not limited to twelve or thirteen or fifteen or whatever we in the Legislature decide that numerical number to be. That's all this does. It simply takes the cap off and allows everyone the opportunity, under the same criteria that's currently in the Statute, to apply and be eligible and be competitive. I would move its adoption.

PRESIDENT ROCK:

Senator Demuzio has moved the adoption of Amendment No. 2 to House Bill 3692. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 13 Ayes, 33 Nays, 3 voting Present. The amendment fails. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 17 on the Calendar. Senator Topinka. 3739. Senator Topinka seeks leave of the Body to return House Bill 3739

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to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3739, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, this amendment is an agreed amendment between the Chicago Board of Education and the Chicago Teachers' Union, that revises the provisions of the School Code dealing with supernumerary teachers in Chicago. And if I may take a little more time, because I think a lot of people have an interest in this particular issue. The amendment would provide that one year after a teacher becomes a supernumerary teacher, that person may be honorably dismissed by the Chicago Board of Education, unless one or more of the following three things occur: the supernumerary obtains a certificate to teach in a needed position; the person enrolls in and is successfully completing courses that lead to certification to teach in a needed position; or the person has been permanently assigned to a position by a principal, subdistrict superintendent or the general superintendent. The amendment also provides that the general superintendent may assign supernumeraries to teaching positions if both of the following occur: the supernumerary has applied for at least three new or vacant positions and has not been selected; and the position to which the supernumerary is assigned has been vacant for at least three months. That's what the amendment does.

PRESIDENT ROCK:

Senator Topinka's moved the adoption of Amendment No. 4 to House Bill 3739. 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. 3769. Senator Topinka seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3769, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 4 would require DCFS to appear in addition to, instead of in place of, the private agency.

PRESIDENT ROCK:

Senator Topinka's moved the adoption of Amendment No. 4 to House Bill 3769. 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. 5 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka, on Amendment No. 5.

SENATOR TOPINKA:

This would require the court to put in writing the reasons for DCFS's required appearance.

PRESIDENT ROCK:

Senator Topinka has moved the adoption of Amendment No. 5 to House Bill 3769. Discussion? If not, all in favor, indicate by

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saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

...(machine cutoff)...further amendments.

PRESIDENT ROCK:

3rd Reading. Page 17. Senator Dart seeks leave of the Body to return House Bill 3986 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3986, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Dart.

PRESIDENT ROCK:

Senator Dart, on Amendment No. 1.

SENATOR DART:

Thank you, Mr. President and Members of the Senate. This would remove the substance of the bill and add a technical amendment. There's negotiations going on right now to straighten out this bill dealing with battered spouse syndrome. I'd ask for its adoption.

PRESIDENT ROCK:

Senator Dart's moved the adoption of Amendment No. 1 to House Bill 3986. 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. 4025. On page 18. Top of page 18. Senator Welch seeks leave of the Body to return House Bill 4025 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd

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Reading is House Bill 4025, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is it cuts in half the amount of money that is allowed to go from the Environmental Protection Agency funding to the Pollution Control Board. The underlying bill allowed an additional hundred and seventy-five thousand dollars in increased funding for Pollution Control Board. In committee, it was opposed by the Environmental Protection Agency and supported by the Pollution Control Board. We're hoping to come to some agreement on this. So this would change the amount to one-half of that amount being allowed to be transferred to the Pollution Control Board. I'd be glad to answer any questions.

PRESIDENT ROCK:

Gentleman has moved the adoption of Amendment No. 1 to House Bill 4025. Discussion? Senator Macdonald.

SENATOR MACDONALD:

Will the sponsor yield for a question?

PRESIDENT ROCK:

He indicates he will yield, Senator Macdonald.

SENATOR MACDONALD:

Senator Welch, with the reduction of the amount of this money, have the Environmental Protection Agency removed their objection to this bill?

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

I don't think it'll remove their total objection; it'll remove

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half of it.

PRESIDENT ROCK:

Senator Macdonald.

SENATOR MACDONALD:

That's a good answer.

PRESIDENT ROCK:

Further discussion? Senator Weaver.

SENATOR WEAVER:

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

PRESIDENT ROCK:

Indicates he will yield, Senator Weaver.

SENATOR WEAVER:

Senator Welch, is this going to reduce the amount of money that the Pollution Control Board will have in their operating budget? I think we've already cut them. Is this going to further reduce their -- their revenues?

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

The Pollution Control Board has asked for increased funding by way of taking money away from the Environmental Protection Agency. The Environmental Protection Agency has this money in funds for cleanups throughout the State of Illinois. Pollution Control Board says, "We're more deserving of a hundred and seventy-five thousand dollars than those cleanups in your district." So to the extent that there would be more money available to the Pollution Control Board, yes, but it would be a dollar-for-dollar decrease in money available to the Environmental Protection Agency.

PRESIDENT ROCK:

Further discussion? If not, Senator Welch has moved the adoption of Amendment No. 1 to House Bill 4025. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The

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amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 18, 4188. Senator Dart seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 4188. Senator Dart.

SENATOR DART:

Thank you, Mr. President, Members of the Senate. Having voted on the prevailing side, I'd move to reconsider the vote by which Amendment No. 1 was adopted for purposes of tabling it.

PRESIDENT ROCK:

All right. Senator Dart has moved to reconsider the vote by which Amendment No. 1 to House Bill 4188 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 Dart now moves to table Amendment No. 1 to House Bill 4188. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment is tabled. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Dart.

PRESIDENT ROCK:

Senator Dart.

SENATOR DART:

Thank you, Mr. President and Members of the Senate. Amendment No. 2 is identical to Amendment No. 1, with a technical change that was suggested by staff. I'd move for its adoption.

PRESIDENT ROCK:

Senator Dart's moved the adoption of Amendment No. 2 to House

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Bill 4188. 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 Dart.

PRESIDENT ROCK:

Senator Dart, on Amendment No. 3.

SENATOR DART:

Thank you, Mr. President and Members of the Senate. Amendment No. 3 was suggested by the clerk's office and the Chief Judge's office as a compromise in dealing with the restitution orders. I'd move for its adoption.

PRESIDENT ROCK:

Senator Dart's moved the adoption of Amendment No. 3 to House Bill 4188. 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 Dunn, I understand we have to make a technical change with -- Ladies and Gentlemen, if you'll go halfway up the list, you'll see again on page 16 House Bill 3633. Senator Dunn seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3633. Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I move to table Amendment No. 2.

PRESIDENT ROCK:

Senator Dunn, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 2 to House Bill 3633

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has been adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote's reconsidered. Senator Dunn now moves to table Amendment No. 2 to House Bill 3633. Discussion on the Motion to Table? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and Amendment No. 2 is tabled. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1440 offered by Senator Smith, President Rock and all Members.

Senate Resolution 1441 offered by Senator Smith.

Senate Resolution 1442 offered by Senator Demuzio, President Rock and all Members.

Senate Resolution 1443 offered by Senator Demuzio, President Rock and all Members.

And Senate Resolution 1444 offered by Senator Topinka. They're all congratulatory and death resolutions.

PRESIDENT ROCK:

...(machine cutoff)...resolutions be placed on the Consent Calendar. Any further business to come before the Senate? Any announcements? Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there will be a Republican Caucus immediately after this Session...

PRESIDENT ROCK:

All right. A Republican Caucus...

SENATOR GEO-KARIS:

...in Senator Philip -- Senator Pate Philip's Offices.

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PRESIDENT ROCK:

Republican Caucus immediately in Senator Philip's Office. Further business to come before the Senate? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, June 25th - tomorrow - at the hour of 10:00 a.m. Ten o'clock tomorrow morning, Ladies and Gentlemen. The -- Senate stands adjourned till ten o'clock tomorrow morning.

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