

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

91st Legislative Day

May 17, 1990

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 Marilyn Brewer, Laurel United Methodist Church, Springfield, Illinois. Reverend.

THE REVEREND MARILYN BREWER:

(Prayer by the Reverend Marilyn Brewer)

PRESIDENT ROCK:

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

SENATOR ZITO:

Yes. Thank you, Mr. President. Good morning. I'd like to yield my time to Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator Zito.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator Zito. Mr. President, I move that reading and approval of the Journals of Wednesday, May 9th; Thursday, May 10th; Tuesday, May 15th; and Wednesday, May 16th, in the year 1990, be postponed, pending arrival of the printed Journals. And I thank you, Mr. Zito, for the time.

PRESIDENT ROCK:

All right. You've heard the motion as placed by Senator Jacobs. Any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it's 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

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the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 1018, 1442, 1585, 2366, 2367, 2378, 3010 <sic> (3020), 3120, 3134, 3146, 3167, 3397, 3398, 3404, 3483, 3523, 3527, 3561, 3777, 3816, 3823, 3838, 3843, 3914, 4031, 4074, 4128, 4129, 4141, 4149 and 4187.

Passed the House, May 16, 1990.

I have a like Message on House Bills 1560, 3197, 3390, 3393, 3604, 3903, 4135, 4159, 4173 and 3028, which passed the House, May 15, 1990.

Filed by John F. O'Brien, Clerk of the House.

PRESIDENT ROCK:

1st Reading. Messages from the House.

SECRETARY HAWKER:

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

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

House Joint Resolution 115

And it is substantive.

PRESIDENT ROCK:

Executive. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1081, 1082, 1083 and 1084 offered Senator Savickas.

Senate Resolution 1087 offered by Senator Zito.

They're all congratulatory.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

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Senate Resolution 1085 and 1086 -- pardon me -- 1086 -- 1085 -- pardon me -- offered by Senator Savickas.

And 1086 offered by Senators Weaver and Carroll. They're both substantive.

PRESIDENT ROCK:

Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

On the resolution -- was it 1085? Is that dealing with the Transportation Committee? Yes. Mr. President, I would like, at this point, to seek immediate consideration. The purpose of this resolution is to create a Commission, from five members of the Transportation Committee, to meet and work out a -- the proper legislation regarding tow -- the tow codification bills that we -- we were discussing. I have a bill - Senate Bill 2337 - that dealt with changing the Towing Code. We had met with both the State Police, the ICC, the Secretaries of State, and the various tow operators. We seem to accommodate the State Police, the Secretary of State and the ICC. The tow operators did have problems. And instead of pursuing with a bill that may -- may cause some concern, we would like this Resolution<sup>?</sup> to pass so that our small commission could sit down, study, work out, whatever problems they are; come back, hopefully, with a proper proposed<sup>?</sup> legislation; and put the -- amend it to the bill. So instead of just rushing through with a bill that may have flaws in it, we would like the committee to sit down and work this out. Hopefully, it can be done before we adjourn. If not, I'm sure that it will be worked out throughout the summer. And that is the purpose of this<sup>?</sup> Resolution.

PRESIDENT ROCK:

All right. Senator Savickas has moved to suspend the rules for the immediate consideration of Senate Resolution 1085. Discussion? Senator Fawell -- I'm sorry, Senator Philip.

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SENATOR PHILIP:

Thank you, Mr. President. We haven't seen a copy of the Resolution at this point. And I mean --

PRESIDENT ROCK:

All right. Why don't --

SENATOR PHILIP:

What's the big rush? Why can't it go -- we're going to have an Exec Committee meeting next Tuesday or Wednesday, why can't it go to the --

PRESIDENT ROCK:

Next Wednesday.

SENATOR PHILIP:

-- normal route. What's the big rush?

PRESIDENT ROCK:

All right. Why don't we just read it in; we'll assign it to the Executive Committee; and you can visit with everybody and see if -- otherwise, it will be heard next week in the Executive Committee. All right. Executive, Madam Secretary. Both of those resolutions in Executive. All right. Ladies and Gentlemen, just so everybody's on the same wavelength, we will begin - while the Members are gathering and gathering their files - we'll begin on House Bills 1st Reading, and I would again direct your attention to the -- that Order of Business. Beginning at Page 24 on the Calendar, there are a number of House Bills that have not yet been picked up by a Senate sponsor. So we'll go through the bills that have been picked up, and they'll be assigned to the Rules Committee. The Rules Committee will meet next Tuesday after adjournment. After 1st Reading, we will begin immediately on Senate Bills 2nd Reading at the bottom of Page 2. There are about twenty bills on 2nd Reading, and then we will begin on Recalls. I -- I am told that there are four Members who have requested the opportunity to recall bills from 3rd Reading. And then we'll



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begin on the Order of 3rd Reading at Page 6, in attempt, obviously, to handle our business expeditiously. House Bills 1st Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 1817 offered by Senators Smith and Alexander.

(Secretary reads title of bill)

House Bill 2619 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 2647 offered by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 2685 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 2873 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill -- pardon me -- 2839 offered by Senator Marovitz..

(Secretary reads title of bill)

House Bill 2845 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 2887 offered by Senator Watson.

(Secretary reads title of bill)

House Bill 2959 offered by Senator Hawkinson.

(Secretary reads title of bill)

House Bill 2964 offered by Senator Severns.

(Secretary reads title of bill)

House Bill 3050 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 3067 <sic> (3063) offered by Senators Vadalabene and Raica.

(Secretary reads title of bill)

House Bill 3090 offered by Senator Watson.

(Secretary reads title of bill)

House Bill 3099 offered by Senator Schaffer.

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(Secretary reads title of bill)

House Bill 3136 offered by Senators Watson and Vadalabene.

(Secretary reads title of bill)

House Bill 3299 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 3324 offered by Senators Schaffer and Luft.

(Secretary reads title of bill)

House Bill 3358 offered by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 3368 offered by Senator Brookins.

(Secretary reads title of bill)

House Bill 3400 offered by Senator Brookins.

(Secretary reads title of bill)

House Bill 3468 offered by Senators Carroll and Schuneman.

(Secretary reads title of bill)

House Bill 3475 offered by Senator Savickas.

(Secretary reads title of bill)

House Bill 3573 offered by Senator Woodyard.

(Secretary reads title of bill)

House Bill 3585 offered by Senators Rea and Ralph Dunn.

(Secretary reads title of bill)

House Bill 3591 offered by Senator Mahar.

(Secretary reads title of bill)

House Bill 3599 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 3655 offered by Senator Zito.

(Secretary reads title of bill)

House Bill 3679 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3789 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 3817 offered by Senator Berman.

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(Secretary reads title of bill)

House Bill 3829 offered by Senators Alexander and Brookins.

(Secretary reads title of bill)

House Bill 3831 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 3841 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 3842 offered by Senators Watson and Fawell.

(Secretary reads title of bill)

House Bill 3891 offered by Senator Davidson.

(Secretary reads title of bill)

House Bill 3933 offered by Senator Watson.

(Secretary reads title of bill)

House Bill 3966 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 3998 offered by Senator Watson.

(Secretary reads title of bill)

House Bill 4036 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 4071 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 4114 offered by Senators Davidson and Jacobs.

(Secretary reads title of bill)

House Bill 4120 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 4140 offered by Senator Daley.

(Secretary reads title of bill)

House Bill 4178 offered by Senator Jones.

(Secretary reads title of bill)

1st Reading of the bills. ...(machine cutoff)...

PRESIDENT ROCK:

Ladies and Gentlemen, we will begin on Page 2 on the Order of

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Senate Bills 2nd Reading. That's Senators Lechowicz, Jones, Vadalabene, Fawell, Thomas Dunn, Etheredge, Jones and Raica. Today, obviously, is the final day for 2nd Reading action, so I would encourage those Members who have a proposal on 2nd Reading that this is the moment. Senator Davidson, for what purpose do you arise, sir?

SENATOR DAVIDSON:

Point of personal privilege.

PRESIDENT ROCK:

State your point.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I'd like to introduce to you the Christian Elementary School from here in Springfield, who are in the gallery here to the rear.

PRESIDENT ROCK:

Will our guests in the gallery please rise and be recognized. Welcome. All right. Madam Secretary, on the Order of Senate Bills 2nd Reading, bottom of Page 2, is Senate Bill 1488. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 1488.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Luft offers Amendment No. 1.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the bill. It's an agreed bill of all

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the banking concerns - the Commissioner of the bank, Chairman Zito and Minority Spokesman Keats. Maybe one of the first times that all concerns are in agreement of the bill. The bill -- the amendment removes the five branch limitations imposed upon banks and permits the establishment of ten branches in the home county of the establishing and maintaining bank, five branches in each contiguous county, and five in other counties if not more than ten miles from the main banking premise. It imposes distance restrictions upon the locations of such branches based upon county populations. I would move -- either answer questions, or move for the adoption of Amendment No. 1 to Senate Bill...(machine cutoff)...

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 1 to Senate Bill 1488. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, several weeks ago some constituents of mine told me that there was an agreed amendment coming, and they thought that branching was going to be expanded in eight counties only. Is this that amendment, or is this a different amendment still?

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

That was the initial amendment that was not agreed to. This amendment is -- been agreed to by - what used to be called the ICB bankers - the small bankers, the IBA and the Commissioner.

PRESIDENT ROCK:

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Further discussion? If not, Senator Luft has moved the adoption of Amendment No. 1 to Senate Bill 1488. All in favor of the adoption of the amendment, 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. 1489. Senator Lechowicz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1489.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Lechowicz offers Amendment No. 1.

PRESIDENT ROCK:

Senator Lechowicz, on Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is the amendment that was offered in committee and adopted, and I am moving for the adoption of the committee amendment. It's an amendment I received from DCCA and the Bureau of the Budget, which appropriates two hundred and fifty-five thousand dollars for Poland, two hundred and twenty-nine thousand for Hungary, other costs of sixty-two thousand five hundred - a total of five hundred and forty-six thousand five -- five hundred dollars. I move for its adoption.

PRESIDENT ROCK:

All right. Senator Lechowicz has moved the adoption of

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Amendment No. 1 to Senate Bill 1489. Discussion? Senator Fawell.

SENATOR FAWELL:

Will -- will the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Where are we going to get this money? Does anybody know?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, according to the Bureau of the Budget and the Governor's Office, out of General Revenue Fund. This is their amendment, not mine.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. And I -- I'm glad Senator Fawell asked that question, that was more or less the direction which I was going. But I guess I'm a little concerned because I thought we had an agreement that there would be no add-ons by any Members. I guess that if you're the Governor you don't count, but I think that the Governor should count in this procedure, as well as we are. I -- I don't know whether or not we should be looking at any add-ons at this time, and probably will vote No on this amendment.

PRESIDENT ROCK:

Further discussion? If not, Senator Lechowicz has moved the adoption of Amendment No. 1 to Senate Bill 1489. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Brookins and Keats.

PRESIDENT ROCK:

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Senator Brookins, Amendment No. 2.

SENATOR BROOKINS:

Thank you, Mr. President. As was stated before, I think that I -- it is only right that we have a trade office in Zaire, Africa. I think that it -- the benefits of the State of Illinois will be fantastic. And with that, I think I read into the record the reasoning for it - whether it will promote the economy of the State of Illinois, provide jobs, create export and import position. And with that, I'd like a favorable vote.

PRESIDENT ROCK:

Discussion? Senator Lechowicz. Ladies and Gentlemen, if I can have your attention. I am going to have to ask the staff to take their conferences off the Floor.

SENATOR LECHOWICZ:

Mr. President, Ladies and Gentlemen of the Senate, I'm going to have to oppose this amendment. I mean, even though it may be offered in the best of intentions, and I could probably support it in a different bill, but I know how difficult and how hard the -- the commitment that was made between the Governor's Office and the -- also our current candidate, Neil Hartigan, when Lech Walesa was in town, and Tadeusz Mazowiecki, and in conjunction with the importance of having a trade office available in Eastern Europe, I don't know of any discussion with the Governor's Office or BOB for this project. And for that reason, I'm going to be opposing this amendment.

PRESIDENT ROCK:

Further discussion? Senator Keats. Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support Senator Brookins' amendment, as I just supported Senator Lechowicz's amendment. As we expand our trade offices - as you may -- as many people may be aware - Illinois, if



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we were a separate nation, is the fourteenth largest gross national product in the world, and we are one of the largest exporting nations in the world. We have absolutely no trade offices in Africa - none whatsoever. And the economy in Zaire, frankly, is -- is in as good a shape as much of Eastern Europe. And I think if we are going to expand into that market, we would be the first American state and one of the first major nations in the world to have a trade office that centrally located to the strongest portion of the African economy. And it truly is a major economic force in -- on the continent of Africa. It's a nation. Seventy percent of the nation is Christian. Many people don't realize that. Their major language is French. There are a substantial number of people who speak English. Frankly, I just think it makes good economic policy to get in on the ground floor. We put an office in Moscow to get in on the ground floor. And let me tell you, the economy in Zaire is no worse than the economy in Russia.

PRESIDENT ROCK:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you, Mr. President. Although it is a good idea, I think that Senator Brookins' amendment should be placed on another effort. Just like Senator Brookins is interested in having a trade office in -- in Zaire, I am also interested in -- seeing a trade office being placed in the capital of the Ukraine - in Kiev. But this is not the -- this is not the place to do it. I would like to sit down with Senator Brookins and possibly work out something where we can -- which can be mutually agreeable to all of us, but 1489 is not the issue. This -- this -- 1489 -- Senate Bill 1489 deals with the trade office in Poland, and I think that we should keep it as pure as we can. And -- and we will discuss your concerns and my concerns in another bill. And I -- I think

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that we should defeat this amendment.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, I've been telling everyone all week long that calls me - my management people, my labor people - that are calling about taking two hundred and forty-eight thousand lousy dollars away from labor management councils that are working. The other side of the aisle is talking about contracts and dollars and et cetera. These labor management councils are controlling billions and billions of dollars worth of contracts. They're doing an excellent job. They -- it's a -- a move toward lack of strikes. It's doing a lot of good things. And we're telling people we don't have the money to do that; but then I'm going to have to go home and tell them we can't do that, but we can sure as the devil put an office in -- in Poland, or in Hungary, and in Zaire. And I just think that these things are all a move in the wrong direction at this particular time. Another day, another place - good idea.

PRESIDENT ROCK:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. Speaker. I rise in support of this motion, and I also support the motion by the sponsor of the bill. In Zaire, we're looking at a possibility of the -- a trade office, which that country now has copper, gold, silver, tin, and it contains sixty percent of the world's reserve of cobalt. I think it would be excellent idea for the economy for the State of Illinois that we consider both of these entities - the one in Poland and the one in Zaire - because it would be an asset to us as a State.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Brookins may

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close.

SENATOR BROOKINS:

Thank you, Mr. President. I think that if we're looking at investments - if we're looking at helping the economy of Illinois - then certainly we should take this opportunity to move into one of the richest countries and one of the richest continents in the world. It will be the first trade office in that country, and I'm sure that Illinois would profit greatly by it. I ask for a favorable vote.

PRESIDENT ROCK:

The question is the adoption of Amendment No. 2 to Senate Bill 1489. Those in favor of the amendment will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 25 Nays, 1 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1532. Senator Jones. Read the bill, Madam Secretary, please. Top of Page 3, Ladies and Gentlemen, on the Order of Senate Bills 2nd Reading, Senate Bill 1532.

SECRETARY HAWKER:

Senate Bill 1532.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Jones, on Committee Amendment No. 1.

SENATOR JONES:

Yeah. Thank you -- thank you, Mr. President and Members of

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the Senate. Amendment No. 1 provides that the practice of esthetics would be under the purview of the cosmetologists, and I moves its adoption.

PRESIDENT ROCK:

All right. Senator Jones has moved the adoption of Committee Amendment No. 1 to Senate Bill 1532. 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 Jones offers Amendment No. 2.

PRESIDENT ROCK:

Senator Jones, on Amendment No. 2.

SENATOR JONES:

Yeah. Thank you, Mr. President. Amendment No. 2 is really a clean-up amendment of the Act we passed last year, and it provides that a person -- may bring action against a school if -- if he suffers damage as a result of the violation described or enumerated in the Article, and I move its adoption.

PRESIDENT ROCK:

All right. Senator Jones has moved the adoption of Amendment No. 2 to Senate Bill 1532. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDENT ROCK:

Indicates he will yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Jones, I'm looking at the simple language that the amendment would change here, and I'm just wondering why this is

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necessary. Who -- who wants it?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

This is a suggestion that -- coming from the Legal Assistance Foundation, who worked on this Act with Senator del Valle. And in the Act, it referred to Act instead of Article, so what this does is clarify the intent. And -- and this is, more or less, a clean-up amendment of the Act.

PRESIDENT ROCK:

Further discussion? If not, the question is the adoption of Amendment No. 2 to Senate Bill 1532. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Jones.

PRESIDENT ROCK:

Senator Jones, Amendment No. 3.

SENATOR JONES:

Yes. Amendment No. 3 includes the practice of esthetics under the Barbers' Act, so that barbers can also practice esthetics, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

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Yeah. Thank you, Mr. President and Members of the Senate. Amendment -- Amendment No. 4 is the clean-up amendment for the Clinical Psychologist Act. There was problems when -- in the drafting of the rules. The Department of Professional Regulations and the Illinois Psychological Association worked together and came up with this amendment. What it does is grandfather certain individuals in who have worked for the State, and also persons who worked for -- not worked, but who went to doctoral programs that were accredited. This is an agreed amendment between the Department and the Association, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 1589. On the Order of Senate Bills 2nd Reading is Senate Bill 1-5-8-9, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1589.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR SEVERNS:

Thank you, Mr. President. I rise on a point of personal

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privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR SEVERNS:

I'm honored to have -- excuse me -- I'm honored to have with us today, in the Senate gallery, students from Ben Franklin School. And I would like the Senate to join me in honoring their presence today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise and be recognized by the Senate. Welcome to Springfield. Senate Bill 1629. Senator Fawell. Senator Fawell on the Floor? 1644. Senator Thomas Dunn. On the Order of Senate Bills 2nd Reading is Senate Bill 1644, Madam Secretary. Would you read the bill, please?

SECRETARY HAWKER:

Senate Bill 1644.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dunn. Could we have some order, please? Take the conferences off the Floor. It'll go a lot faster today if we -- Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This allows a home rule municipality to abate taxes on newly constructed single-family or a duplex home, and the abatement can be up to ten years. The same percentage of abatement must be uniform. And it applies to areas that come under a definition of urban decay, which is an area in a municipality that's experienced a decrease of five percent or more in population or average assessed valuation of the real property

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within five years, or an area in which no building permits have increased for a three-year period. The fear that's been expressed is that city councils and the like might abuse this. I don't think they will. I think we can trust our local officials to fairly and equitably apply this, and I think it would be a boon to areas. I urge a favorable vote and will answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Thomas Dunn offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I'd like -- I believe that's withdrawn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Madam Secretary, the Gentleman indicates that he wishes to have the amendment withdrawn. Leave is granted. The amendment is withdrawn. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1647. Senator Etheredge. On the Order of Senate Bills 2nd Reading -- 1651. Senator Jones. On the Order of



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Senate Bills 2nd Reading is Senate Bill 1-6-5-1, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1651.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Berman offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, on Amendment No. 1.

SENATOR BERMAN:

Thank you. This is a bill that provides a new retirement system for downstate State's Attorneys and Public Defenders. It takes care of everybody except for one little county up north - I think it's called Cook County. My amendment brings Cook County into it. I think if we're going to help the rest of the State, we certainly ought to help those very dedicated public-spirited people who are employed in the State's Attorneys' and Public Defender's Office. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I can appreciate the concern that the sponsor of the amendment has for those State's Attorneys in Cook County. However, after talking with them and the current administration there, they did not want to be included. So therefore, I am opposed to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

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SENATOR SAVICKAS:

Yes. Mr. President, is this the bill that allows attorneys to go into the judicial pension with eighty-five percent of their salary? Where they -- after one year they -- they can bring in their other time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, if you're posing that question to the Chair, I think perhaps you should pose it to --

SENATOR SAVICKAS:

Oh, I thought the sponsor of this amendment knew what was in it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well -- well, you were asking -- you were addressing yourself to me instead of --

SENATOR SAVICKAS:

Oh, I'm sorry -- I'm to Mr. -- Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh. Senator Berman.

SENATOR BERMAN:

The amendment doesn't do anything different than the rest of the bill does, except -- except --

SENATOR SAVICKAS:

Well, what -- what does -- what --

SENATOR BERMAN:

-- except, Senator Savickas, it includes the Cook County State's Attorneys and Public Defenders. The bill, as introduced, does something for all the rest of the State's State's Attorneys and Public Defenders. For the details of the bill and what it does, I'd defer to Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well -- Senator Savickas.

SENATOR SAVICKAS:

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Senator, I thought you'd amend the bill, you'd know the details of what you're doing with it now. Does this bill allow the attorneys to get into the judicial system - judges' pension - at eighty-five percent of whatever salary they're going to bring in after a year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well. Right now, the bill is simply a vehicle bill at this moment. But the amendment that I will offer, I will discuss that at that particular time. But currently, right now, there is no such language in the bill as it relate to prosecutors going into the judges retirement system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

I'm not sure who to address the question to. I know Senator Berman's amendment -- addressing is -- is not actually the total amendment. I heard part of Senator Savickas' questions. I'm just trying figure out how people qualify. We've got the amendment here. I can figure out it's eighty-five percent. I can't -- I have not yet been able to find out what the pay-in is - what the eligibility standards are. Are these questions for Senator Berman, or should we hold them for the -- the bill later? 'Cause we'd like to know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, are you -- have you --

SENATOR KEATS:

Mr. President, I asked you a question of who answers my question. We weren't sure. I think Senator Jones is trying to hint that he's who should be answering the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Well, Senator, it's not the Chair's prerogative to call upon Members to answer other Members' question. If you wish to pose a question to Senator Jones, that is perfectly within your right. He doesn't have to respond however, if he doesn't -- chooses not to wish to. Senator Jones.

SENATOR JONES:

Yes. If the asker of the question can defer those remarks later on the next amendment, then I'll answer that question for you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer. Senator Dudycz. Senator Dudycz, could we -- so I can see Senator Schaffer?

SENATOR SCHAFFER:

If -- if I understand --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

-- and I have a question for Senator Berman. I think all Senator Berman is trying to accomplish here is to see that the people in these same positions in Cook County get the same treatment that the ones downstate do. And I think what he's further suggesting is that that's only fair and reasonable, and without that that the -- some of the people who favor the concept from Cook County will have a tough time supporting it on final passage. And I see, from his nodding head, he agrees with me. Well, some of us who think it's a horrible idea for downstate should oppose this amendment so that our friends from Cook County will help us send this thing to oblivion - where it truly deserves to go. I would request a roll call and a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, on this amendment? Further discussion? Senator Schaffer, were you requesting that on this amendment? All

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right. Further discussion? Senator Berman may close.

SENATOR BERMAN:

All right. Just for the record, Senator Schaffer, I like the bill as Senator Jones is going to explain it on the next amendment. I think that there is a great disservice that presently exists throughout the State regarding State's Attorneys and Public Defenders. We expect these attorneys - many of whom are young attorneys - to do a great dedicated job in our criminal justice system, and we really provide them with very little incentive to stay for any length of time in their jobs. Now that's the explanation and justification for the total bill. The problem that this amendment addresses is if that rationale is a good one - and I suggest to you that it is - that then it ought to apply to every one of these people throughout the State. That's what my amendment does. So I would suggest instead of taking Senator Schaffer's highly political and -- and -- attempt to divide our State between Cook County and downstate, that you allow the bill to be amended, and vote it up or down on 3rd Reading. But at least that way we're doing a fair approach to all of the State's Attorneys and Public Defenders throughout the State of Illinois. I ask for an Aye vote on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You still -- you persist -- Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1651. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 15, the Nays are 36, none voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Jones.

SENATOR JONES:

Thank you, Mr. President and -- and Members of the Senate. Amendment No. 2 deletes everything after the enacting clause and essentially becomes the bill. The bill, in its current form, had many, many mistakes in it. After working with the prosecutors, as well as Mike Mory from the Retirement System, we came up with this amendment. It creates the Criminal Justice Retirement Systems -- System consisting of the following assistants: State's Attorneys, Public Defenders, Attorney Generals, State's Attorneys, Appellate Prosecutors, State Appellate Defenders. Benefits, contributions at -- are at levels that are applicable to judges. Provides for transfer of prior service for certain retirement systems. It excludes Cook County personnel. This is essentially the bill. There was many questions raised as to the eighty-five percentile that Senator Savickas was concerned about. There are two formulas in this bill. Many of the prosecutors in the State of Illinois --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Jones. Ladies and Gentlemen, I -- I -- if we could have some order please? I -- I can't even hear Senator Jones. Senator Jones.

SENATOR JONES:

Many of the prosecutors are currently under the Social Security System, so therefore we have to have two formulas; one for those persons who are currently paying into Social Security, and another for those who if -- when they become part of this System who will not be part of the Social Security System. There are many, many questions as relate to the bill. But I said, the amendment is essentially the bill. It is the bill. And I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

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there discussion? Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, the -- the amendment is much improved over the original bill that we saw in committee. And I, with some reluctance, supported it in committee, but I did so expecting that a provision would be in this final bill that's -- that's not in it. And that is to -- to eliminate the discrimination between different classes of attorneys who -- who work for the State. In -- in the bill we have included Assistant Attorney Generals, but not included lawyers who work for other State agencies. And if the overall intent of -- of the bill is to try to provide incentives for attorneys working for the government to stay involved in public employment for a longer period of time, and to do that by providing a more attractive pension system, we're doing that for one group of -- of attorneys on behalf of the State, but -- but not for another. And -- and I -- going to let the amendment go on, but I -- it does cause me concern with regard to the bill on final passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Keats.

SENATOR KEATS:

Yeah. I have no objection to the Amendment going on, and you have the right to amend your own bill anyway you want. But honestly, we're just trying to dig stuff out of it, and honestly can't find it. We have found that it's -- the eighty-five percent and three and a half. I don't understand on Page 7, as example, Section 25-108 (b) and (c), we've got different categories - one guy's three and a half percent; another guy's

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three percent for his first ten years; another guy's five percent and four and a half, and I'm just -- frankly, can't figure out what some of that is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones.

SENATOR JONES:

That -- that Section that you referred to, Senator, is the formula. See, those individuals who are currently either with IRMF <sic> (IMRF) or some other retirement system, but they also pay into the Social Security System, so that you have two formulas - one for those who are participating in the Social Security System, and one for those who are -- who will not be participating in that system. Once they become part of this System, the newer members will not be part of the Social Security System. That's why you have two formulas in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Okay. Good. Thank you. Second question is - and I just honestly have been unable to find it - what is their pay-in? What percentage of income is pay-in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

For the noncovered employees under Social Security, it will be eleven percent. For covered employees, it would be seven percent of salary. And that seven percent is for those persons who are currently in the Social Security Retirement System. So therefore, they'll pay a lower percentage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:



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Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Philip.

SENATOR PHILIP:

And -- and I've been trying to keep up with the -- the question and answers that have been going on. Am I to assume, we pay a eleven and a half percent now for our eighty-five percent, and you want these attorneys to only pay four percent and the State pay the other four percent. Is that what I've been led to believe?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

As I indicated to you, Senator, many of these persons currently are a part of the Social Security System. They are paying into that. So therefore, in order to keep the benefits below -- eighty-five percent or below, they are -- when they come into this System, they are a part of the Social Security System. So therefore, we are asking that they pay a lower rate. For those persons who are not -- who are not part of the Social Security System - who are not paying in - they will pay a higher rate almost comparable to ours - that's the eleven percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah. You're telling me comparable, or are you telling me eleven and a half?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

It says in the bill eleven percent - eleven percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Philip.

SENATOR PHILIP:

Yeah. That's still lower than ours. Has -- has the Attorney General taken a position on this yet - the candidate for governor - is he for your bill or against it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I have not talked to Roland Burris about the bill, as of yet. But, I haven't talked to the current Attorney General on this bill. But I know many, many prosecutors and persons who are employed there. They spend a very limited time there. And if we are going to have, in this State, well-trained prosecutors, we must offer the benefits for them. And I think you support that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I have, in my family, a couple of -- of children, one of whom was an assistant state's attorney, one of whom was a public defender. They - obviously, under your bill - if they were presently employed, would have been covered. Because what you're covering is not only the State's Attorney - which I may not have any problem with - but you're also including all the Assistant State's Attorneys in any other county besides Cook, all the Public Defenders and Assistant Public Defenders - who, by the way, in some counties can also have a -- a law practice in any other county - a director, assistant director, attorney employed by the Office of the State's Attorney -- Attorney's Appellate Prosecutor, the State Appellate Defender, the Deputy Defender - or the Assistant Appellate Defender - the Attorney General - and by the way, I thought he was already under one pension plan, and when he just got seventeen percent increase why in the world should he

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get more - the Deputy Attorney General, the Solicitor General or a full-time Assistant Attorney General, including special assistant attorney generals who in the code department payroll, but under the full-time exclusive direction of the Attorney General. I mean, you know, we're going to be covering practically every lawyer in the State of Illinois at the rate you're going. It just so happens that most of -- of the attorney -- assistant attorneys in downstate - you know, and I realize you are not a member of the downstate contingency - but most of them, frankly, get their trial experience as Assistant Public Defenders or Assistant State's Attorneys. That's why they go into the practice. Once they get their trial experience they then go on to bigger and better things, and become defense attorneys and trial attorneys. Now, you know, this is not a good idea. This is going to cost downstate, in the State of Illinois, an absolute fortune. I would seriously suggest that you take this out of the record and kill it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR JONES:

As I -- as I indicated to the -- to the Body, the amendment is the bill. A lot of the questions that you've raised, you can raise 'em on 3rd Reading. But the -- the amendment is essentially the bill, and we'll deal with that on 3rd Reading. And I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 2 to Senate Bill 1651. Those in favor will indicate by saying Aye. Opposed. Oh, there's been a request by Senator Savickas for a roll call. Those in -- all right -- those in favor of the adoption of Amendment No. 2 will vote Aye. Those opposed, Nay.

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 39, none voting Present. Amendment No. 2 fails. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman seeks to withdraw Amendment No. 3. Leave is granted, and Amendment No. 3 is withdrawn. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1788. Senator Raica. Senator Raica on the Floor? I'm sorry. 1788, Madam Secretary. All right. Take it out of the record. Senator Raica, for what purpose do you arise?

SENATOR RAICA:

Mr. President and Ladies and Gentlemen of the Senate, I had opportunity to speak to all concerned parties on this bill, and rather than mess up anything with the agreed bills process, I'm choosing not to call the bill at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 1909. Senator Raica. 1809. On the Order Senate Bills 2nd Reading is Senate Bill 1-8-0-9, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1809.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

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

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Committee Amendment No. 1 is the guidelines amendment and across the board reductions. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Consistent with the plan that we and the Republicans had announced jointly for a balanced budget, this would transfer the surplus five million dollars from the earmarked fund into the General Revenue Fund, and I would move its adoption.

PRESIDENT ROCK:

Senator Carroll's moved the adoption of Committee Amendment No. 2 to Senate Bill 1809. 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:

Are there amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments?

PRESIDENT ROCK:

3rd Reading. 1951. Senator Jones. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 1951.

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(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Jones, on Committee Amendment No. 1.

SENATOR JONES:

Thank you, Mr. President. We acted on this bill already. All we was waiting for is the fiscal note, and the fiscal note has been filed.

PRESIDENT ROCK:

All right. Committee Amendment - the Clerk -- I mean the Secretary informs me - has been adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2-0-1-2. Senator Welch. Read the bill, Madam Secretary, please. 2-0-1-2. Middle of Page 3, Ladies and Gentlemen.

SECRETARY HAWKER:

Senate Bill 2-0-1-2.

(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. 2-0-1-3. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 2-0-1-3.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 2-0-1-5. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 2-0-1-5.

(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. On the Order of Senate Bills 2nd Reading, bottom of Page 3, 2040. Senator Kustra. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 2-0-4-0.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Kustra offers Amendment No. 1.

PRESIDENT ROCK:

Senator Kustra, on Amendment No. 1.

SENATOR KUSTRA:

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Thank you, Mr. President and Members of the Senate. This is the amendment that would have been offered in committee. It makes technical corrections and also provides that the limitations apply only to the annual corporate levy and other annual special purpose levies. The limitation does not apply to debt service levies and those levies made for the purpose of paying public building commission leases. This amendment also deletes the language which would have required the Department of Revenue to enforce the local tax extension process. I would urge its adoption.

PRESIDENT ROCK:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 2040. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank -- oh, thank you, Mr. President. Senator Kustra - yoo hoo -- just to be clear, this is identical to the amendment that you had available when we were considering the bill in committee, is that correct?

PRESIDENT ROCK:

Senator Kustra.

SENATOR KUSTRA:

Yes, it is.

SENATOR NETSCH:

And --

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

Thank you. And what the amendment does is to offer the existing Truth in Taxation exceptions to your levy limit, is that correct?

PRESIDENT ROCK:

Senator Kustra.

SENATOR KUSTRA:



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Yes.

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

All right. Thank you. We'll talk about the rest of it on 3rd Reading.

PRESIDENT ROCK:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 2040. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2-1-7-4. Senator Jones. 2-2-6-7. Senator Marovitz. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2-2-6-7.

(Secretary reads title of bill)

PRESIDENT ROCK:

All right. Two amendments have already been adopted?

SECRETARY HAWKER:

That is correct.

PRESIDENT ROCK:

Are there further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 4.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Amendment No. 4 to Senate Bill 2267 corrects something that was

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brought up by one of my colleagues on the other side of the aisle, regarding a particular definition, and requesting that there be a specific definition in the legislation. In this legislation, there is a specific definition requested by him, and also by Senator DeAngelis, who asked me to define the words in the legislation. Those words are defined in the legislation, and those parts which were excluded are now included, and I would ask for adoption.

PRESIDENT ROCK:

All right. Senator Marovitz has moved the adoption of Amendment No. 4 to Senate Bill 2-2-6-7. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 5 offered by Senators Marovitz and DeAngelis.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

I guess -- I didn't know there was an Amendment 4, but -- I don't know what Amendment 4 was, but why don't we go back, and can I ask that the vote by which Amendment 4 was adopted be reconsidered? Am I correct that I want to reconsider 4, Darrell? Or are they identical amendments? I can't hear you. I want to reconsider the vote by which 4 was adopted, for the purpose of Tabling.

PRESIDENT ROCK:

All right. Senator Marovitz, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 4 to Senate Bill 2267 was adopted. Discussion on the Motion to Reconsider? Senator Fawell.

SENATOR FAWELL:

Could you tell me what Amendment 4 does? I'm Just asking. I'm

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just asking what it does, that's all.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Fawell. Senator Marovitz.

SENATOR MAROVITZ:

It puts in a specific definition that was asked for, and it's being Tabled.

PRESIDENT ROCK:

All right. Senator Marovitz, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 4 to Senate Bill 2267 was adopted. Discussion on the Motion to Reconsider? Senator Dudycz.

SENATOR DUDYCZ:

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

PRESIDENT ROCK:

He indicates he will yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Marovitz, is this your amendment that you're -- you're moving to reconsider? And which one is it? Could you please explain to us?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

I'll tell you what, Mr. President. We've adopted Amendment No. 4?

PRESIDENT ROCK:

4 -- 4 has been adopted.

SENATOR MAROVITZ:

Okay. Then I will just Table No. 5, and leave 4 adopted, and move it to 3rd.

PRESIDENT ROCK:

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Gentleman seeks to withdraw Amendment No. 5, Madam Secretary.  
Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top of Page 4. 2291. Senator Brookins. Top of  
Page 4. 2304. Senator Marovitz. 2-3-0-4. Yes, please. Read  
the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 2304.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Marovitz offers Amendment No. 1.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 1.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate.  
Amendment No. 1 addresses a problem that -- that is particular to  
certain districts in the State of Illinois where there are certain  
federally subsidized housing units where the Federal Government  
granted federal subsidies, and those -- and the time period has --  
has come -- come due and those units are turned back into private  
housing, and the individuals are -- basically, can't afford the  
increase -- substantial increase in rents immediately after they  
come back on private line, and their -- their -- really have to  
move out of their homes. So this amendment provides a deduction  
-- it provides an incentive for those individuals to be able to  
keep the elderly in their subsidized housing units, and provides a  
deduction for income derived from the rental of a low income

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housing unit in a housing development which was financed by a federally subsidized mortgage and on which the mortgage has been prepaid. And I would ask for adoption. Take care of these people so they don't be -- become homeless.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 1 to 2304. 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. All right. Ladies and Gentlemen, the Recall List has been -- I wonder if we can do the Recalls first, before you go to -- is that all right? Just -- just help the paperwork. The Recall List has been distributed. We would like to move rapidly through the Recall List before we begin on the Order of Senate Bills 3rd Reading, which will be final action. Senator Geo-Karis has indicated, as Senator Philip has, that the Republicans wish to have a caucus. And we will honor that request, most certainly. After the Recalls. Can we do the Recalls first? Yes. All right.

SENATOR GEO-KARIS:

...President --

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Right after the --

PRESIDENT ROCK:

Thank you, I appreciate that. All right. Ladies and Gentlemen, if you'll take a look at the Recall List. 1614. Senator Daley. Senator Daley.

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SENATOR DALEY:

Mr. President and Members of the Senate, at this time I would like to Table this amendment, as well as the bill - 1614.

PRESIDENT ROCK:

All right. Senator Daley is moving to Table Senate Bill 1614. All in favor of the Motion to Table will indicate by saying Aye. All opposed. The Ayes have it. The motion carries. 1614 is Tabled. On the Order of Senate Bills 3rd Reading is Senate Bill 1644. Senator Dunn seeks leave of the Body to return this bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1644. Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I'd like to Table the committee amendment. And I would also like to adopt Amendment No. 2 -- Floor Amendment No. 2, and I'd like the LRB number read, if I may, please.

PRESIDENT ROCK:

All right. Senator Dunn, having voted on the prevailing side, is moving to Table Committee Amendment No. 1 to Senate Bill -- moving to reconsider the vote by which Committee Amendment No. 1 to Senate Bill 1644 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 Dunn now moves to Table Committee Amendment No. 1 to Senate Bill 1644. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Amendments from the Floor?

SECRETARY HAWKER:

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Senator Thomas Dunn offers Amendment No. 2.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Could I please have the LRB number read?

SECRETARY HAWKER:

Yes. That's 861082603.

SENATOR T. DUNN:

Thank you. Mr. President, this is the same bill that passed two minutes ago, but was put in reverse order. I ask for an Aye vote on the same bill.

PRESIDENT ROCK:

All right. Senator Dunn's moved the adoption of Amendment No. 2 to Senate Bill 1644. 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. 1761. Senator Joyce. Bottom of Page 7. Senator Joyce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1761, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This is the result of many hours of work and hearing that many people put in - staff and Members - regarding the problem of siting a low-level nuclear waste facility

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in the State of Illinois. We are trying to improve that site selection process by creating a three-member commission appointed by the Governor with advise and consent of the Senate, to evaluate the safety and suitability of any site proposed by DNS as a low-level radioactive waste site. This amendment will create a commission that will review the preliminary design for the facility. And before DNS issues a license for the facility, the commission must review the license to ensure it is adequate for the site. I think that this would bring back credibility to the process that we've all been so concerned about. A report is being made on the findings of this subcommittee, and it will be made available to all of the Members. If there are any questions, I'd be happy to try and respond.

PRESIDENT ROCK:

All right. Discussion? Discussion? If not, Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1761. 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. Bottom of Page 7. Senator Joyce seeks leave of the Body to return Senate Bill 1776 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1776, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator J.E. Joyce.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.E. JOYCE:

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



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No. 2 would require railroads to identify operating property by PIN number in those counties where the PIN -- where the Permanent Index Numbering System is utilized. Under our present system, there are a number of properties that are not being taxed either because the assessor is unable to identify them, or -- and -- and that results either because the railroad is not exercising the necessary diligence in assisting in this process or for some other reasons. And what this will permit is the railroad property that is not being taxed to be taxed - i.e., we, homeowners and other property owners, who are, in effect, subsidizing this error, will be granted a fairer liability, and the railroad will either pay its fair share or be able to explain why they don't have to pay, once the assessor is aware of whether or not this property is operating property. I know that the railroads have exerted enormous pressure on this bill. We are not talking about a little dollar amount here. There are seventy-five thousand parcels located throughout the State. There were about eight hundred last year, I believe, that were identified and are presently being reviewed. So it's down to this: either the railroad pays or your other constituents pay. Somebody's paying this real estate tax. Someone has to pay it. And the choice is ours today. If we adopt this amendment, we will assist the local taxing officials in bringing -- bringing some fairness into this problem.

PRESIDENT ROCK:

All right. Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 1776. Discussion? Senator Rigney.

SENATOR RIGNEY:

Mr. President, I have a few questions I'd like to ask of the sponsor.

PRESIDENT ROCK:

The sponsor indicates he will yield, Senator Rigney.

SENATOR RIGNEY:

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Okay. I don't have a copy of your amendment in front of me, but is this the amendment that was presented in the Senate Revenue Committee, and was rejected at that level, and also in the House Revenue Committee and -- and rejected?

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.E. JOYCE:

This is the amendment that was in front of the Senate Revenue Committee, yes.

PRESIDENT ROCK:

Senator --

SENATOR RIGNEY:

And rejected?

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

Okay. Wouldn't this make the railroad really the only one that would - you know, thinking of those type of taxpayers - the only one that would have to -- to implement such a system? We don't do that anywhere else do we?

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.E. JOYCE:

Well, I -- I don't know -- I don't know what other entity controls seventy-five thousand unidentified parcels.

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

Well, okay. Then --

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

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Well, so as not to prolong this, I think there's possibly one other objection that maybe didn't even surface in the -- in the course of the Revenue Committee hearings. I assume that a lot of this property does lie within Chicago and within Cook County, and you're going to, in effect, change the assessment procedure to keep that money within Cook County and keep it out of the State channels which distributes it back on a mileage basis. Is that correct?

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.E. JOYCE:

Well, let me just say this. There are large tracts of property all over the -- all over the State that developers seem to be able to identify and -- and come forward and go to the railroad and say, "We would like to buy this property. We would like to put something up on it. This is property that the railroad's not using for operating purposes." All we are saying is, why don't -- why don't you, "Mr. Railroads," come in and help the local assessing official identify those properties as to where the -- eventually, where the tax revenues are going to go as a result of this property being properly assessed and taxed. I don't know whether that's relevant or not for our discussion. I don't think this upstate - downstate -- you have property - if your county's using this PIN System - you have properties in your district that are not being properly assessed because they are not being properly identified. The railroad wants to continue this. I would too if I was the railroad.

PRESIDENT ROCK:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Just close on this comment. In addition to the administrative detail that the railroads are not happy about, and singling them

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out for a separate procedure -- but I think there are some kind of hidden tax implications here. And I pointed out to our friends throughout the balance of Illinois that it probably isn't in our favor - what's being proposed. So I stand opposed.

PRESIDENT ROCK:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition to this amendment for some of the same reasons that have just been put forward by the prior speaker. What we're proposing to do here is a departure - a departure, in that we are imposing a burden on an industry that we impose on -- on no other. I would suggest that that is an unfair tax that we - a hidden tax - that we would be imposing on the railroad industry. I would also suggest to you that this is an invitation to chaos. The Statutes already identify those who are responsible for assigning these numbers. Now if we're going to shift the burden so that we have more than one entity - public entity - assigning these numbers and then a -- a private industry, I would suggest to you that that is an invitation to chaos. I rise in strong opposition to this amendment.

PRESIDENT ROCK:

All right. Further discussion? Further discussion? Question of adoption of Amendment No. 2. Senator Joyce may close.

SENATOR J.E. JOYCE:

Very briefly. Senator Rigney, the only thing hidden here is the fact that this practice is going on. That's probably hidden from a lot of property owners whom you and I represent. This is a departure, Senator Etheredge. Hopefully, it's a departure from something that is not being done properly. And it -- the tax is due. The -- the railroad is liable for the tax. There's no question about that. The fact of the matter is, is that the

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railroad is escaping its liability for that tax because it can't the -- the assessing authority is unable to locate the property and convey that information through the process. That's all we're asking here - very simple. I ask for an Aye vote.

PRESIDENT ROCK:

All right. Question is the adoption of Amendment No. 2 to Senate Bill 1776. 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? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 29 Nays, none voting Present, and the amendment fails. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top of Page 9. 1986. Senator Brookins. 1-9-8-6. Senator Brookins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1986, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This amendment corrects a mistake of yesterday which made this apply to public airports, and it should've applied to private airports, and it so states in the amendment. And I ask for a favorable vote. Be willing to answer any questions.

PRESIDENT ROCK:

Senator Dunn's moved the adoption of Amendment No. 2 to Senate

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Bill 1986. 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. 2143. Senator DeAngelis. In the middle of Page 10, Ladies and Gentlemen, on the Order of Senate Bills 3rd Reading is Senate Bill 2143. Senator DeAngelis seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2143, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator DeAngelis.

PRESIDENT ROCK:

Senator DeAngelis, on Amendment No. 3.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 3 is quasi-technical in nature. Quasi, in that it makes a substantive change in the bill that coincides with -- coincides with the intent of the author. And that is that I had no intention of eliminating the double deduction when I put the other amendment on. This reinstates that double deduction. The other part is to correct an error in which Chicago would have received a less than what the other parts of the State would have received as a reduction in their property tax rate. I urge the adoption of Amendment No. 3.

PRESIDENT ROCK:

All right. Senator DeAngelis has moved the adoption of Amendment No. 3 to Senate Bill 2143. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Just so that everyone is clear, this is a -- another version of Senator DeAngelis' amendment to

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Senate Bill 2143. This is the one that involves the permanent income tax increase and the trade-off for some property tax reductions. While I think in Senator DeAngelis' mind this is a technical amendment, it is, in fact, substantive. And again, because I think there have been so many versions of this floating around and I think there's a lot of confusion among the Members, and I simply want to call attention to the two substantive changes in this version. One is that with respect to the reduction in the allowable property tax rates for the City of Chicago, this version reduces those allowable maximum rates considerably under the original version of the amendment. And that is precisely what Senator DeAngelis wanted to do.

END OF TAPE

TAPE 2

SENATOR NETSCH:

Second thing is that in the earlier version of the amendment, the double deduction for taxpayers on their State income tax of their property taxes was eliminated and only the single deduction was retained. In this amendment - and this of course is a major substantive change - the double deduction is continued. That, obviously, has a major impact on the -- the fiscal outcome of the bill. Now, I'm not going to try to stop Senator DeAngelis from having this amendment in whatever form he wants. But again, I think we should not have any illusion that this is simply a technical amendment, it does have two major substantive impacts.

PRESIDENT ROCK:

All right. Senator DeAngelis has moved the adoption of Amendment No. 3 to Senate Bill 2143. Discussion? If not, all in

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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, for what purpose do you  
arise, sir?

SENATOR DeANGELIS:

Just on a -- Mr. President, I would like to commend the staff  
of the Economic and Fiscal Commission for their yeoman work on  
this particular issue. This bill has not been an easy bill to  
prepare. I'd like to commend our staff as well. But preparing a  
lot of the information on this was rather hard work, and I really  
want to commend them for their really unbiased and rational  
approach to the analysis of this bill.

PRESIDENT ROCK:

Well said. Senator Netsch, for the fourth time.

SENATOR NETSCH:

Right. Not the last either, Mr. President.

PRESIDENT ROCK:

Unfortunately.

SENATOR NETSCH:

Yeah, you're right -- you're right. The -- just cheer up,  
I'll be gone next year. So may you, as a matter of fact. All  
right. Now. If I might -- may -- may I just comment, because,  
you know, we don't often get to -- to extend accolades to --  
accolades, I'm sorry -- to our staff. And what Senator DeAngelis  
is saying is that the staff of the Economic and Fiscal Commission  
is available to serve all Members of the General Assembly. We do  
not play favorites. And they are very good and they help everyone  
who asks. And that is precisely what Senator DeAngelis is saying.  
Thank you.



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PRESIDENT ROCK:

I thought it was pretty clear what he was saying, we didn't need your explanation, but -- 2208. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2208, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 to Senate Bill 2208.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. Amendment No. 1 is essentially the bill, and what it does is amend the Insurance Code to clear up some ambiguity as it relate to local taxes. It -- it deals with leases and sales and other transfer taxes that are currently not clear in the -- in the Insurance Code. This is essentially the bill, and I move its adoption.

PRESIDENT ROCK:

Senator Jones has moved the adoption of Amendment No. 1 to Senate Bill 2208. 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. Ladies and Gentlemen, there's been one additional request for Recall since we started the list. With leave of the Body, we'll just add it. It is Senate Bill 1951. 1-9-5-1, which is found on Page 3. Senator Jones, just a few minutes ago, filed an amendment. On the Order of Senate Bills 3rd

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Reading, Senate Bill 1951. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1951, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 13 offered by Senator Jones.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Amendment No. 13 deletes everything after the enacting clause and make this simply just a vehicle pension bill. And I move its adoption.

PRESIDENT ROCK:

Senator Jones has moved the adoption of Amendment No. 13 to Senate Bill 1591 -- 1951. 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. All right. While I have your attention, Ladies and Gentlemen, we are obviously always pleased to see the Governor of the State of Illinois. Welcome, Jim. You're always welcome. When we return, Ladies and Gentlemen, we will be beginning in the middle of Page 6 on Senate Bill 1491 and all the bills following, except those that were subject to Recall, and then we will deal with the appropriation bills and the Agreed Bill List. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I'd like to remind my Republican colleagues, there is a caucus immediately in Senator Pate Philip's Office.

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PRESIDENT ROCK:

All right. That request is in order. ...(machine cutoff)... Senator Philip, can I visit with you a moment before we retire? ...(machine cutoff)... All right. Ladies and Gentlemen, if -- if I can have your attention, the Republicans have requested a caucus immediately in Senator Philip's Office, and that request is always honored and will be honored. Suggestion has been made - and I think it's a good one - that while they are retiring to Senator Philip's Office, that we read in the appropriation bills and the Agreed Bill List in preparation for a vote to be taken later - obviously when the caucus returns and when all of us return. It will save us approximately an hour and a half a little later on in the day, and I think we can do it just as well right now. So if -- with leave of the Body, we'll just do that. And I would suggest to the Members that if they wish to make some phone calls or get a bite to eat, that we will reconvene here at approximately twelve-thirty. But in the meantime, the Secretary will have read in, or will be reading in, the -- the bills on the Agreed Bill List so that the record technically will be correct. Senator Berman, for what purpose do you arise, sir?

SENATOR BERMAN:

Thank you, Mr. President. On a point of personal privilege. To my right --

PRESIDENT ROCK:

State your point.

SENATOR BERMAN:

To my right, we are graced with the presence of an -- of the Alderman from the 49th Ward of Chicago and the candidate for County Clerk of the County of Cook, Alderman David Orr.

PRESIDENT ROCK:

Alderman, nice to see you. Welcome to Springfield. And if you stay to Senator Berman's right, you can't be all wrong.

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Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, Senator -- Mr. President and Members of the Body, point of personal privilege. I'd like to -- I'd like to have the attention of the Body, please.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, if you can, please, just for a moment. Senator Collins.

SENATOR COLLINS:

Yes. On yesterday, I'm sure that many of you have read in the papers about the passing of two great heroes of this country - Sammy Davis, Jr. and Jim Henson. And I would like at this time, with the permission of the Body, to have leave for everyone to stand in a moment of silence to pay tribute to two great people who made an outstanding contribution to the culture of this society. Both of those characters and entertainers, most certainly, warmed the -- the hearts and rekindled the spirit of many Americans. I think that this Body should, in fact, stand in a moment of silence and pay tribute to two soldiers.

PRESIDENT ROCK:

All right. With leave of the Body, I'd ask the Members and the staff to please stand and observe a moment of silence in memory of two entertainers - Mr. Henson and Sammy Davis, Jr. ... (Moment of Silence) ... All right. Senator Geo-Karis has requested a Republican Caucus immediately in Senator Philip's Office. Madam Secretary, with leave of the Body, we will turn then to Page 11. And I'd ask the Secretary to read in the Senate Bills on 3rd Reading on Pages 11 through 23. Senate Bills 3rd Reading, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1535.

(Secretary reads title of bill)

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Senate Bill 1536.

(Secretary reads title of bill)

Senate Bill 1537.

(Secretary reads title of bill)

Senate Bill 1783.

(Secretary reads title of bill)

Senate Bill 1784.

(Secretary reads title of bill)

Senate Bill 1785.

(Secretary reads title of bill)

Senate Bill 1786.

(Secretary reads title of bill)

Senate Bill 1787.

(Secretary reads title of bill)

Senate Bill 1788.

(Secretary reads title of bill)

Senate Bill 1789.

(Secretary reads title of bill)

Senate Bill 1790.

(Secretary reads title of bill)

Senate Bill 1791.

(Secretary reads title of bill)

Senate Bill 1792.

(Secretary reads title of bill)

Senate Bill 1793.

(Secretary reads title of bill)

Senate Bill 1794.

(Secretary reads title of bill)

Senate Bill 1795.

(Secretary reads title of bill)

Senate Bill 1796.

(Secretary reads title of bill)

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Senate Bill 1797.

(Secretary reads title of bill)

Senate Bill 1798.

(Secretary reads title of bill)

Senate Bill 1799.

(Secretary reads title of bill)

Senate Bill 1800.

(Secretary reads title of bill)

Senate Bill 1801.

(Secretary reads title of bill)

Senate Bill 1802.

(Secretary reads title of bill)

Senate Bill 1803.

(Secretary reads title of bill)

Senate Bill 1804.

(Secretary reads title of bill)

Senate Bill 1805.

(Secretary reads title of bill)

Senate Bill 1806.

(Secretary reads title of bill)

Senate Bill 1807.

(Secretary reads title of bill)

Senate Bill 1808.

(Secretary reads title of bill)

Senate Bill 1810.

(Secretary reads title of bill)

Senate Bill 1811.

(Secretary reads title of bill)

Senate Bill 1812.

(Secretary reads title of bill)

Senate Bill 1813.

(Secretary reads title of bill)

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Senate Bill 1814.

(Secretary reads title of bill)

Senate Bill 1815.

(Secretary reads title of bill)

Senate Bill 1816.

(Secretary reads title of bill)

Senate Bill 1817.

(Secretary reads title of bill)

Senate Bill 1818.

(Secretary reads title of bill)

Senate Bill 1819.

(Secretary reads title of bill)

Senate Bill 1820.

(Secretary reads title of bill)

Senate Bill 1821.

(Secretary reads title of bill)

Senate Bill 1822.

(Secretary reads title of bill)

Senate Bill 1823.

(Secretary reads title of bill)

Senate Bill 1824.

(Secretary reads title of bill)

Senate Bill 1825.

(Secretary reads title of bill)

Senate Bill 1826.

(Secretary reads title of bill)

Senate Bill 1827.

(Secretary reads title of bill)

Senate Bill 1828.

(Secretary reads title of bill)

Senate Bill 1829.

(Secretary reads title of bill)

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Senate Bill 1830.

(Secretary reads title of bill)

Senate Bill 1831.

(Secretary reads title of bill)

Senate Bill 1832.

(Secretary reads title of bill)

Senate Bill 1833.

(Secretary reads title of bill)

Senate Bill 1922.

(Secretary reads title of bill)

Senate Bill 1926.

(Secretary reads title of bill)

Senate Bill 1929.

(Secretary reads title of bill)

Senate Bill 1933.

(Secretary reads title of bill)

3rd Reading of the bills. ...(machine cutoff)...

ACTING SECRETARY: (MR. HARRY)

3rd Reading of the bills on Agreed Bill List No. 1.

Senate Bill 1051.

(Secretary reads title of bill)

Senate Bill 1487.

(Secretary reads title of bill)

Senate Bill 1496.

(Secretary reads title of bill)

Senate Bill 1511.

(Secretary reads title of bill)

Senate Bill 1515.

(Secretary reads title of bill)

Senate Bill 1531.

(Secretary reads title of bill)

Senate Bill 1565.



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(Secretary reads title of bill)

Senate Bill 1571.

(Secretary reads title of bill)

Senate Bill 1573.

(Secretary reads title of bill)

Senate Bill 1588.

(Secretary reads title of bill)

Senate Bill 1591.

(Secretary reads title of bill)

Senate Bill 1627.

(Secretary reads title of bill)

Senate Bill 1638.

(Secretary reads title of bill)

Senate Bill 1639.

(Secretary reads title of bill)

Senate Bill 1649.

(Secretary reads title of bill)

Senate Bill 1659.

(Secretary reads title of bill)

Senate Bill 1710.

(Secretary reads title of bill)

Senate Bill 1723.

(Secretary reads title of bill)

Senate Bill 1727.

(Secretary reads title of bill)

Senate Bill 1730.

(Secretary reads title of bill)

Senate Bill 1738.

(Secretary reads title of bill)

Senate Bill 1773.

(Secretary reads title of bill)

Senate Bill 1838.

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(Secretary reads title of bill)  
Senate Bill 1840.  
(Secretary reads title of bill)  
Senate Bill 1845.  
(Secretary reads title of bill)  
Senate Bill 1847.  
(Secretary reads title of bill)  
Senate Bill 1856.  
(Secretary reads title of bill)  
Senate Bill 1861.  
(Secretary reads title of bill)  
Senate Bill 1882.  
(Secretary reads title of bill)  
Senate Bill 1906.  
(Secretary reads title of bill)  
Senate Bill 1949.  
(Secretary reads title of bill)  
Senate Bill 1960.  
(Secretary reads title of bill)  
Senate Bill 1974.  
(Secretary reads title of bill)  
Senate Bill 1991.  
(Secretary reads title of bill)  
Senate Bill 2009.  
(Secretary reads title of bill)  
Senate Bill 2026.  
(Secretary reads title of bill)  
Senate Bill 2028.  
(Secretary reads title of bill)  
Senate Bill 2036.  
(Secretary reads title of bill)  
Senate Bill 2038.

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(Secretary reads title of bill)

Senate Bill 2039.

(Secretary reads title of bill)

...(machine cutoff)...

Senate Bill 2054.

(Secretary reads title of bill)

Senate Bill 2056.

(Secretary reads title of bill)

Senate Bill 2059.

(Secretary reads title of bill)

Senate Bill 2067.

(Secretary reads title of bill)

Senate Bill 2078.

(Secretary reads title of bill)

Senate Bill 2079.

(Secretary reads title of bill)

Senate Bill 2080.

(Secretary reads title of bill)

Senate Bill 2081.

(Secretary reads title of bill)

Senate Bill 2083.

(Secretary reads title of bill)

Senate Bill 2090.

(Secretary reads title of bill)

Senate Bill 2091.

(Secretary reads title of bill)

Senate Bill 2092.

(Secretary reads title of bill)

Senate Bill 2093.

(Secretary reads title of bill)

Senate Bill 2094.

(Secretary reads title of bill)

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Senate Bill 2099.

(Secretary reads title of bill)

Senate Bill 2100.

(Secretary reads title of bill)

Senate Bill 2104.

(Secretary reads title of bill)

Senate Bill 2108.

(Secretary reads title of bill)

Senate Bill 2109.

(Secretary reads title of bill)

Senate Bill 2121 <sic> (2111).

(Secretary reads title of bill)

Senate Bill 2112.

(Secretary reads title of bill)

Senate Bill 2113.

(Secretary reads title of bill)

Senate Bill 2119.

(Secretary reads title of bill)

Senate Bill 2124.

(Secretary reads title of bill)

Senate Bill 2127.

(Secretary reads title of bill)

Senate Bill 2131.

(Secretary reads title of bill)

Senate Bill 2145.

(Secretary reads title of bill)

Senate Bill 2147.

(Secretary reads title of bill)

Senate Bill 2155.

(Secretary reads title of bill)

Senate Bill 2166.

(Secretary reads title of bill)

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Senate Bill 2182.

(Secretary reads title of bill)

Senate Bill 2183.

(Secretary reads title of bill)

Senate Bill 2184.

(Secretary reads title of bill)

Senate Bill 2186.

(Secretary reads title of bill)

Senate Bill 2187.

(Secretary reads title of bill)

Senate Bill 2193.

(Secretary reads title of bill)

Senate Bill 2195.

(Secretary reads title of bill)

Senate Bill 2209.

(Secretary reads title of bill)

Senate Bill 2210.

(Secretary reads title of bill)

Senate Bill 2216.

(Secretary reads title of bill)

Senate Bill 2217.

(Secretary reads title of bill)

Senate Bill 2222.

(Secretary reads title of bill)

Senate Bill 2229.

(Secretary reads title of bill)

And Senate Bill 2275.

(Secretary reads title of bill)

Senate Bill 2276.

(Secretary reads title of bill)

Senate Bill 2306.

(Secretary reads title of bill)

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Senate Bill 2308.

(Secretary reads title of bill)

Senate Bill 2309.

(Secretary reads title of bill)

And Senate Bill 2312.

(Secretary reads title of bill)

3rd Reading of the bills on Agreed Bill List No. 1.

...(machine cutoff)...

PRESIDENT ROCK:

The bills having been read in, the Senate will stand at ease until approximately quarter till one.

(AT EASE)

(SENATE RECONVENES)

PRESIDENT ROCK:

All right. The Senate will, again, come to order. With leave of the Body, while the Members are making their way to the Floor, we'll move to the Order of House Bills 1st Reading, beginning at Page 24 and 25 on the Calendar. And I would, again, encourage the Members to indicate to the Secretary or the Assistant Secretary their willingness to sponsor one or another of these House Bills. House Bills 1st Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 309 offered by Senators Weaver and Woodyard.

(Secretary reads title of bill)

House Bill 493 offered by Senators Dudycz and Raica.

(Secretary reads title of bill)

House Bill 1504 offered by Senator Hawkinson.

(Secretary reads title of bill)

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House Bill 2823 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 2884 offered by Senator Karpziel.

(Secretary reads title of bill)

House Bill 3085 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 3110 offered by Senators Smith and Alexander.

(Secretary reads title of bill)

House Bill 3484 offered by Senators Smith and Geo-Karis.

(Secretary reads title of bill)

House Bill 3639 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 3695 offered by Senator Philip.

(Secretary reads title of bill)

House Bill 3736 offered by Senator Karpziel.

(Secretary reads title of bill)

House Bill 3740 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3748 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 3752 offered by Senator Daley.

(Secretary reads title of bill)

House Bill 3828 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 3870 offered by Senator Hudson.

(Secretary reads title of bill)

House Bill 3949 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 4024 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 4221 offered by Senator Rea.

(Secretary reads title of bill)

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1st Reading of the bills.

PRESIDENT ROCK:

Those bills will be referred to the Rules Committee. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 1088 offered by Senator Mahar.

Senate Resolution 1089 offered by Senator Dudycz.

Senate Resolution 1090, 1091, 1092, 1093, 1094, 1095 offered by Senator Jeremiah Joyce.

They're all congratulatory.

PRESIDENT ROCK:

The Resolutions will be added, with leave of the Body, to the Consent Calendar. Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution 177 offered by Senator Davidson. It is substantive.

PRESIDENT ROCK:

Executive. ...(machine cutoff)... All right. With leave of the Body, we will now proceed to the Order of the Appropriation Bills on Pages 11, 12, 13, 14, 15 and 16 of the Calendar. The Secretary has read in the appropriation bills for the third time, so this next roll call will be on the final passage of those bills read by the Secretary. Pages 11 through 16, the appropriation bills. And the question is -- if there's no discussion, the question is, shall this series of bills pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. ...(machine cutoff)... On that question, there are 58 Ayes, no Nays, and the Nay and Present votes are recorded in the Office of the Secretary of the Senate. And this series of bills, having received a constitutional majority by record vote, is declared passed. The record vote for each bill passed shall be, with leave of the Body, entered in the Journal. And these bills are declared



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passed. ...(machine cutoff)... All right then, with leave of the Body, we'll move to the Order the Agreed Bill List. I direct your attention to Pages 16, 17, 18, 19, 20, 21, 22 and 23. The Secretary has read the Agreed Bill List for the third time. The next roll call will be on the final passage of those bills read by the Secretary represented on the Agreed Bill List. The question is -- if there is no discussion, the question is, shall this series of bills 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, and the Nay and Present votes are recorded in the Office of the Secretary of the Senate. And this series of bills, having received the required constitutional majority by record vote, is declared passed. And the record vote for each bill passed shall be entered in the Journal. ...(machine cutoff)... All right. Ladies and Gentlemen, if I can have your attention, we'll move to the Order of Senate Bills 3rd Reading. There are less than seventy bills to be considered yet this afternoon. So my suggestion is we begin. Going to be Senators Watson, Lechowicz, del Valle, Jones, Karpziel, Maitland, Barkhausen and Collins. We are on Page 6 on the Order of Senate Bills 3rd Reading. We will, in fact, be here tomorrow, but I would encourage those who have bills in position, that today is the day to do it. Those bills that were on the Recall, obviously, will not be called. Senator Keats, for what purpose do you arise, sir?

SENATOR KEATS:

Strictly technical question, Mr. President. On the Agreed Bill List, if there are any that are knocked off, are they going to be just slipped in whenever their number hits? I mean, I don't know if any were at all. I -- I don't know if any bills were knocked off. I'm asking as a generic question.

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PRESIDENT ROCK:

The ones that were knocked off - I think there should be a memorandum on your desk - the ones that were knocked off have been accommodated.

SENATOR KEATS:

Oh, okay. Sorry, I didn't see them. Thanks.

PRESIDENT ROCK:

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

SENATOR DUDYCZ:

A point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point.

SENATOR DUDYCZ:

Mr. President, on the Senate Floor with us, on the Republican side, we have Representative Anne Zickus from the 47th District. Plus with Representative Zickus are three of her four sisters; Adrienne Warneke, Nancy Cummings <sic> (Nancy Garbo) and Gail Garbo <sic> (Gail Cummings), and we'd like to welcome them to the Senate.

PRESIDENT ROCK:

Welcome to the Senate. Anne, nice to see you. All right. On the Order of Senate Bills 3rd Reading, Senator Watson. 1491. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1491.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This particular piece of legislation repeals the All-terrain Vehicle Safety Act. And those

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of you who recall, we passed this bill - I believe it was two years ago - then we delayed the implementation of it, we delayed it again, and then finally the bill went into -- into Act. And the Department of Conservation sent out these registration forms to the people who had on title with the -- with the Secretary of State their all-terrain vehicles. The problem with -- with the Act - with all the good intentions - was the fact that the Department couldn't identify all the -- all the vehicles out there. So as a result, some people got their notifications; some didn't. Some people paid; some didn't. We -- just a lot of problems with the Act. So, we put in this bill to repeal it. But we -- also are going to leave into the legislation the safety provisions that many people were concerned with. And some of those safety provisions obviously ought to remain - you can't ride an ATV with a side arm; you can't drive it while under the influence of alcohol; and -- and several other provisions which really were needed, and are needed. Also in the -- in the legislation is provision which will let the Department of Conservation reimburse those people who have paid their forty-five dollar fee. So if there are no questions -- or any -- any questions, I'd be glad to answer them, otherwise I'd appreciate your support.

PRESIDENT ROCK:

Discussion? Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

I just had one question, if I might pose to the Senator.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Demuzio.

SENATOR DEMUZIO:

I -- I recall when we first passed this bill that there was some -- we also included the off-track motorcycles and -- to be licensed. I think the staff is now pointing out to me that on

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amendment -- on No. -- Page 3, that "no person shall deposit" -- I'm sorry -- "no person shall operate any all-terrain vehicle or off-highway motorcycle" -- is it -- it does include the off-track motorcycles then, is that correct?

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

I -- I believe that is correct, yes.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall Senate Bill 1491 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 3 Nays, none voting Present. Senate Bill 1491, having received the required constitutional majority, is declared passed. 1497. Senator Lechowicz. 1508. Senator del Valle. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1508.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 1508, as amended, prohibits the operation of a motor vehicle with a sound system capable of being heard from seventy-five feet or more. This bill addresses the rapidly growing problem of what are commonly known as "boom cars." These are autos that are equipped with powerful audio systems which can be heard for blocks and literally shake windows of houses as they drive by. The use of cars with powerful audio equipment is a growing problem. Rear seats are being

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removed in order to install powerful speakers. Speakers are being placed outside the cabs of pickup trucks. And other measures are being taken by individuals that want to install this very expensive equipment and powerful equipment. This is more than a violation of the social contract; it's a health and safety problem. We're looking at the loss of hearing because of the high decibel levels. We're looking at situations where people cannot hear emergency vehicles - trains at train crossings, horns of other drivers; and, of course, the noise pollution. I ask that I receive a favorable vote.

PRESIDENT ROCK:

Discussion? Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I just want to say, I'm a co-sponsor of this bill. We don't have the problem immediately in Carlinville, but we're looking forward to it maybe next year.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This particular bill came through the Transportation Committee, and there was considerable concern in there, and I think it ought to be addressed at this particular time. The concern was the matter of enforcement. How do you determine seventy-five feet - now I believe is which it's amended to? And as Senator Demuzio says, this really isn't necessarily a problem in -- in my particular area, although I do have two teenagers who I wish would turn their radio down every now and then. But I do think that -- I would -- just wanted to bring that to the attention of the Members that there may be some concern here about the enforcement and -- and how that would be handled. Thank you.

PRESIDENT ROCK:

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All right. Further discussion? Senator Zito.

SENATOR ZITO:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Zito.

SENATOR ZITO:

Senator del Valle, I'm just curious. After reading the bill with Senator Demuzio, if, in fact, rather than this legislation, law enforcement officials wouldn't have the prerogative to stop these vehicles and get 'em on disturbing the peace. Why -- I'm just curious as to why we need -- why you feel we need 1508?

PRESIDENT ROCK:

Senator del Valle.

SENATOR DEL VALLE:

Well, this -- this would make the law uniform. And I can tell you that in the City of Chicago, we have several police commanders who have taken a great interest in this bill. The State Police is in support of this bill. It's modeled after a California law that was enacted early this year. And Hawaii - the State of Hawaii - has just taken similar action. And so, obviously, there are many, many people that feel that in order to ensure that all law enforcement officers have a tool to address this problem, that this law be passed.

PRESIDENT ROCK:

Senator Zito.

SENATOR ZITO:

Have you made any provisions for vehicles that sell wares out of a -- a vehicle rather than just the music? Are there any specific provisions for ice cream trucks, for example, or, any other vehicles that might have loud speaker systems to sell wares or deliver a message?

PRESIDENT ROCK:

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Senator del Valle.

SENATOR DEL VALLE:

The bill permits the use of such system to seek assistance or warn of hazard by emergency vehicles and vehicles engaged in advertising and sales.

PRESIDENT ROCK:

Further discussion? Senator Dunn.

SENATOR T. DUNN:

Question for the sponsor, Mr. President.

PRESIDENT ROCK:

Indicates he'll yield, Senator Dunn.

SENATOR T. DUNN:

Senator del Valle, is it true there's an exception for Latin music in this bill?

PRESIDENT ROCK:

Senator del Valle.

SENATOR DEL VALLE:

No, there are no exceptions.

PRESIDENT ROCK:

All right. The question is, shall Senate Bill 1508 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. 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 44 Ayes, 8 Nays, none voting Present. Senate Bill 1508, having received the required constitutional majority, is declared passed. 1523. Senator Jones. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1523.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

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Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. Senate Bill 1523, as amended, revises the existing nurse scholarship program, and establishes five hundred scholarships annually beginning in the fall of '91/'92. They will be distributed to -- among -- amongst nursing students in associate degree, baccalaureate degree programs. The scholarship would cover tuition and fees - a max of two thousand dollars a year - and also provide a two-thousand-five-hundred-dollar-a-year stipend. The funding - it was in Senator Topinka's bill that was recovered from the dedicated fund that the nurses pay for, and it has been worked out with the Nurses Association and the Department of Public Health, and I ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall Senate Bill 1523 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1523, having received the required constitutional majority, is declared passed. 1548. Senator Karpziel. 1556. Senator Maitland. Read the bill, Madam Secretary, please. 1-5-5-6.

SECRETARY HAWKER:

Senate Bill 1556.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

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



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Senate Bill 1556, as amended, addresses some concerns in some school districts around the State who happen to be located in the same district where some treatment facilities are located who are addressing the needs of young men and women who have drug and substance abuse problems. What this assures is that the receiving district - the school district where these students are now being educated for a two- or three-month period - will be reimbursed at their per capita cost by the sending school district. I stand ready to answer any questions that you might have, otherwise would appreciate your support.

PRESIDENT ROCK:

Discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Berman.

SENATOR BERMAN:

Just for the record, it's my understanding that the reason for this bill is because of a -- of a lawsuit or a decision of -- by a court, and this bill puts the law back to the way it was before the lawsuit was decided. Is that correct?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

That is my understanding.

SENATOR BERMAN:

Thank you.

PRESIDENT ROCK:

All right. Further discussion? If not, the question is, shall Senate Bill 1556 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

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the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1556, having received the required constitutional majority, is declared passed. Senator Barkhausen. 1575. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1575.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Senate Bill 1575 embodies three separate recommendations of the National Conference of Commissioners on Uniform State Laws. The first is the Uniform Foreign-Money Claims Act; the second is the Uniform International Wills Act; and the third is a new Article 4A to be added to the Uniform Commercial Code, dealing with wire transfers of funds. If any of you have any questions, I'll be glad to ask -- answer them, and otherwise ask for a favorable roll call.

PRESIDENT ROCK:

Discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Barkhausen, does the Uniform Act change the requirements in Illinois for executing a will? And if so, how?

PRESIDENT ROCK:

Senator Barkhausen.

SENATOR BARKHAUSEN:

The simple answer is no.

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PRESIDENT ROCK:

All right. Question is, shall Senate Bill 1575 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1575, having received the required constitutional majority, declared passed. Senator Collins. 1585. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1585.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. Senate Bill 1585 is an attempt to provide incentives to encourage African-American males to enter into the teaching profession and to teach -- make a commitment to teach in those areas where there is a disproportionate number of single-parent households and where there is a disproportionate number of students dropping out of school. Many of the -- the students in the inner city go through a whole lifetime without having any positive male influence on their lives. It is our hope that by providing for male teachers that that would at least be, in the early formative stages of their lives, some male figure that they can look up to. The State Board of Education and both of the gubernatorial candidates - all recognize the importance of having more minority teachers in the school system. This is essential that we do this. Last year we passed this bill, and it got bogged down in the House. It is my hope that this year that we send this bill over to the House again, and also that we, you know, let them know that

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we intend for this bill to become law. The -- the additional monies -- the students are eligible under the existing scholarship eligibility requirement, and they have to be in college for two years. They can only qualify for the program after they become juniors or seniors. We're merely talking about the advantage of providing them with the monetary award that would cover at least half of their room and board, which really becomes a very serious problem for those students who meet the need-test because there's no provisions to pay for their room and board, which is really a tremendous expense for some of these students to stay in school. Many of them drop out out of college for the purpose of getting a job for that reason. I would ask for your favorable support. And I would be happy to answer any questions.

PRESIDENT ROCK:

All right. The Lady has moved the passage of Senate Bill 1585. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. This bill received considerable debate in -- in committee, and I appreciate the sponsor's willingness to address some of the concerns that we had with the bill. And we have greatly, I believe, reduced the -- the fiscal impact and -- and some of the duplication on the bill, because, clearly, most of these students would -- would already be eligible and receive MAP awards. Another concern, Senator, that you and I did not have a chance to discuss yesterday, in -- in the haste, was with respect -- there could still be possible duplication of -- of funding coming from the Federal Pell Grant Program. In other words, there could be duplication there, too, if they're qualifying for those grants. And then this fifty percent could -- could -- could bring about a duplication. I -- I'm wondering if you've considered that.

PRESIDENT ROCK:

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Senator Collins.

SENATOR COLLINS:

In -- in our speaking with the -- the Scholarship Commission, the question of duplication didn't come up. But I don't see where that would -- is a problem of -- of any duplication. But these are students who already have scholarships. And why would they be given a duplicate award? I -- I -- I don't see that as being a problem.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

I'm sorry, Senator, I didn't hear all of that. But just let me indicate to you that the Scholarship Commission has told us that they -- they really perhaps even overlooked that, and there -- there's definitely a -- a duplication here. And I would just only ask that -- that if this bill passes out of this Chamber that that issue be addressed in -- in the House, because we certainly don't want a duplication of funding.

PRESIDENT ROCK:

Further discussion? Senator Collins, to close.

SENATOR COLLINS:

Yes. I would be happy to do that, because, as I said, the conversation didn't come up. I will go back to the Scholarship Commission and ask. I would ask for a favorable roll call.

PRESIDENT ROCK:

Question is, shall Senate Bill 1585 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 12 Nays, 1 voting Present. Senate Bill 1585, having received the required constitutional majority, is declared passed. Top of Page 7, Ladies and Gentlemen. Top of Page 7. Senator Smith. On the

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Order of Senate Bills 3rd Reading is Senate Bill 1593, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1593.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill -- Senate Bill 1593 - the background on it is that the Deputy Director of DASA testified at the Citizens Assembly hearing that the need for substance treatment for women is beyond the Crisis A stage. Women account for over fifty percent of all cocaine users and fifty percent of all alcoholics. Yet, only twenty-two percent of the substance abusers treated in Illinois public-funded programs are women. Research shows that women and children will become the majority AIDS and HIV cases due to substance abuse. The purpose of this amendment is merely to improve the delivery of alcohol and substance abuse services to women.

PRESIDENT ROCK:

All right. The Senator has moved the passage of Senate Bill 1593. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. DASA is in opposition to this particular bill. And I'll tell you why and I think it's probably a fair opposition, in that it is already doing much of this already. And what they're concerned with is that if they start fragmenting this down into individual groups, it's going to start limiting their ability to integrate programs. Now, personally speaking and having dealt with them on

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programs that involve Hispanics - they're now doing something on -- on Polish-Americans - I don't see why we have to break this down, because I'm afraid it might have counterproductive repercussions. And maybe, indeed, the same group we're trying to help here may not get a full shot. Also, as a byproduct, it's -- it's not a great amount of money in terms of how the State thinks, but this program is a hundred and ninety-one thousand dollars for something that they really don't need. So I -- I don't know that we could support this at this time.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I happen to be the vice president on a non-for-profit board that is doing a lot of this work in DuPage County. We are just in the process of opening -- a center exactly like you are talking about, that -- that deals with the problem of women who are -- are alcoholics, and, in fact, we are even setting up a day-care center to take care of these women. I can attest to the fact that DASA has been extremely helpful in -- in -- in assisting this program. They have come up with some excellent suggestions on -- on how it might work. I -- I really don't see why we should bifurcate this -- this whole system when the work is being done, and I can personally attest to that, but it -- that it is indeed being done and being done extremely well.

PRESIDENT ROCK:

Further discussion? Any further discussion? Senator Smith, to close.

SENATOR SMITH:

To my colleagues: I was merely -- said -- as I've said to you, that the purpose of this amendment was to improve the delivery of alcohol and substance abuse services to the women. Women should become their priority. And I think that DASA could -- prioritize

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their program, and -- for there are current funds already in DASA's budget. That -- and there are five positions there that could use -- the monies that -- that they have there could be used for the DASA Program. Now you have two office assistants; they have one system analyst; they have a dangerous drug compliance officer; and they have an account clerk -- two account clerks -- Account Clerk II. And the -- the cost of that program - and these are vacancies that are not filled in DASA - and the cost is only about a hundred and fourteen thousand dollars. And that money can -- could be used to pay for the expense of this DASA Program. These women are dope addicts and they need this. And I think that you could -- we're not asking you to give us anymore money; the money is already in DASA. And all we're asking to do is let us fulfill this program to help these women who are dope addicts. It's already there. So, please, if you will, rearrange your thinking and let us pass this bill.

PRESIDENT ROCK:

All right. Senator Smith, I beg your indulgence. I made a mistake and didn't recognize Senator Maitland. Senator Maitland, do you wish to speak to this? Okay. I beg your pardon. I -- my Calendar was covering up the light. All right. The question is, shall Senate Bill 1593 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 21 Nays, none voting Present. Senate Bill 1593, having received the required constitutional majority, is declared passed. 1614 was Tabled earlier today by the sponsor. 1617. Senator Jacobs. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1617.

(Secretary reads title of bill)



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3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1617, as amended, allows for temporary permits for nurses while their backgrounds are being more thoroughly checked. This is an attempt to -- to help with the nursing shortages, and will be happy to answer any questions.

PRESIDENT ROCK:

Discussion? If not, the question is, shall Senate Bill 1617 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1617, having received the required constitutional majority, is declared passed. Senator Karpiel. 1641. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1641.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment 2 to Senate Bill 1641 deleted the entire bill and adds an additional function under the duties of the county auditor. The language authorizes the auditor to audit the records maintained by county vendors and outside parties under agreements between the county and its vendors. This will apply when the county is paying the actual cost incurred by the vendor or a reimbursement for out-of-pocket expenses. The

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vendors and outside parties shall provide, on a timely basis, all records pertinent to this section.

PRESIDENT ROCK:

Discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Welch.

SENATOR WELCH:

Do the -- do the Retail Merchants and the Chamber of Commerce support this?

PRESIDENT ROCK:

Senator Karpiel.

SENATOR KARPIEL:

I haven't the vaguest idea.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Well, you're -- you're saying that the county auditor can audit the books of a private company that sells to the county. The -- if they're a vendor to the county, they can -- they can audit the books of a private company? I'm not sure I understand that. That's -- that's not what he's elected to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

I don't have a copy of the actual bill in front of me, Senator, but it's my understanding that they would only be auditing the agreement that they have -- I mean -- between that vendor, not everything that that vendor does outside of their business with the county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Welch.

SENATOR WELCH:

Is -- is the purpose to see how much profit the vendor is making when he sells to county -- to a county government? Or what -- what was -- what would be the purpose of auditing it - to see if they're lying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpriel.

SENATOR KARPIEL:

Senator, since this was not my original bill, I have not the vaguest idea what the intention of the bill was, except that it was -- came at the request of a county auditor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. The -- the request came from the auditor who happens to live in my district. The -- the problem was there was a vendor who took several trips and -- and ran up hotel bills, et cetera, et cetera, and then, in effect, charged them to the county. There was a -- a very questionable account, and, yet, we were told that the auditor had absolutely no way of being able to look at that particular vendor. That's what it's all about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. There are two former county auditors here - Senator Schaffer and I. And I -- I have no idea why we need this bill. Because if you're doing your job as county auditor, you are looking at every bill, investigating every bill in that job, to see if, in fact, it has been complied with all the Statutes of the State of Illinois and all the contractual agreements that you've entered into. So I -- I honestly don't

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know why we need this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I don't happen to represent DuPage County, so I don't know exactly what the problem was. But it occurs to me they could -- I think what we're talking about is the definition of the term "vendor." Obviously, the person that sells the toilet paper to the county for the jail is a vendor. And I don't think anybody's talking about the county auditor going down to the A&P and auditing the toilet paper section of the A&P. I suspect what they're getting at by vendor - although we are noticeably uninformed on this - is if the county were to hire an architectural firm to design a new jail or county complex building, and that the -- the county board felt that they had an exorbitant bill, and they wanted to have somebody go take a look at the bill and the breakdown and do an audit, and they went to the County auditor, who is supposed to be the county board's chief financial officer, and said, "Go audit this turkey. What's all this mean?" And the County auditor may have been told by the State's Attorney - who are rather fond of telling county auditors things like this - that they cannot do that, that is beyond the purview of their authority. Now that is the only logical explanation I can think of for this proposal. And I'm getting nodded heads - I don't know if that means that this is, in fact, the case, or they just like my version of reality. I'm not sure which is which.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpziel, did you want to switch sponsorship - maybe to Senator Fawell? Senator Karpziel may close.

SENATOR KARPIEL:

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Thank you. Actually, I should switch it back to Senator Philip. This is -- this amendment was discussed on 2nd Reading. This amendment came from Senator Philip, and that's why I'm sorry I had not been in touch with our county auditor as to why he was proposing the bill. I think Senator Schaffer gave a very good explanation of the probable reason for the -- for this bill. I totally agree with it, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1641 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 12, none voting Present. Senate Bill 1641, having received the required constitutional majority, is declared passed. 1701. Senator Rea. On the Order of Senate Bills 2nd Reading -- I'm sorry -- Senate Bills 3rd Reading is Senate Bill 1-7-0-1, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1701.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. Senate Bill 1701 authorizes seven additional Enterprise Zones in Illinois. Presently, there's twenty-seven states that have the very active Enterprise Zone Programs. And I think most of us have experienced the Enterprise Zones in our areas, and how effective they've been as a tool to economic development, and this bill would provide seven additional. I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, I don't object to seven more Enterprise Zones, but are they already named?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

The answer is no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is, shall Senate Bill 1701 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1701, having received the required constitutional majority, is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1704, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1704.

(Secretary reads title of bill)

2nd <sic> Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs. I'm sorry --

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

-- pardon me. Senator Jacobs, pardon me.

SENATOR JACOBS:

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This bill is similar to a bill that we passed out of here overwhelmingly last year, ran into some problems in the House. It deals with labor organizations and time off for their union duties. This basically affects the firefighters. We tightened up the language quite a bit, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? If not, the question is, shall -- I'm sorry. Beg your pardon. There are two lights. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR O'DANIEL:

In the President's Gallery, right above you, is the Hamilton County Jr. High Beta Club and their sponsors Betty VanDyke and Gay Irby. I'd like for them to stand and be recognized...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the President's Gallery will please rise and be recognized by the Senate. Welcome to Springfield. Discussion? Senator Raica.

SENATOR RAICA:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Raica.

SENATOR RAICA:

Senator Jacobs, I don't know if this is a technical error or -- or I -- I don't think it was the legislative intent, but maybe you can tell me. On -- under -- in line 21 under "Statewide

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labor organizations," it says, "affiliated with the Illinois State Federation of Labor." Does this mean the Illinois State AFL-CIO? 'Cause that's not what's written here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Senator, it -- it was a mistake, and it is supposed to be the AFL-CIO, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I'm just wondering, Mr. -- Senator Jacobs, whether or not we need this legislation. I -- it's my opinion that municipalities are now allowing firefighters to replace them on days off. Why -- why do we need to put this in the Statutes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Mainly because there are some municipalities - and you're -- you're absolutely correct, Senator Weaver, most react very well and most react very kindly, and -- and it's like a lot of this stuff we do around here - there are some municipalities, though, that do take a hard-nosed attitude, and -- and really are -- are -- are just of -- of the instance that they should not be doing this at all. So there are some municipalities that do take a negative stance, and that's why we're trying to protect them in this case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well I'm then wondering, is this a preemption of home rule?



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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

So then it would take thirty-six votes for passage?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)...Senator Weaver, my parliamentarian is indicating to me, without the full text that it -- will only take thirty votes to pass. ...(machine cutoff)... Further discussion?  
Senator Jacobs.

SENATOR JACOBS:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1704 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 9, 2 voting Present. Senate Bill 1704, having received the required constitutional majority, is declared passed. Senate Bill 1713. On the Order of Senate Bills 3rd Reading, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1713.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President and friends on the Floor, I just want to say

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that -- I'm going to start out by giving you the punch line first, because I have that strange, uneasy feeling that maybe I'm going to have to repeat the punch line a time or two as the debate goes on. First of all, the punch line is that this is not a tax increase. This is a tax shift. I think Chairman Netsch correctly described this yesterday as a major piece of legislation and I think I certainly do agree with her assessment of this bill. What it does, it raises the Illinois Income Tax one cent. With that one cent we create a special fund, with a continuing appropriation, to give to all of our schools -- to give back every cent of money that's been collected as a result of this income tax. What we are able to do with this, since this is a significant amount of money, we will be able to return eighty-six percent of everybody's base educational levy. For the dual districts at ninety-two cents; the unit districts at a dollar eighty-four; and Chicago is at two-eleven - eighty-six percent of those figures. The legislation is effective as of July 1 of '91. In no way are we tinkering with the School Aid Formula, under this legislation. And again, to repeat the punch line, it's not a tax increase, it's a tax shift. It's some long-needed tax reform that we've talked about for a long time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Well, I -- thank you, Mr. President. I guess I'm a little stunned that this seems to -- not to be catching hold a good deal more -- at least catching attention, I mean, Senator Rigney, more than it is. I think everyone should fully understand what is involved here. It is a permanent increase in the State Income Tax, from two and a half percent to three and a half percent for individuals, and I think it comes out to 5.6 percent for corporations. That is not only a permanent extension of the

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temporary half percent, but another half percent added on to that, and it is made permanent. And again, as we read the bill, every bit of that full one percent goes to property tax relief, and I believe it is correct that we do not keep the -- let me repeat this, Senator Rigney, because if I'm incorrect, you may correct me. It's a long amendment, but I -- as I read it, we do not retain the educational -- we do retain the Educational Assistance Fund. Let me put that as a question first and then be sure I'm clear about that, 'cause we've seen several versions of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Just so we're on the same wavelength, Senator Netsch, are you referring to the temporary half cent increase, is that...?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well, in one sense -- under the temporary one half percent, 7.3 percent, I think it is, goes into what we have called the Education Assistance Fund. That is approximately one half of the one half percent temporary increase. And that is then distributed to the elementary and secondary school system and to higher education. And what I was attempting to find, because literally, we've had several versions of this, you do retain the Educational Assistance Fund. So some part of your permanent increase will continue to go into that fund, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney. Senator, we're having trouble with your...

SENATOR NETSCH:

All right. I think...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, just a second...

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SENATOR NETSCH:

Let -- let me try answering the question and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Again, I apologize for the slight confusion, because we have had several versions of this. I am now looking at what I think is the pull out of the current amendment to your bill, and you do allow the Education Assistance Fund to expire on July 1, 1991, as it would do under the current temporary one half increase. Is that correct, Senator Rigney?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney at Senator Dunn's desk. Senator Rigney.

SENATOR RIGNEY:

You're on target now, Senator Netsch. We do not address the question of the temporary income tax because that does sunset, as you point out, on July 1 of next year. So we're back to the permanent two and a half cent income tax. Now if we want to do something with that, between now and July 1 of next year, fine. We can talk about that, but we're not talking about it on this particular bill. We're only talking about a one-cent increase from the permanent two and a half cent tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Right. Well that -- this the sort of thing that I think needs to be brought out. Because everyone should be clear that under your bill, there will be a permanent one-cent increase in the State Income Tax. There will be no permanent transfer of funds to direct support by the State of elementary and secondary education, because your entire one-cent increase will go into property tax relief. It'll be directly rebated to taxpayers who are paying

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property taxes at the present time. In other words, the -- what we -- what we will be losing is any additional funding for education from the State as a result of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

The net effect is tax neutral. That's why I referred to it as a tax swap, rather than a tax increase. So it's just -- it's revenue neutral.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yeah. I -- that's a matter of opinion, I guess, in one respect. I understand that in your opinion -- it is -- it is neutral. But what I'm trying to point out, and I think people have got to understand this, is that all of the increase in the State Income Tax is going into property relief, which, you know, is fine if we had lots of money to go around. There will be nothing additional for education. So, if this General Assembly wants to continue to fund elementary and secondary education at anything close to what it has put into it, as a result of the temporary one half percent, it's going to have to add another half percent increase in the State Income Tax in order to do that. Because your one percent increase is -- is being totally absorbed in property tax relief, and I think that's just something that everyone has got to understand. We do not do anything directly for supporting education at the State level with your proposal. We do a lot to help property taxpayers. Now, having said that, I think one other point should be made. And that is that it is not entirely clear that after a few years of this proposal, that we are not going to sort of end up, in a sense, with a deficit. And I think that's something else that is a matter of concern,

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because, again, as I read the bill, and you may -- you may correct me if our version is not the same this time. You have a commitment to property tax relief, which would presumably be covered mostly by the one percent increase in the State Income Tax, but if the one percent increase in the State Income Tax increase is not adequate, then we would be drawing funds out of other general funds.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

As proposed now, this is what a continuing appropriation would mean. You could, potentially, create that kind of a liability. You wouldn't have to do that, however. There's another way to handle that, and that would be simply to certify -- have the county clerk certify down to the State Board of Education, what the commitment amounts to. The State Board of Education could very quickly, in fact, I assume overnight, determine if there is enough money to fully fund this thing at eighty-six percent. And if there was not, they could go back to the county clerk and they say, "Well, we can only do ninety-eight percent this year," and that's all they debate. So the schools are not going to be a loser. It's the full and clear intention here that the schools will not be a loser.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

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Thank you -- thank you, Mr. President. I would just suggest to all of us that the merits of this bill ought not to be addressed today, or even in this Session. And a couple of reasons for my position: number one, we are being threatened - and I use that word in quotes - with a lawsuit being organized by our former colleague, Jim Nolan, to contest the inequity that exists between the rich expenditure districts, which are over twelve thousand dollars per student, and the poor expenditure districts, which are around two thousand dollars. You have a -- roughly a six to one disparity between the top and the bottom of our school districts. If you pass this bill today, we won't, realistically, be able to address any kind of court decision that says that our present system of school funding is invalid or unconstitutional. So we are limiting our flexibility to respond to what a court might do. I'm not sure a court will, but I want you to be aware that that suit is -- is pending, or -- or eminent I should say. Number two, to those of you, including myself, from high expenditure districts, such as the Northshore, or some of the south suburbs, or other areas where the constituents, by referendum, have raised their own tax rates; your people don't want the unreliability of State income taxes as the source of funding for their schools. That's a problem. I don't have the answer. But you ought not to support this bill today, because it's substituting what could be an -- an unreliable source of funds for good schools substituting that for a reliable source of funds for good schools. And thirdly, we - all of us - are going to be looking at this problem, the school aid formula problem, the funding of schools problem -- between now and next June 30th, and therefore, I am going to vote No on this bill today, because I just think that we are very, very premature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The Chair would like to

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acknowledge we've had a visit also from another constitutional officer today - would like to acknowledge the presence of the current State Treasurer who is on the Podium who's been, as you well know, the last couple of months, who's been ill and hospitalized. We're glad to have you back, Treasurer Cosentino, and glad to have you with us today. He's walking around on his cane, but he said anybody who wanted to see him could go down to his office this afternoon, isn't that right. There you go. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President and Members of the Senate. Just -- first of all, I -- I would suspect -- a comment to Senator Berman. This in no way changes the inequity of -- of -- of the funding of the nearly one thousand school districts in the State. Indeed the variation will still be in place, because as Senator Rigney said, we're simply replacing dollars here, so that -- that doesn't effect that issue at all. I -- I think the Body should understand that each and every one of us here tell our colleagues back in the district that we support property tax relief, now we do that, but we fail to tell them that we're not willing to address that loss in revenue. And folks you can't have it both ways. You simply can't. We've got to face a fact sooner or later. Senator Rigney, Senator DeAngelis - I did it last year - tried to address this problem. Many of you came to me last spring, two or three days after I presented my revenue shift bill, and said, "By golly, that does do something, doesn't it?" Well this does something, too. Let me tell you something else it does. You all talk about wanting to help senior citizens, and those senior citizens live in homes - many of them - that they bought years ago for twenty-five thousand dollars at a tax rate of a dollar or a dollar and ten cents. Now those senior citizens are living in that same home that's worth a hundred and fifty, or a



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hundred and sixty thousand dollars, and isn't much better than it was back then, and are paying on a five- and a six-dollar tax rate. And they are having a difficult time staying in that home. This bill helps them because the income that they're making now isn't as high, so their tax obligation is going to be less. I'm not sure where this bill is going to go either. I'm not sure where Senator DeAngelis' bill's going to go either. But I think we should move the concept along, and try to address, realistically and honestly, the issue of property tax relief.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Thomas Dunn.

SENATOR T. DUNN:

Senator Rigney, would you tell me what the benefit to the real estate taxpayer is, based on a tax bill of a thousand dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

I'm not sure I can tell you what it'd be on a thousand dollars, but let me explain it this way. Look at the assessed valuation of your home and I assume -- are you in a unit district? Well let's just say, you know, for discussion, you are. What you would do then, you'd take a dollar fifty-eight off of the valuation of that house. So that's the type of reduction that you would receive. You are paying now a base rate of a dollar eighty-four cents to the educational fund of your school district, and you're going to take off a dollar fifty-eight of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Dunn.

SENATOR T. DUNN:

No one on the staff has equated that though, as to what the actual benefit will be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well you realize, of course, this is going to vary a great deal from one community to the next, because your total property tax bill has a rather forgotten factor of about forty-three percent that goes to cover all of those other expenses of local government. We're not touching those either, unfortunately. But we can only impact upon the school portion of your tax bill, and we are invading it to that point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

My district probably represents the largest contingency of school districts that are in the high expenditure, high tax area. And I had talked to Senator Rigney to say, you know, many of my people, frankly, don't trust State government. When we send money here, we discover we get about twenty-five cents back. And there's an interesting provision in this bill where this would not happen to the higher expenditure districts this time, because it actually segregates the funny -- the money into a separate fund. Therefore on this provision you actually do, basically, get back dollar for dollar. And for that reason for those of us who do have high expenditure districts, the provision is a livable one. The nice thing about property tax is the referendum, the nice thing about income tax is - for us - is that it's something that we can touch, where we can't touch our property taxes. But the point is, if you're in a high income tax area you don't have to

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be afraid of this program, because you are protected one on one. If he did not have that separate fund; in that case you'd have to be scared to death 'cause you'd have to rely on -- on the good faith of the Legislature to return your money, and I think we've all been here long enough to understand that that's a faith you might not want to take to the bank. But I commend him because somebody at some point has to deal with this issue and it's easy to whine about property taxes, but somebody's got to have the guts to stand up and do something for which is -- what he is trying to do now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR RIGNEY:

Well I'm going to close this way and say I think probably all of us, in our 4th of July speeches in years gone by, have talked about the evils of the property tax. The only thing that happened here this year, on this Floor, was that the 4th of July came early. Here we are in May with a chance to really truly do something about the property tax in the State of Illinois. Now as I listen to comments and questions and so forth around the Floor, I'm beginning to get that uneasy feeling that maybe I won't have fifty-nine votes on this bill after all. But I want to tell you folks that are getting ready to vote No, what you're going to have to explain when you go back to give your 4th of July speech this year. For instance, if I were the Senator from Homewood-Flossmoor, I'd have to explain why I voted against a forty-seven percent reduction in the base property tax for my school district. If I were from Riverside-Brookfield, I'd have to explain why I voted against fifty-percent reduction. If I were from Rockford, I'd have to explain why I voted No on a fifty-percent reduction. If I were from Wood Dale -- Wood Dale --

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is that in DuPage County? I'd have to explain why I voted No on a fifty-seven-percent reduction. If I were from Zion-Benton, I'd have to explain my No vote on a fifty-eight-percent reduction. If I were from Mt. Vernon -- if I were from Mt. Vernon, I'd have to explain my No vote to eighty-two percent. If I were from East St. Louis - my No vote on eighty-three-percent reduction. From Quincy - eighty-six-percent reduction. Christopher - eighty-six-percent reduction. LaSalle Township - eighty-six-percent reduction. And now friends here's the real sleeper in this thing, you didn't expect this from me, but if I were from Chicago, I'd have to explain my No vote on an eighty-six-percent reduction, and at the same time, that's eighty-six-percent of two dollars and eleven cents, instead of eighty-six-percent of a dollar eighty-four. So I would expect there'd be nothing by green lights from the City of Chicago. I further presume that if I were lucky enough to pass this in the City of Chicago, I might even get a parking place at Wrigley Field, you know, they would have to love me there. Now my good friend and colleague, Senator Netsch, over there on the other side, has -- has taken a couple of pops at this thing. Senator Netsch, I heard you and Lee Daniels on Chicago radio station -- happen to bump into you there a couple of weeks ago -- you were truly eloquent on that occasion. You said all of the right things concerning the property tax. And when that program was over, I said, Thank God that lady doesn't live in the thirty-fifth district." I'd be wondering where I would go to surrender, because she said all of the things that I have heard throughout my district, and you've all heard them throughout yours. So I point that out to you, and just one final shot is that I would like to now have the chance to send to Speaker Madigan -- you know, he's kind of noted for sending little missiles over here to us from time to time -- I'd like to put this property tax relief over in his shop. I ask you for an Aye vote.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, I don't know what got in to you, it must be that microphone that you had to use over there, Ralph Dunn's. The question is, shall Senate Bill 1719 -- I'm sorry -- Senate Bill 1713 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, the Ayes are 11, the Nays are 38, 8 voting Present. Senate Bill -- 1713 having received -- failed to receive the required constitutional majority, is declared lost. Senator Rigney, I want to congratulate you. It was a great speech at the microphone, but the result was the same, I guess. 1732. Senator Welch. On the Order of Senate Bills -- 1752. On the Order of Senate Bills 3rd Reading is Senate 1752, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1752.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President and Members of the Senate. For several years around here there has been some concern about all the employees who are unable to have from their employer - health insurance. There was legislation introduced one year ago that would have mandated health care. That legislation didn't pass. This is an attempt, this year, to offer some no-frills health coverage to the employees who are not now covered. We believe this is necessary. State Chamber of Commerce, who suggested this coverage, feel very strongly about -- they're concerned about the employees out there who have no coverage at all. This attempts to address some of those people who are

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employed by employers who simply can't afford to offer the more expensive coverage. You may recall yesterday there were a couple of amendments that were offered. One by me that said that an employer could not have, within the last twelve months, offered any other kind of coverage. That addresses some concern that you had in committee. Another amendment by Dr. Berman, brought on two more components that we are concerned about, they will make the policy a bit more expensive, but evidently the -- the Chamber of Commerce felt strongly about it. One, of course, provided coverage for the mammography, and the other for spousal continuation. I think this is a good concept. I think it's our attempt to address some of those employees who do not now have coverage. I stand ready to answer any of your questions, otherwise would appreciate, very much, your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. If eloquence doesn't win out, we'll try to at least make it, and maybe brevity will. I stand in strong support of this legislation. We know it's not perfect, but I think it's a step in the right direction, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Further discussion? If not, the question is, shall Senate Bill 1752 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1752, having received the required constitutional majority, is declared passed. 1754. On the Order of Senate Bills 3rd Reading is Senate Bill 1-7-5-4, Mr. Secretary.

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ACTING SECRETARY: (MR. HARRY)

Senate Bill 1754.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President and Members of the Senate, Senate Bill 1754 is also trying to address a concern of the rising premium cost to those that are insured. As you know, one of the major concerns with the consumer in the hospitals is that the cost shifting of those that do buy insurance are then charged at a double and triple rate for items, whether it's medicines or rooms, to cover the cost of those that do not have insurance or cannot afford it. Through this bill we are attempting to identify the true cost for those charges, and to have those assessed properly. To make sure that the burden of providing hospital care for those that are indigent or those that can't afford it, is not placed on those consumers that are paying premiums and having those premiums raised thirty- and forty-percent each year. If there is a problem, it should be addressed by the government, and not by those individuals that are being priced out of the insurance market as the costs rise. I would ask your support for this bill - and move it along. The Hospital Association is opposed to this bill in its present form, but recognizes the problem, and recognizes the need that something must be done. And I would suggest that we pass this bill out. Move it to the House. Continue our talks, hopefully, that we can arrive at a solution that everyone can live with and survive the surmounting costs of our insurance premiums.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

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SENATOR WATSON:

Well, thank you, Mr. President. I apologize, 'cause I couldn't really hear the sponsor's explanation very well, and I want to probably ask some questions that you maybe had mentioned in your...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, it's because of your side of the aisle. Your row, as a matter of fact.

SENATOR WATSON:

You're -- you're holding the gavel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

You're holding the gavel. Well. Question. First of all - Hospital Association - what is their position on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator Watson, I stated they are opposed to it in its present form. But they do recognize the problem. They claim they are trying to address the cost-shifting concern. They know the problem -- how to resolve that is a question. And that is what we're trying to attempt here, that -- they, I guess, realize as we do, that that cost should not be placed upon those retirees, or those families, or those -- those of us that are paying these premiums, and having those premiums raised thirty- and forty-percent a year, like a hidden tax. Instead of identifying where it should come from, and how to resolve the problem that way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:



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Well I can -- I understand what you're saying, Senator, but I don't know that this is going to -- to solve the problem, because a lot of the problem simply has to do with us sitting right up here. We -- we pass mandates on, we dictate policies to hospitals, tell them they have to -- these requirements, that requirement. We don't fund Public Aid providers enough to offset the cost of hospitals' services that they provide to the Public Aid -- Medicare, same way. So there -- there's bound to be some cost shift, because the hospitals have to recover that somewhere. And, unfortunately, that burden ends up falling back on us, and I -- I realize there is a problem out there Senator, but I think to solve that we simply have to address that here and, of course, in Washington. So I really don't see any benefit or purpose from this and I just think at this particular point, we ought to just vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I would speak in support of -- of this bill because, you know, although, you know, what Senator Watson says is true, that indeed we do cost shift, and we do cause problems for a lot of people. And basically the whole health care question of how are we going to pay for all of the massive health care expenses that we have out there, and the people using it, is -- is definitely out there. But I don't know that you can rationalize that down to the point of seven-dollar aspirins when you are in the hospital. I mean that just rubs against the grain of everything that is -- is rational. From a stand point of what can be worked out, I think the hospital is the logical place where something like this can be addressed. We've worked out, through an amendment, the Hospital Cost Containment Council as the logical place to administrate this

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bill. I -- I think it's something that is extremely workable. We have a very appraising health care committee. And if you'll notice the vote -- if you look at your analyses -- it was -- it was a fairly strong vote and we gave this -- this issue much discussion. It's a worthwhile proposal and I would encourage its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Savickas may close.

SENATOR SAVICKAS:

I would just seek your support for this, and hopefully, we can solve this problem soon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1754 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last time. Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 32, none voting Present. Senate Bill 1754, having failed to receive the required constitutional majority, is declared lost. 1761 was on the Recall List this morning. 1767. Senator Schaffer. Senator Schaffer on the Floor? 1768. Senator Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1-7-6-8. Madam Secretary -- Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1768.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This bill is a result of a subcommittee that we looked into the problem of detention barns,

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regarding the horse racing industry in the State of Illinois. The conclusion we came to was that we should do away with the detention barn, but require every horse entered in the race to be placed in a security area, as designated by the racing board. It would make the trainer of record responsible for the security of the horse in the stall area. There are several reasons why we are doing away with their detention barn, not the least of which -- many of the large and -- and better stables will not come to Illinois, because of the detention barn. They don't want to put their horses in there for five hours with other horses that have, you know, could have some kind of a -- a problem -- be sick or something. For instance, Charlie Whittingham, the trainer of Sunday Silence, will not come to Illinois, because of the detention barns. So this -- this bill is patterned after the California law. Most of the major race horsing <sic> states do not have detention barns - Kentucky, New York, California - they all do it the way that this bill would -- would require. So I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would stand in support of 1767 -- or excuse me -- 1761 -- 8. I think...

PRESIDING OFFICER: (SENATOR DEMUZIO)

1768.

SENATOR WEAVER:

Whatever he's for, I'm for. I think Illinois is the only State in the nation that had this law. We put it in a few years ago as an experiment. It hasn't worked very well. It served no real purpose, and so I hope we all support this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Further discussion? If not, the

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question is -- I'm sorry, Senator Vadalabene.

SENATOR VADALABENE:

Yes. I'd like to make this statement. Do you -- recall when there was a horse called Senator Sam? And it lost thirty-one straight races, and it won't come to Illinois because of the detention barns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1768 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. Senate Bill 1768, having received the required constitutional majority, is declared passed. 1776 is the next bill. The amendment failed this morning, therefore it can be considered. Unfortunately, we don't have -- physically have the bill here, Senator Joyce. We'll have it here momentarily and we will proceed with it. Senator Schaffer, on Senate Bill 1767. With leave of the Body, we will pick it up while we are there. On the Order of Senate Bills 3rd Reading is Senate Bill 1-7-6-7. Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1767.

(Secretary reads title of bill)

It's the 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I stand on a point of personal privilege. In the gallery behind me, we have some of the people who work with brass in the City of Chicago -- it's out of my district -- and I'd like for them to be introduced and take a bow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Will our guests in the gallery please rise. Welcome to Springfield. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and Members of the Senate. This -- Senate Bill 1767 addresses a problem that was identified by a prominent attorney in my district in the Adoption Act. We had a situation where some adoption proceedings were made public through a newspaper article or ad, and the adopted child discovered through that medium that they in fact had been adopted, and there were some other ramifications in the article that were -- should not have necessarily been in the purview of that type of a newspaper article. What we have attempted to do is to tighten up the procedure on those records. I did not realize, when I stumbled into this swamp, that it can be a little controversial, but I think the Bar Association is comfortable with this language now. In addition, an amendment was placed on it -- on the bill by Senator Marovitz, and I see him on his feet and am prepared to defer to him to explain the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I wasn't going to -- just to support it, but I will be happy to. This answers a problem that has been created by legislation that we passed last year where -- whereby, in very happy tranquil situations between a husband and wife, a grandparent may come in and petition the court for visitation and force that happy-together family to spend tremendous amounts of money for attorney's fees and court costs, dissipating the family income that could be used for the kids -- their education, food and clothing. This is, in fact, going on right now in Illinois. This would eliminate that where those happy cohabit -- cohabiting families exist.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1767 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. Senate Bill 1767, having received the required constitutional majority, is declared passed. Bottom of Page 7. Senate Bill 1776 was on the Recall List this morning. The amendment failed, therefore it remains on the Order of Senate Bills 3rd Reading. Mr. Secretary, 1-7-7-6.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR J.E. JOYCE:

Thank you, Mr. President and Members of the Senate. 1776 deals with certificates of rehabilitation on historical buildings. This bill would require the title holder -- holder or owner of the interest in such property to file, annually, an affidavit with the Department stating whether there's been any change in the ownership or use of such property or the status of the owner/occupant. Senate Bill 7076 <sic> authorizes the Department to revoke certificate on a property for which no affidavit has been filed. This, basically, is an attempt to convey information with respect to the status so that if a person has sold it, or the property has changed in status - will no longer be receiving the tax benefits that -- that it presently receives under Illinois Statute. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Is there discussion? If not, the question is, shall Senate Bill 1776 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1776, having received the required constitutional majority, is declared passed. Turn your page -- to Page 8. Top of Page 8. Senate Bill 1-8-5-0, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1850.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1850, as -- as amended, is an amendment to the Public Aid Code, and it attempts to deal with a problem that was brought to my attention, particularly by the Legal Assistance Foundation of Chicago, and I'm told it is a Statewide problem. In that many Public Aid recipients are canceled or revoked or terminated due to failure of the recipients to cooperate with the Department. In other words, there is, on a regular basis I am told; mail that goes out from the Department and asks a recipient to respond. As I'm sure we're all painfully aware, sometimes in the housing projects, and in the neighborhoods in which the recipients live, that mail is not as faithfully delivered as in other areas. What we're attempting to do is to say that if, indeed, a recipient has been canceled, or revoked, or reduced, or terminated, when it's found by the Department, that that revocation cancellation was -- was not right, that the person retain his or her eligibility retroactively. There was no reason why this person should have

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been determined to be ineligible, or should have been canceled, or should have been revoked. The Department will admit that, and there are a number of these cases annually. Now what happened, the Department met with the Legal Assistance Foundation. At my request, they have come up with an agreed amendment, which is now Senate Bill 1850, as amended. The cost, I am told given the wording, is minimal, although the first fiscal note indicated it would be a million dollars or more. The fact is the cost, I'm told, is minimal, and this does not apply to sanctions that are imposed for the failure of any recipient to participate as required by the Department. So we are not attempting to suggest that everybody who is canceled or revoked is in the right, what we are saying is when they are right, their -- their benefits ought to be restored retroactively. And I would solicit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Mr. President, I would certainly encourage the Members on our side to support this measure, because if you -- especially if you do constituent services, you will run into this problem at some time or another, and this straightens out a real mess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1850 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1850, having received the required constitutional majority, is declared passed. 1862. On the Order of Senate Bills 3rd Reading is Senate Bill 1-8-6-2, Mr. Secretary.



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ACTING SECRETARY: (MR. HARRY)

Senate Bill 1862.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I offered this bill as just another option for reorganization of health care delivery services, in terms of Cook County. It's something that comes out of what went on here last June. I think we saw the bloodletting that went on, over the various issues of health care. We've talked about trauma and -- and the decline of hospitals -- shuttered hospitals. This bill would attempt to address all of those issues. It's a pretty weighty bill. We create an authority. It would be created by a frontdoor referendum. It does not raise taxes in any way. It gets health care delivery to the neighborhoods and indeed would be a kind of one-stop shopping type place for accountability, efficiency and operations. We've tried to cull the information to put this together from the best of what we could find from the health care summit, from legislative research, from my two good staff people on the Appropriations I and Senate Health Care Committee. We have visited hospitals. We've talked to administrators. So it's a compilation of just about everything. I would appreciate getting this over to the House. It's just, again, another option so we don't leave here on June 30th with nothing, and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

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

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I rise in strong opposition to Senate Bill 1862. As Senator DeAngelis, I think, indicated some weeks ago, I suppose at some time we are going to have to come to grips with the summit recommendations that were, as a result of that summit task force, put together by the Mayor and the Governor and the County Board President. This, I suggest, meets with no ones approval. I can't speak for the Governor, but I can certainly indicate that I have been informed that the other principles are opposed to this kind of a system. This is a dramatic overhaul of -- of the governance of the county hospital, certainly, and the dramatic overhaul of the health care delivery system, as we know it, in the County of Cook. Now I'm not going to stand here and represent that the health care delivery system is ideal or idyllic, but the fact of the matter is, this is much, much too dramatic a change and I simply don't think we are ready for it. And to the best of my knowledge both the City and the County stand in opposition, as do I.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Would the sponsor yield to a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka indicates she will yield. Senator Smith.

SENATOR SMITH:

Thank you. Senator Topinka, would you please be kind to answer - what is the fiscal impact of Senate Bill 1862 and what is agency or department's budget does it find -- it reside?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Topinka. All right.

SENATOR TOPINKA:

I couldn't hear the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Smith, she -- she couldn't hear the question.

SENATOR SMITH:

Oh, I'm sorry. I wanted to merely ask, what is the fiscal impact of Senate Bill 1862? And what agency or department's budget does the funding reside?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The fiscal impact is all dollars that flow into the system, in terms of public health dollars. And in terms of the -- the governance, we're talking about all those agencies which participate in health care delivery in Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

I'd like to find out, Senator, what impact will 1862 have on the operation of Cook County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

It will have no impact on the operations of Cook County, because we very specifically point out that all hospitals that would be involved in here would continue as they continue, but they would work together in a federated fashion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

I'd like to find out what - impact would this have on the City of Chicago? This bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

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I think the greatest impact it would have on the City of Chicago is -- is just on the entire health care delivery system, especially into minority neighborhoods. On those neighborhoods where we have had hospitals shut down; where we have had trauma units leave; where we have had people who have not had clinics available to them; where they've had to overuse emergency rooms, so that real live emergencies had to go on to other hospitals far away, and thus risking lives of people; -- where -- I mean, it has a tremendous impact on the City of Chicago. Probably more than on any other place. This would benefit the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Is -- is this your opinion, Senator? Or am -- I just heard that from the City of Chicago they totally oppose this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

It's -- it's my understanding in talking to representatives of the City of Chicago, whom I have spoken to, by the way, all summer, but who apparently don't keep in contact with their own people from time to time, that they don't necessarily have an objection with the substance of this, they just have not had time to review the program, which I think is all the more reason we should let it go over to the House - let it sit there -- it certainly isn't going to go anywhere should the City of Chicago not want it to go anywhere - where indeed the City of Chicago can have the time that it might choose to review it in its finite form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Raica.

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SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When Senator Daley and I stood up last year and we -- or the early part of this year -- and we tried to go through with our trauma funding, we heard from a majority of the Members the reason why we should not continue, and probably one of the major reasons why we should not continue is because we should wait for the recommendations from the health care summit. That they were reviewing all of this and -- and they would come up with the recommendation. I read the recommendations; nowhere did it address trauma centers. In addition, we had a problem with bypass in Cook County, at the trauma centers. The issue of bypass was not addressed whatsoever. If I can, Senator Jones, you brought up to me one of the hospitals on the south side, and I don't know if it was South Chicago, I think it was Roseland, if I am not mistaken, and why they weren't a trauma center. Well, you know, at that point, I told you, "Well I don't know why they weren't a trauma center." It was one of two reasons. One, they didn't want to be, or two, there wasn't funding. What this authority would do is -- is take a look at the health care and find out if, indeed, in your district they need that hospital be a trauma center, and they do. They need another trauma center in your area. If we go against this piece of legislation we're just saying, "No, we're going to agree with everything that the health care summit has said," and quite frankly, dealing with trauma in Cook County - trauma in the City of Chicago - they didn't address that issue whatsoever. And I think we need to -- to support this piece of legislation. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka may close.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, I don't

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disagree that this is dramatic proposal. But it's dramatic because we agreed, I think, from June on and all through the summer that Cook County's health care system, if I may use the word system, which is nonexistent, does not work. It is not delivering health care to where it is most needed. This is not a philosophical treatise, it's a meat and potatoes - let's get the job done. I -- I -- I have no objection to what the health care summit has put out so far, but in at least seeing in the media what has been put out, it's been rather pallid. And it's been philosophical and, you know, let's think about it and let's create a mission for ourselves. I don't know that that necessarily solves these problems, unless it would be significantly beefed up. And that indeed could be done on shell bills, which are currently in the House and I have no objection to that. I'm not saying that this is the world's best proposal. I'm saying I think we have managed to pull for a continuum of care - from a health care authority - to a tertiary hospital - to a primary hospital - to a health care clinic - to trauma units where they are currently established and where they are geographically needed - that we have done the job in this bill. I would appreciate it if we would get it over to the House as just another option, a point of consideration. I am sure that if nobody likes it, or the three principal parties, the Governor, the president of the county board, and the mayor do not like it, they will take care of it in short order in the House. But let's get it over there and keep the ball rolling. I would appreciate an Aye vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 1862 pass. 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 27 Ayes, 29 Nays, 2 voting Present. Senate

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Bill 1862, having failed to receive the required constitutional majority, is declared lost. Senator Ralph Dunn. 1864. Read the bill, Mr. Secretary, please. Senator Lechowicz, would you assume the Chair, please?

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1864.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. This bill, as amended, just requires that insurance companies who sell homeowners insurance policies in the New Madrid seismic zone, that includes about twenty-nine counties in southern part of the State, that they let the homeowners know that earthquake insurance is available -- or the availability of it. Be glad to answer any questions. Urge passage.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall Senate Bill 1864 pass. All the favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1877. Senator Joyce. Please read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1877.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

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SENATOR J.J. JOYCE:

Thank you, Mr. President. This legislation is designed to create the Emergency Freedom Bond Act. And what this does, this is a tool for Illinois business and industry, and it gives them the opportunity to participate, economically, in the emerging democracies. The tools contained in this legislation increase job opportunities for Illinois residents. Recognize the need to assist small- and medium-sized exporters based in our State. And we in the General Assembly must support public - private efforts to stimulate our economy, while encouraging the movement to democracy -- to democracies that we are witnessing. This would create a five-member board who would have the ability to issue up to twenty million dollars in bonds to the countries that are emerging into democracies. It would -- they would have to be cleared by the State Department, and it would give our companies here in Illinois the opportunity to go to these countries and help them with a lower -- a little lower interest loan, that sort of thing. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

I'm -- I've been reading our analysis. Let me get this straight. We are going to guarantee loans up to twenty million dollars that can be used in -- in countries that are emerging from communism. Is that -- is that the idea of this?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:



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Yes. That is correct.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Could you tell me where -- where we're going to get this twenty million dollars?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

We're going to issue revenue bonds.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

And -- and we expect these emerging countries to pay us back, is that the idea?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

No. We are going to loan the money to Illinois companies that are going to go there and set up businesses to help their economy. So it will be helping Illinois companies to go there, in these emerging nations, and do business, as -- as -- they are desperately in need of any kind of help that we can give them in the food processing -- anything to do with the food chain. They are desperately in need of help and this would let Illinois companies -- would give them available money at a little lower interest rate to go there and to -- to help those countries.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Indicates he will.

SENATOR HALL:

Senator, for my information, I want to know this. This is to include foreign countries, right?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

No -- not no -- no -- no. It's emerging democracies. So that the Illinois company would have money available to go there -- the money goes directly to the Illinois companies, not to the foreign countries. But they would have the ability to go there then and practice their trade, whatever that may be.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hudson. I'm sorry. Senator Hall.

SENATOR HALL:

Well I just wanted to ask that question, because I think we just passed out a -- a bill here to help Zaire, and places like that. I wonder would they be included into -- into your bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

I'm certain they will be looked at. It -- it would have to be approved by the State Department before we would make any -- anything available in any -- to our companies going to any countries. But I am certain that they would be -- be looked at.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hudson.

SENATOR HUDSON:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR HUDSON:

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Senator, could you give me a list of the countries involved?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

Well, I -- I'm sure we would be talking about Poland, Romania, East Germany, Czechoslovakia, Hungary, Bulgaria - those sorts of countries.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hudson.

SENATOR J.J. JOYCE:

Lithuania -- you know.

SENATOR HUDSON:

Would the Soviet Union, itself, be one of these countries?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

No.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hudson.

SENATOR HUDSON:

Would -- would the countries that receive the benefits under your bill, that is the help to American business in these countries, would it be administered by -- how should I put this -- the -- the people themselves or some of these emerging democracies are still controlled by the communists, even though they are emerging. Hopefully, they will. But would communist governments have a hand in the administration of these businesses or the monies involved therein?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

No. No government, other than the State of Illinois

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government, would be involved distributing this money. This money would be loaned to Illinois companies by the board created here in Illinois, a five-member board appointed by the Governor with the advice and consent of the Senate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR KARPIEL:

Senator, could you explain to me exactly -- because I'm not real well versed in -- in the Statute concerning the Illinois Export Development Authority -- so could you explain to me exactly what the differences are between that authority and this new authority you're setting up; and why that authority couldn't handle these loans as well as what they're already doing?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

I don't -- no one has ever come to me from that Export Development Board and said anything about this. Are you aware of anything that they have done that is similar to this to help any of these companies going -- going there? I mean -- you know -- if they -- if it was such a good idea, why haven't they done it?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

SENATOR KARPIEL:

Well, actually, I was asking you a question, not for you to ask me back a question. But their job is to help Illinois exporters, and I would imagine with these new -- these nations

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that are now looking for a market, and looking for business opportunities, that that probably would happen naturally and automatically. I thought perhaps there was something different in your proposal than in the authority, as it is now set up that makes this -- gives you a reason or gives us a reason for forming a new authority.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

I'm -- I don't think -- now, I -- I could be wrong, but I don't think that the export authority has bonding authority. Do they?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

SENATOR KARPIEL:

I think it does. And I think it also has the moral obligation clause in it that your authority does. I'm not a hundred-percent sure, Senator, that's why I was asking you. I -- I have another question. Under the guaranteed funding provision of your bill, if in fact, the country politically goes back under the iron curtain or something happens, on our analysis it says that this would not be a State obligation. Would this be the bank obligation that made the loan?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. It would be the banks, it would not be the State's and -- and the person -- the company borrowing the money.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

SENATOR KARPIEL:

Well to the bill, Mr. President. I don't know that I stand

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actually in opposition. I certainly don't oppose the idea of what we are trying to get at, but I think it would be good to know -- I mean, are we forming an authority to do something that already can be done under one of our existing authorities? I realize we are on 3rd Reading and -- and it's probably a bad time to check that out. But I think before it's -- if it does pass -- before it comes up in the House, perhaps we ought to find out that information.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Newhouse. Senator Newhouse, please.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senator, I am wondering if we could somehow frame, within the language, some standard that might include some of the objections that I hear. And that is that while there may be some concentration on some nations which are now vying to open up the democratic system; that it not be limited, for example, to eastern Europe. So that this -- I think we -- if we can clear that up in the debate, so that the question doesn't arise at a later time, I think it might assuage some of the concerns that had been addressed here, a moment ago. If you would agree to that, I would appreciate it. I take that as a yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Dudycz.

SENATOR DUDYCYZ:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DUDYCYZ:

Senator Joyce, I think what you're doing is -- is very good and I -- I support it, but I have some questions as far as

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legislative intent. It's my understanding that there are currently - the policies behind the iron curtain, or in the Soviet Union, -- the business ventures that are being formed today, are between private enterprise outside of the Soviet Union and State-owned businesses, and they form a joint venture there. Now to follow up what Senator Hudson was talking about, his concern and mine is also, when you're involved in this type of a joint venture behind or in the Soviet Union, will this be going through the Kremlin - through Moscow, or will this be going through the individual emerging democratic country? Because this is just for legislative intent.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. First of all it would have to be approved by our State Department in Washington. Secondly, it does not deal with Russia or the Soviet Union. And joint ventures - I'm not sure that they would be eligible under this. I think this would be a company setting up business in Poland, or wherever. If they want to do a joint venture, and the bank wants to loan them the money, that's fine, I would guess.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dudycz.

SENATOR DUDYCH:

Well, Senator, when I was there earlier this year, this past March, it was my understanding, from the business groups in the Ukraine, is that the only way that they will be involved in any type of a business venture with -- with outside businesses would -- would be in a joint venture. They would not permit any other type of independent -- independently owned corporation or business to set up in eastern Europe.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Joyce.

SENATOR J.J. JOYCE:

Well, this is not in the Soviet Union, understand. But I don't think that is correct anyway because McDonald's is not in a joint venture with anyone in the Soviet Union.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dudycz.

SENATOR DUDYCYZ:

I -- I believe you're incorrect, Senator, there is a joint venture between McDonald's and the Soviet Union in the Kremlin. They do have a joint venture in establishing that corporation. If it does not -- if it does not include the Soviet Union, who does it include?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

Well, I -- East Germany -- I -- I mentioned a bunch of them before, East Germany, Poland, Czechoslovakia, Hungary, Lithuania. When -- when they come out, that's when we're going to make this money available to Illinois companies to go over there and do business.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce, to close.

SENATOR J.J. JOYCE:

I think we've discussed this quite a bit and -- and, you know, all of the concerns out here are -- are concerns of mine as well. It is a new tact for sure, but I have listened to the State Treasurer and the Governor tell Lech Walesa that we are going to make twenty million dollars available to you in bonds, but there's no mechanism to do it. So what this is doing is giving bond money to Illinois businesses to go to those countries and to get them started doing things that they need and in the meantime will help



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Illinois businesses. So I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall Senate Bill 1877 pass. All in favor, vote Aye. All opposed, vote Nay. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 51 Ayes, no Nays, 3 recorded as Present. This bill, having received the required constitutional majority, is hereby declared passed. 1881. Senator Smith. Please read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1881.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to tell you a story, and it's a true story. Recently here, Mrs. Marilyn Quayle, who's the Vice President's wife, gave a moving story before Congress, concerning how her mother might have been spared a painful death from breast cancer. Her mother did not have a mammogram when her physician first detected a lump in her breast, but told her not to worry that he believed it was benign. The tumor was not benign, and six months later the cancer had spread and soon she was dead. Following her testimony, Mrs. Quayle pleaded with women to understand that mammography and self-examination can keep them alive. She urged Congress to more aggressively to encourage women to have breast cancer exams. The breast cancer rate among American women, especially low-income women, is the highest on record. However, death rates have increased only slightly. And according the National Cancer Institute, breast cancer is still the leading cause of death from

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malignancy among women. I come with this bill, Senate Bill 1881, to appeal to you for our womanhood. It is much later than we think, because women are very frightened. There was a documentation on television just this past weekend, and then Mrs. Quayle was again on television, advocating the same story. I am not only talking in terms of -- mammograms, excuse me, but I'm also talking in terms of the medical assistance, medicaid recipients. That is a part of this bill and this -- history behind that -- was that the Federal Family Support Act of 1988, commonly known as the federal welfare reform bill, requires our states to examine and adjust their child support standards every four years commencing from -- to 1992. The object of this amendment and counterpart is to put a Statute of Department of Public Aid Current Child Support Advisory Committee, bringing Illinois into immediate federal compliance -- ensure compliance with the -- October '92 deadline. And provide that the mechanism for ongoing on the site -- oversight of the progress. Since funds are currently in the Department of Public Aid's budget for the cost associated with the committee, this amendment would not require the allocation of additional General Revenue. So I am saying because mammograms are very, very important to our womanhood, here in Illinois, and these United States of America, and around the world, we have already tried to comply so that you will take -- sympathy or have compassion should I say, and pass this bill. We have extended the effective date on this to 1-1-91, not immediately, not immediately for the mammogram. But it is extended, but we do say that the Child Support Advisory Committee would go in effect immediately. I'm asking for your support. Please remember what Mrs. Quayle said, do not let our women, especially of low-income, have to go through the same thing. Please, I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Any discussion? The Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate. You know, I -- I always appreciate what the good Senator from Chicago - the Chairman of the Health Committee - comes forth with, because she has a good and kind heart. And I -- and I think, you know, if we had all the possible available funds that we could -- could get our hands on, this would be a fine idea. But this is a million-dollar hit on the Department of Public Aid, which right now is taking a two-percent hit as we have reduced our budgets straight across the board. So I suppose we have to look at -- if they go into this program, what are they going to cut to make up the deferential. Someone is going to get hurt on this. The other problem that we have is is the way the bill is structured. There is no base line for information, so that people coming in, would -- would be coming in at different ages. There's no way to regulate are they coming in on a regular basis to compare to see if their has been any changes in the breasts that are being x-rayed. It would be very hard to administer, because you're not getting the necessary data that you need to even make it work. I would point out that people under -- under ERISA policies those who are self-insured, they don't have this. I mean this is pretty far-reaching program straight across the board. I -- I -- you know, yes it is a problem. I appreciate what Mrs. Quayle has said, but unfortunately, Mrs. Quayle has the federal budget deficit to worry about just as the State of Illinois could conceivably have one as well. I would point out that Amendment No. 1 to the bill, required the Department of Public Aid to appoint a Child Support Advisory Committee, and that's already found in House Bill 3484, so that's kind of a duplication. This is a nice idea. Again, it is well-intentioned. I don't think we can afford it, and the way it's structured it will not work. So I

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-- I would ask that we oppose it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McLean, Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. I, too, find it very difficult to argue against Senator Smith's legislation. It's a difficult one to argue against too, because this is a very -- very emotional issue and one that concerns a great many people. And I would only add to what Senator Topinka has said, by saying to you, Senator Smith and Members of the Chamber, that there have been many, many programs cut or reduced from this year's budget by the responsible Senate Republicans and Democrats. Many others, Senator Smith, have had -- have had some very worthwhile programs that have been cut or reduced substantially. I think this is something that might well happen one day soon, but it can't happen this year. We can't send the wrong signal, you indicated the money is there in the -- in the Public Aid budget now, it is not there in the Public Aid budget now, for this program. It would be a dilution of other programs. You and I both know and understand that. I would suggest that we defeat this legislation this year, consider it as a part of next year's budget and -- and work through the normal process and consider it that way. And again - very difficult to argue against, but I urge defeat of Senate Bill 1881.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. I rise in very strong support of this bill, and I think one of the speakers talked about saving money, and where were they going to shift. But Senator Topinka, when someone has cancer and have to go into the hospital and sometime years of treatment, will cost

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much more than it would cost for Medicaid to pay for them going in having a mammogram. We passed a law here that required insurances to cover mammograms for those people who were fortunate enough to have insurance coverage. Well why not those people who are not fortunate enough to have insurance coverage. Because you -- we have to pay and pick up the bill for whatever hospital costs, and I'm sure that months and months of chemotherapy and all of the medication and -- and therapy that's -- that goes along with the person having cancer will cost far, far more than providing for prevention. And that's -- that's -- I think, there's something seriously wrong with us in Illinois, and we're behind most states when it come to preventive kinds of things. We are responding to emergencies and things after the fact, all the time, but whenever someone comes through this Chamber with something to prevent us and to save money in the long run, we're against it. That makes no sense at all. I think something Senator Smith said it, talking on another bill, that we need to begin the change our thought processes in the way we think here, because we are really penny wise and dollar foolish. I think this is a great idea and we should pass it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

In -- in -- again to repeat, and I hate to speak a second time. In response to Senator Collins. Maybe she did not hear my first comments, which were that those who are currently covered under self-insured insurance policies do not necessarily have coverage for mammograms, unless indeed they've negotiated this as -- as a part and parcel of their insurance plan. Yes, we did vote for mammograms for those who -- who are left, after all the self-insured's are taken out. This is an ever decreasing portion of the insurance pie that's out there. I -- I mean, I feel badly

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about this particular bill, too. Being a woman, especially, I feel badly. If I could print money in the basement of the Capitol, I would, but we can't. And again, there will be some shifting, and someone will get hurt, because this is not in the budget.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith, to close.

SENATOR SMITH:

Thank you, Mr. President. First, I'd like to correct my colleague. She said over a million dollars - and the fiscal note it is not, it's under - much under. I wanted to correct you there. And we have the fiscal note. Secondly, I wanted to say, she spoke in terms of age and there are already some being administered to right now. But this coverage would follow as a base line mammogram for women thirty-five to thirty-nine years old - a mammogram every one to two years for those forty to forty-nine years old - and an annual mammogram for people -- women over fifty years of age. And then there are low-income women who cannot afford. The fiscal impact on this bill is slightly -- when compared to the fiscal repercussions of no public assistance or mammogram services. The Department estimated thirteen thousand one hundred and three women who'd use the services, if available. The cost for treatment of cancer detected would be much greater than the seventy dollars we would now spend on each woman to conduct a mammogram. This provides a prevention mechanism, which will be saving the State revenue soon - not five years down the line. This bill is fiscally responsible, because by addressing the problem of cancer prevention, we do not react to a problem, but rather to prevent a problem that is burdensome. The cost -- and it will cost to our State and clearly this bill would be eventually saving to the Department of Public Aid. This is important, it would be a marvelous thing, because at least you

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would giving people hope. This is what I'm asking to do. Give them hope. This will not become effective before '91, and by that time, I'm sure the Lord will open up a way that the Senate here will have money to help pay these bills. Please, I'm asking you, give us this vote, your favorable vote. Thank you, very kindly.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall Senate Bill 1881 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 44 Ayes, 7 Nays, 5 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 1897. Senator Dunn. Ralph Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1897.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Perry, Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. Senate Bill 1897, as amended, does three things and it is all in compliance with things that the Illinois Department of Transportation agreed to. They had some clean-up language requested by IDOT, regarding the re-testing and testing of school buses. It gives a two-inch variance on each side of some certain loads in permits issued by IDOT. And it also makes a small change in a Section regarding the issuance of limited continuous operation permits. I'd be glad to answer any questions or I'd -- move and move its approval and adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall Senate Bill 1897 pass.

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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 54 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 1905. Senator Macdonald. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1905.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. 1905, I hope, is a taxpayer protection bill. Last -- in 1988 we put into law a creative revenue source which were called double barreled, or alternate revenue bonds. Since that time, and since those bonds were created, unfortunately, in my area, some of the local governments have been - particularly one park district - has been paying off the -- refunding alternate bonds with non-referendum general obligation bonds. Some of the taxpayer watchdog groups that have been watching the operations of local government oppose this to -- to a great degree, as a matter of fact, they want to abolish the alternate bonds which I -- I do not agree with. I think they have great, you know, great value for funding and so I would not agree to that. But I did agree to put in this bill, and currently it is a very simple bill. Double barreled bonds are bonds which are issued as revenue bonds, but become general obligation bonds if revenues are insufficient. And under this bill, originally, the double barreled bonds could not be refunded or advance refunded by general obligation bonds, which do not meet the conditions required for alternate bonds. This bill would require a backdoor



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referendum for subsequent general obligation bonds which will be used to pay off alternate bonds. The park district -- the Association of Park Districts objected to this bill, so we put it on an amendment which we think meets there objections. And that amendment merely says that the authorizing ordinance for the alternate bonds issued after January 1st, 1991, shall contain a statement that identifies any revenue source that will used to pay the principle and interest of those alternate bonds. We further require that in the backdoor referendum that that language also -- that that information also be revealed in the language of the backdoor referendum. So that's essentially what this bill does. I think it will certainly relieve the taxpayers' watchdog groups that -- to some extent. I -- it does not go as far as they would like, but I think that it is a good compromise, and it is a protection to them. So I ask for your support of this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall Senate Bill 1905 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On this question, there are 51 Ayes, 3 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed.

END OF TAPE

TAPE 4

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senate Bill 1957. Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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Senate Bill 1957.

(Secretary reads title of bill)

It's the 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Will, Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This bill is supported by Mental Health, and it does several things. It places a restriction on CILAs allowing four individuals to live in a residence unless the local zoning permits more. It creates a distance portion of thirteen hundred and twenty feet between them. And in cities over five hundred thousand, permits a number of eight in a multi-unit dwelling situation where they compose fifty percent of the dwellings. And lastly, it states that the intent of this legislation is that CILAs shall be distributed equitably in counties and villages.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR GEO-KARIS:

I received a call from Mental Health just the day before -- day before telling me they are opposed to this bill; and now you're telling me that Mental Health is for the bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Senator, with my amendment, they're now in support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Geo-Karis.

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SENATOR GEO-KARIS:

Which amendment, particularly, do they want, and will you explain that amendment?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Thank you. I'll be happy to, Senator. That was the amendment yesterday that I withdrew, which provided that there would be a reimbursement for lost tax revenue by agencies.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I don't want -- want to be obstreperous, but I understand that most of the Mental Health groups are opposed to this bill, the way it stands even though it is amended, and I cannot support it under the present circumstances.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

Senator, yesterday you gave me an amendment, and -- and you withdrew this amendment now? This is the amendment?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR FAWELL:

All right. To the bill, then. I faxed both the bill and the amendment to my Mental Health Department. And let me tell you - in -- in - this would be a disaster in my county. It is a -- a

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bill, first of all, that says that you've got - you can limit -- you must limit, to four people or fewer, who are mentally ill or developmentally disabled if they are living in single-family dwellings, unless local zoning regulations provide otherwise. The first problem we've got, is we have a number of homes throughout the State that have got more than four. Without local zoning, it is -- under the Federal Fair Housing Act, we cannot do this. This is a -- a fairly new law that said anyone who is under the -- under this Act - and these -- these include both the mentally ill and the developmentally disabled. And -- and Senator Kelly, I hope you're listening, wherever you are and Senator Schaffer, that you cannot limit that to four. In the first place, they can't even break even with four or less. We have homes that have got six and seven. And they are, frankly, side by side in Wheaton. We've never had a complaint. Ninety-nine percent of the people in Wheaton don't even know they're there. We also have apartment buildings -- with our mentally ill. The AMI Groups -- the Department, at least my department, are certainly against this. This has never gone to the Mental Health Commission. I understand what you're trying to get at. And -- and I appreciate what you're trying to get at. And obviously, there have been some real abuses to the system, and I agree that we certainly should be working with these. We should not be having rows of houses filled with schizophrenic and manic depressive people. And I know that's what you're trying to get at, but I will tell frankly that -- that you've sort of overkilled. I would appreciate it if you would either take this bill out of the record or -- or, you know, let it die here in the Assembly. Let's take it up at the -- at the Mental Health Commission. I certainly will work with you. I'm on that commission. Let's try and come up with a bill that does what you need -- you feel needs to be done. But this bill is really not it, and it's going to hurt. It's not going to help. We

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cannot do this to the DD's, and we can not do this to the MH's.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Dunn, to close.

SENATOR T. DUNN:

Thank you, Mr. President. Well Senator Fawell, you're totally misinformed on -- on this bill. And I would say to you that had you attended the hearings that was conducted by the Joint Committee in the House and the Senate, you would have heard the largest agency in the State that represents two thousand retarded people in this State, and they are for this amount. And they think four is -- is a very representative figure that represents the number closest to a normal family. And what they are requesting is that they have true integration in neighborhoods, but they don't want to be disruptive. They support it. So - and I will also say to Senator Geo-Karis, the same thing - that those agencies did testify in the committee, and they did support this. And the fact that maybe your DuPage Mental Health Department doesn't support that, that may be their position, but this is a reasonable approach. And a matter of fact, you say that we can't do this under the Fair Housing Act, I took the number of thirteen hundred and twenty feet, which was from an actual Federal court case that was affirmed by the Court of Appeals. It was the City of St. Paul versus someone, I don't remember who the defendant was, and the court articulated that thirteen hundred and twenty feet was, in fact, a reasonable figure, which is what the Fair Housing Act calls for, a quote, "a reasonable figure." The number four is a reasonable figure. The distance is a reasonable figure. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall Senate Bill 1957 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, please

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take the record. On this question, there are 21 Ayes, 31 Nays. This bill, having failed to receive the constitutional majority, is hereby declared lost. 1958. Senator del Valle. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1958.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill was on the Agreed Bill List. I took it off to do a technical amendment. It just simply conveys land from the Department of Transportation to the Chicago Board of Education for the construction of a school.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall Senate Bill 1958 pass. All in favor, vote Aye. All opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 1962. Senator Carroll. Please read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1962.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President and Ladies and Gentlemen of the

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Senate. Senate Bill 1962 is the technical rewrite of the Comprehensive Health Insurance Plan Act as defined, or as suggested by the Board as created by the original Act. It makes some technical changes to allow them to better serve at a cost-effective mechanism, and it allows for some additional cost containment measures. And, we believe, appropriately deals with the issue of dumping. Wherein people who had insurance coverage, but because they were in a group that had high utilization, such as cancer victims, kidney dialysis and others, were being told by their employers they were going to take them off of privately paid plans and throw them into this pool. The board believes, and so do I, that we have by this suggested change stopped that dumping. And I would answer any questions, and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall -- Senate Bill 1962 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Secretary, please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. On top of Page 9 is Senate Bill 1977. Senator Barkhausen. Please read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1977.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Lake, Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President and Members. Senate Bill 1977 is a bill that passed unanimously in the Labor Committee, and it had an

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agreed amendment adopted onto it yesterday. It provides that any work-related dispute between an employer and an employee shall, before an employee can resort to State Court, shall be resolved or shall be attempt -- an attempt at resolution shall be made through a grievance procedure, if one is provided. It applies -- well I should say it does not apply to -- to grievances or disputes that may be based on -- on State Statute, such as provided in our amendment yesterday with the exception for the Department of Human Rights -- or similar -- similar statutorily based claims. I'd be glad to try to answer any of your questions and would otherwise urge Aye votes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall Senate Bill 1977 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 1985. Senator Holmberg. 1986 was called back. Senate Bill 2000. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2000.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from LaSalle, Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. As many of us know, the Federal Government is contemplating legislation enacting the Federal Clean Air Act of 1990. The Act is going to impose, on Midwestern states, an undue burden of taking care of the problem of acid rain



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in this country. It appears that all the efforts on -- on the part of the Illinois delegation and Midwestern delegations have failed to spread the cost out throughout the country. For that reason, I proposed legislation to try to keep Illinois coal miners working and to ease some of the burden on Illinois. What the bill does will enable Illinois utilities to use Illinois coal, or power from solid waste energy facilities, and pass on a percentage of that cost to ratepayers. The amendment is an incentive to purchase Illinois generated solid waste to better meet the new standards proposed under the -- under all different versions of the Federal Clean Air Act. Utilities may forego the purchase of expensive solid -- of low -- expensive low-sulfur coal by using a combination of solid waste as well as high-sulfur Illinois coal. The amendment also enables a utility to pass along costs arising from other aspects of the Clean Air Act, such as auto emission standards, which are outside the purview of this legislation's intent. Another provision, that had some utilities objecting has been taken out, and that is that utilities under a contract for the purchase of out-of-state coal are exempt from this bill. This would allow for only Illinois-generated solid waste to be used in a qualified solid waste energy facility at all, so that we don't end up burning out-of-state waste. Increased costs borne by the utility shareholders will be charged to those -- in those instances where air standard -- air emission standards, due to changes in the Federal standards, are not met, and -- and foreign coal to Illinois is purchased. And the overall purpose of the bill is to encourage purchase of Illinois by -- Illinois coal by utilities and to discourage the purchase of foreign coal. I would urge passage of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Cook, Senator Raica.

SENATOR RAICA:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR RAICA:

Senator Welch, my analysis says that fifty percent of the cost, if it allows that Illinois coal is used in a purpose of compliance, fifty percent of the cost will be borne by the ratepayers. Is that in the bill? Is that true?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch, please.

SENATOR WELCH:

If it is Illinois coal, fifty percent of the cost could be passed on to Illinois ratepayers, the cost of the scrubbers. Otherwise if they don't use Illinois coal one hundred percent would be passed on, as the Commerce Commission would more than likely allow.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

I guess, another thing it says the -- "the objective in this section shall be ensured that the provisions of adequate, effective, reliable, and environmentally safe energy service at the lowest possible cost of all Illinois energy consumers and users," and in doing so -- do you -- I guess there's a clause in this bill that says that the utilities have to offer this at a -- the lowest possible lowest rate. If you're doing this, aren't you saying that they're going to up the cost?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

I -- I think that's current language in legislation, not our

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bill. But what the bill is going to do is prohibit the Illinois Commerce Commission from passing along one hundred percent of the cost to consumers. If the Clean Air Act goes into effect and Illinois plants have to put scrubbers on their utility plants, what will happen is that they will then go to the Commerce Commission, ask that all those costs be passed on to consumers. This bill says that if you burn Illinois coal, then fifty percent of that cost will be passed onto consumers; if you don't burn Illinois coal, the utilities can't pass on anything. No costs, will be passed on to consumers, if you don't use Illinois coal.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Just one last question. Senator, what is the position of CUB on this?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

They have not taken a position on the bill. They usually take positions only on -- on bills that they introduce. It has been my opinion in committee, they -- they -- if they introduce the bill, they have a position, they have press releases and position papers, they didn't submit a Witness Slip either way.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Jefferson, Mr. O'Daniel -- Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. I rise in strong opposition to this bill. The sponsor says that it will encourage the use of Illinois coal. If so, why is the United Mine Workers opposed to it, and the Illinois Coal Association? You know, I think we're sitting here with the largest deposit of high-sulfur coal, high BTU Coal in the nation. And I think all

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this bill is going to do is to encourage the use of Western coal. It -- you know, he talks about incineration, maybe in the future that may be okay, but right now it's cost prohibitive. And I -- I think, you know, if he's really concerned about the environment, we ought to be thinking about doing something that gets the sulfur out of our coal, and where we can use this natural resource, we have here. And I think this -- this would be devastating along with the Clean Air Act, that's coming out of Washington, for -- for Illinois Coal. And for that reason, I oppose the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Champaign, Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I was reading this release from -- or this note that Ralph Dunn sent out. I don't see him on the Floor, but in that the Illinois Coal Association and the United Mine Workers are saying that, basically, the complicated provisions of the Federal legislation are not known yet. What is the status? Are -- are those rules and regulations -- have they been dealt with by the Coal Association of Illinois, or -- or the Mine Workers?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

In the Congress, there are two separate bills proceeding along. The Senate has passed a bill that says that the cost of the Clean Air Act to clean up acid rain will be borne by those coal using utility plants, most of which are in the Midwest, and the cost will not be passed throughout the country. In the House, the version of the bill also says that the cost will be borne by Midwestern utility plants as well. The reason why you got this sheet, passed out by the Mine Workers and the Illinois Coal Association, is that they are under the belief that they can

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change the minds of Congress to suddenly reverse their position and spread the cost out throughout the country. That's not going to happen. The bills are proceeding along. The Senate has passed one; it's over to the House. The House is still working on their version, but both versions stick it to Illinois.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Then what you're saying, by this bill, is that utilities do not pass it on to the ratepayers. Is -- is that what you're saying?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

What I'm saying is if they don't use Illinois coal, they can't pass on a single dollar of the scrubbers to Illinois ratepayers. This -- this statement is totally inaccurate. If they don't use Illinois coal they can't pass on anything. If they use Illinois coal, they can pass on up to fifty percent of the cost. The other fifty percent will be borne by their -- shareholders or their stockholders. So if they use Illinois coal, there's the incentive. You can pass on fifty percent of the cost. If don't use Illinois coal, you pass along nothing. So this -- this statement is totally inaccurate, and apparently was written by somebody who didn't read the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

This -- is there any reason why we should act on this immediately, Senator Welch?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

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SENATOR WELCH:

Well, I think that we need to get the legislation on the books. I -- I think that the Congress is going to act over the summer when we're not in Session. And I think it's a law that makes good sense. It's a law which protects the ratepayer. I don't think we're going to do much else for consumers here in Illinois this year. They're not going to get any tax relief. And I think this is something that helps consumers - reduces cost to consumers - and is something that should be on the books.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, when we can have unemployed coal miners by the thousands, that's not going to help the consumers, because those people won't be able to eat. And I think your legislation is laudable, but I think it's a little bit too soon. As Senator Weaver said, why don't we wait until the Federal legislation is completed? And I don't know whether you've traveled down south of Illinois, like I have in the past, but I can tell you that I saw many, many people out of work who were coal miners. And I think that when you say, if they use Western coal, they don't have to pay; the ratepayer doesn't have to pay. First of all, the best coal is Illinois coal. It has the highest BTUs. However, what we should concentrate, as Senator O'Daniel said, is getting the sulfur out of our coal, not worrying about charging the -- the ratepayers, and the -- and the shareholders. The important thing is to keep the jobs going, because I don't want to see the unemployment I saw in -- 1986 when I went down south in Illinois. Therefore, I'm forced to speak against the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Macdonald.

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SENATOR MACDONALD:

Yes. Would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

Pat, I understand your dilemma, and what you're trying to do. But from a technical standpoint, how can a shareholder be specifically held liable for this act of Congress? I, you know, I mean it seems to me that they have a limited liability on investment of their stocks, don't they?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Well, I've -- I've got two different ideas on how that could happen. Number one, either reduction in dividend, or two, the company could issue more common stock.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Macdonald.

SENATOR MACDONALD:

I think that, of course, aside from the technicalities of, you know, being responsible for an act of Congress, and to hold the shareholders either totally responsible, regardless of what -- whether we use soft coal or -- or coal from the West, or what, I think the principle here is, you know, is flawed, and maybe it may be an attempt to be fair to have a fifty -- fifty percent of the cost borne, but there is very little -- very little reason for investors to invest in a utility if this is going to be the way we're going to be addressing a problem of this magnitude. So, I would -- I would suggest a No vote on this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Tazewell, Mr. -- Senator Luft.

SENATOR LUFT:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR LUFT:

Senator Welch, I'm totally confused. The conversations that I've heard about the Mine Workers and the Coal Association being opposed to this, I have yet to -- and I can't understand why they are, to be honest with you. And if I'm looking -- and if this is the only one that Senator Dunn passed out, maybe he could explain it better than you. It says, "this bill discourages the use of Illinois coal by encouraging incineration." That's the only fault that I can find in this statement that they're proposing. And if they're finding fault in incineration, then I think -- and they think incineration is going to put the coal miners out of work in the State of Illinois, I think they're about as far off base as you can get. And if they were opposed to incineration, they should have been here two or three years ago when we passed the incentives that are required, and those only incentives that allow you to build incinerators in the State of Illinois. Now can you tell me are they opposed, am I right, and their opposition is only because of incineration? Or are there other components of their opposition, that I'm not aware of?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

From talking to the lobbyists for these groups, the best I can understand is they think they're going to get a better shake out of Congress, and they're not going to. Other than that, the incineration, I think, is something they're just throwing in as a red herring. The bill encourages a combination of coal and incineration to be used to generate energy when incineration is



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available.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McLean, Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. I -- I -- I guess we're all sharing some confusion on -- on the bill. And I -- I confess that I am too, Senator Welch. I'm not sure all the stories we've heard from either side are -- are exactly -- I'm not sure whether they're accurate or not. My -- I -- I guess my concern would be from an investor point of view. When responding to the statement or the question from Senator Macdonald, one of your comments was they would issue more common stock, and I guess my question would be, who would buy it? Utility stock has been a pretty good investment. Our pension system here and other pensions invest in that stock. And I -- if -- if I was -- if I was on a board, or if I was an investor -- a large investor in a -- in a utility company, and I was dealing with a fossil fuel plant that was getting toward the end of its active productive time, and many of them, as you well know are; and facing the increasing cost of meeting the Clean Air Act, I'd close the darn thing down, or I'd vote to close it down. And I -- many of -- you and I have -- discussed this before, both on the Floor and privately, and I think this does the same thing, and ultimately -- ultimately makes investment in that company less attractive for -- for any of us that invest in that. And I -- I think Senator Weaver made a good point, I -- I'm not sure about the rush for this, and why we need to do it now. Let's not force these companies into something that we're going to be sorry for afterwards. Right now I view the bill as -- as kind of a heads you loose/ tails you loose, at this point. And would suggest that you either take the bill out of the record, or we defeat it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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The Gentleman from Perry, Mr. -- Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. I'm sorry I was off the Floor when this bill came up, but I did circulate and put on each of your desks, a letter from -- or a memo from the United Mine Workers and the Illinois Coal Association. And they are strongly in objection to this bill, partly because of the fact of the incineration. And Senator Welch is probably correct that that's not the only reason perhaps. In talking to the utilities and I think you all know that if they have a choice of whether they are going to pay their shareholders or stockholders money, it would be a lot easier for them just to switch and burn Western coal, which would comply with the Clean Air regulations. But it would be to the detriment, and just to the ruin of Illinois coal sales and coal mining. This is the main reason, I think, behind the bill, is the fact that we don't want our utilities to switch to Western coal. We want them to burn Illinois coal. We don't particularly want them to burn garbage although co -- cogeneration would be alright, I'm sure. But I -- I would urge a No vote on this bill, and it's a bad bill for the Coal Industry and for the State of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch, to close.

SENATOR WELCH:

Well, I'd just like to say that this piece of information handed out by the Mine Workers is the most misinformed piece of information I've ever seen on the Floor of the Senate handed out by -- by a individual lobbying group. Senator Dunn, this bill does exactly what you want it to do. It encourages the use of Illinois coal. Senator Maitland spoke about - why would anybody continue to build a plant in Illinois. Well, for the profit motive is why they are going to build it. Why are they going to buy Illinois coal? And Senator Dunn referred to the fact that the

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utilities really want to buy out-of-state coal. That's right. They want -- utilities would want to buy out-of-state coal because they can -- they don't have to put the scrubbers in. If they don't -- if they buy out-of-state coal, they can't pass along the cost of the scrubbers. If they -- if they -- if they buy Illinois coal only fifty percent of the cost - if they buy out-of-state coal they can't pass along anything. The -- they're encouraged to buy Illinois coal because of the capital costs can only be passed along at a fifty-percent rate to Illinois consumers, if they buy Illinois coal. Utilities' stock is different from a utility bond. A utility bond does not have the risk that stock has. That's why you buy stock. That's why stock goes up, because you take the risk, and the risk is what encourages people to invest. The issue of stock by a utility company that's going to make a profit, I think that would -- would sell. If they can't issue the stock, I think they could issue bonds to raise the capital. The idea that we should not use Illinois coal in these plants is something that I'm vehemently against. That's why the bill is meant to encourage the use of Illinois coal, discourage the use of out-of-state coal. The way we're going to do that is by giving an incentive to use Illinois coal. The argument that this is going to put miners out of work is -- is absolutely incorrect. It's going to encourage employment of Illinois Miners because they can only use Illinois coal. This is a bill that is in favor of the consumers, and it's also in favor of the miners. The miners just want to kill it because they've got another agenda in Washington; an agenda they're not succeeding on at this time. So if you want to vote with the consumers, and you want to vote to keep jobs for the mine workers, you should vote Yes on this bill. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall Senate Bill 2000 pass? All in favor,

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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 9 Ayes, 45 Nays, none recorded as Present. This bill, having failed to receive the constitutional majority, is hereby declared lost. With leave of the Body, we'll revert back to Senate Bill 1985. Hearing no objection, Senate Bill 1985. Senator Holmberg. Please read the bill.

SECRETARY HAWKER:

Senate Bill 1985.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This bill is an attempt to bring into the teaching profession those people now in the business world who would like to change their profession and become members of the teaching profession in the teacher shortage areas. It makes persons holding bachelor's degree, with a minimum of ten years employment in a field other than teaching, eligible for what is now existing as teacher shortage scholarships. Under the present law governing teacher shortage scholarships only recent graduates, and those with teaching certificates are eligible. This would allow persons with bachelor's in other fields to get a scholarship to allow them to prepare for -- teacher certification.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Cook, Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Just to echo the words of Senator Holmberg, I think we've all recognized that there are some serious teaching shortages across this State, especially in certain pockets of Illinois. And I endorse this program. I think it's a

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very good way to get teachers into the work force. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Holmberg, to close.

SENATOR HOLMBERG:

Just simply in summary, that these teacher shortage scholarships will be available to people who want to switch careers and become teachers. I think it will add a great deal of strength and depth to the teaching profession, and is a bill that we all should support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Senate Bill 1985 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 2001. Senator Welch. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2001.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Last year, a House Joint Resolution required the Department of Energy and Natural Resources to form the Solid Waste Reduction Task Force. The committee that was formed met up until, I believe it was, last Friday, and they broke up over an issue concerning funding the agreement that they had achieved. What I'm trying to do with this bill is to keep the parties negotiating. And what this bill does is put in the

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recommendations of the Solid Waste Reduction Task Force, which include financial assistance to local governments, businesses, non-profit groups, and encourages certain goals for recycling. We've taken out the provision concerning funding the program, and what I've done is I've proposed a -- a meeting for next Wednesday to begin talking about how we're going to fund this bill. What we hope to do is continue negotiations and discussion on this bill, and use this bill as a means to resolve and reach a final conclusion on the Task Force report. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Bond, Senator Watson.

SENATOR WATSON:

Yes. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR WATSON:

Is Amendment No. 1 still a part of the bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Amendment No. 1 was Tabled, Senator.

SENATOR WATSON:

Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR GEO-KARIS:

You -- you amend -- you Tabled Amendment No. 1 and that had

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removed the most objectionable Section of the bill and -- which would have banned the beverage containers that are deemed recycled by July 1, 1991. Why did you -- why did you Table that amendment?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

We took it out to have the discussions continue further while we debate exactly what's going to be in the final bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage -- the Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate. As yet, we don't really have bags that have been really -- decreed biodegradable. There's -- there's still questions about that. Don't we think we're a little bit too preemptive and way ahead of our time, until we get some good scientific knowledge as to what is biodegradable and what isn't? They still don't really know and - no, it's not out of the bill, it's still in the bill - and -- this bill, as far as I can see from our analysis, provides for a total ban on all beverage containers, as well as container connectors.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Just to clear up any confusion that anyone has. Senator Welch, is 2-0-0-1 now simply the report that came out of the task force that ENR and these other entities, you know, worked on for eight months, and this is the product of that report, but without the funding mechanism, and did it reduce the -- the reduction level to twenty-five percent by 1995 taking out the thirty-five percent? And other than that, that's all that's in the bill, is that Task Force report with those two changes?

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Senator, there's only one additional thing to what you said. The original bill had a requirement that connectors for these cans, the six-pack connectors, be biodegradable. That's in the bill. I'm still negotiating with the parties on that one as well. Not as to that being in the bill as being a problem, but as to the date it's effective. That's what the negotiations are on that part.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Then I stand in support of Senate Bill 2-0-0-1. This is a -- the product of about eight months work of this Task Force under the direction of ENR. There are still some questions to be worked out about the funding mechanism, et cetera, but we do have to keep this going. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch, to close.

SENATOR WELCH:

The process of negotiating is continuing. We're trying to get something going on recycling, and this is a vehicle to do so. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Senate Bill 2001 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 53 Ayes, no Nays, 2 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 2014. 2-0-1-4.



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SECRETARY HAWKER:

Senate Bill 2-0-1-4.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from LaSalle, Senator Welch.

SENATOR WELCH:

This is a Legislative Reference Bureau Bill. It was on the Agreed Bill List and I had to take it off for a technical amendment. It allows each Act within the Statute to be given a short title so that it's easier for the Reference Bureau to cross-reference the Statutes in the State of Illinois. I'd urge an affirmative vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall Senate Bill 2014 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 2-0-2-0. Senator Marovitz. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2020.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This is a very simple bill. It's a one-page bill. And it's aimed at saving kids' lives and educating people about the need for gun

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safety, and preventing the kind of accidents that occurred -- well, just Monday of this week, I passed out something, and I'm sure it's happened in almost each one of your districts. I passed out a sheet of paper about accidental shootings in Brighton Park, St. Louis, East St. Louis, Washington Park, Quincy, Chicago, Custer Park, Franklin Park, Peoria, Cicero, Berwyn, Glendale Heights, Farmington, Elgin, Waukegan, Taylorville, Westervelt, Quincy. It happens across the State of Illinois, and it happened just Monday when a boy was killed when playing with loaded weapons - happened Monday in the City of Chicago. It's a very simple bill, and it says that if you have a gun and it's a loaded firearm, and you know that a child of under fourteen could gain access to that gun, that you have responsibility to secure that weapon either with a safety lock device, or in a locked box someplace where that child under fourteen is not going to gain access to it, and kill or -- maim himself or his playmates. And if you do, there'll be criminal responsibility. I was asked at the time to reduce the penalty from a felony to a misdemeanor. I was asked by Senator Fawell and Senator Barkhausen and Senator Hawkinson, and they introduced legislation on amendment to do that. And that amendment passed, and the penalty is now a misdemeanor rather than a -- felony. The only place this bill -- it's pending in many, many states right now. It's passed in Florida. I want to read to you just a few words about what happened in Florida after this bill passed. And I quote, "Gun shop operators are having trouble keeping gunlocks and safety boxes in stock, following passage of a bill that could send adults to jail for leaving guns within children's reach." Quote, "We used to sell maybe four or five trigger locks for every one hundred guns," said a gun shop owner, "but now it seems everyone wants one. There's a whole new awareness about guns, and it could only lead to less accidents." And that bill made the penalty a felony.

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That bill was drafted with the help of the National Rifle Association. I will make a commitment to the Members of this Body that nothing will be added to this bill, no semiautomatic assault weapons, no other gun legislation will be added to this, and the penalties will not be made stiffer, or I will Table the bill. And I will make that commitment to everyone here. This bill passed in -- passed the House in Iowa; it was backed by the National Rifle Association in Wisconsin. The headline here is "NRA Backs Gun Safety Law." This is a relatively simple bill. It's not aimed at putting people in jail. It's aimed at doing just what happened in Florida - making people aware about the need for gun safety and locking up their guns if there are kids of tender age who could gain access to it. This doesn't infringe on anyone's constitutional rights, or tell someone that they can't have a gun. It's just aimed at saving kids' lives, like the one that was lost -- like the one that was lost on Monday. We all were a -- were colleagues of a Member of this Body, Senator Randy Thomas. Some of you know him. I knew him. I served with him. His son died of an accidental gun shooting, and he told me that his life has never been the same. He supports this legislation, and I would ask you to forget about who lobbies one way or the other, and just look at the logic of this legislation, and how basic it is, and support this legislation. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Cook, Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Senator Marovitz. Will -- will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR BROOKINS:

Senator Marovitz, you alluded to someone getting killed in the

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City of Chicago on Tuesday -- on Monday, May 14th, and I have an article that you passed out, and it reads, "Police say the thirteen-year-old friend accidentally shot Michael Perkins, a third grader, who was killed Sunday night by a sawed-off shotgun." We're talking about a sawed-off shotgun. What's -- what's the penalty for a sawed-off shotgun, and who can legally have a sawed-off shotgun, and who can...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

They are illegal, as you know. I don't know what the penalty is, but they are illegal.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins.

SENATOR BROOKINS:

It's against federal law to have a sawed-off shotgun and -- very illegal and et cetera. I rise in opposition to this bill. And I rise in opposition because I think that the constituency and the people that live in my district where we are being plagued now with all types of crime and et cetera, due to the influx of narcotics, and we can debate who bringing in the narcotics and what have you, but nightly I hear that in debate why the narcotics is being brought into the communities, in the cities, and the suburbs of the City of Chicago, and who's bringing them in, and not only Chicago, but across the State of Illinois, here in Springfield, the east side and et cetera. But there are decent, hardworking people that owns guns, and they own them for their protection. Now you're going to say that a gun is not for protection. You're going to say that a gun is made to kill, and I would agree with you. And I think that if you're in your house at night, at two o'clock in the morning, and someone is crawling through the window, I think you will feel much better if you had

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the gun -- stuck under your pillow or under your mattress, than if you had it in a locked box somewhere, where you had forgot the -- combination, or had to go find the key to unlock the gun to use it. Guns, like anything else, are tools. And a tool, when used properly, is what it is - a tool. Not harmful, not dangerous, et cetera. I know that through good training, education of young folks, it can be useful. And therefore, I stand in opposition to this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Bond, Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR WATSON:

Senator, I'm not an attorney, but I'm reading amendment -- it says Section -- on line 14, first page, it says, unless the firearm is placed in a location which is a reasonable -- which a reasonable person would believe to be secure from a minor under the age of fourteen years. Now, as I say, I'm not an attorney, and it -- that -- what would be -- yeah, what does that mean? I -- I just -- that seems very ambiguous to me.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

I think the key word there is "secure," and that's why we mention trigger lock mechanisms, and locked boxes, and other kinds of locks. That's why we mentioned that. I think the key word there is "secure." Certainly, if it's in an open drawer, or just put in a closet, that would not be a secure place.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. Well, you addressed that "secured by a trigger lock mechanism" in point number one, and point number two is "in a secured locked box." I don't know why you have point number three in there, because obviously it is ambiguous, and it's probably going to create problems for your -- for your bill. But I don't know how many of you have gotten the information that's been handed out from the National Safety Council Accident Facts, the 1989 edition, where it talks about firearms and what has happened with accidental deaths and firearms since 1967. It's gone from around twenty-nine hundred to fourteen hundred per year. And why -- why is that happening? Why is the direction of deaths -- the result from accidental firearm -- why is that happening? Well, primarily it's because of education. I think, Senator, that the Florida legislation, and I'm not sure about the other states, but I think the Florida legislation that was supported by the NRA and other -- other gun groups had a strong education proponent in it, and we don't have that here, Senator. That's not something that -- that you're trying to do. And I think that that's the direction that we ought to -- head. Legislation like this really has no positive impact, as far as I'm concerned, and obviously we're doing the right thing. In this same report from the National Safety Council, poisons - accidental deaths from poisons - have gone from twenty-five hundred in 1967 to over five thousand, three hundred in 1988. Maybe we ought to be talking about poisons instead of firearms. I really think that this type of legislation really isn't going to solve -- solve the problem. It'll probably create more than it's actually going to solve. And I think we're solving the problem and would do more by education. I think the No vote is the proper way to go on this bill. Thank you.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think that, in all candor, that Senator Marovitz hit on it a little bit earlier. He talked about Randy Thomas. Randy Thomas preceded Clarence Darrow before I took this seat. Randy Thomas called me from -- from Arizona this morning, and he asked me if I would relay this story. And let me tell you, first of all, that I think any of you that knew Randy Thomas - or know him at all - acknowledges that he was a tough, tough-on-crime type guy. He was a pro-gunowner. He was pro-NRA. He was pro-veterans group. And Randy told me to tell you he hasn't changed. However, he also said he hasn't been turned into a do-gooder either. And he said he has never voted, that he can remember, with Senator Marovitz. But he wanted me to pass on a story, and it happens to be a story that I am very familiar with. Randy had an adopted son. A son who would have graduated from college last year with my daughter. Randy was a good kid. In fact, my daughter had a little crush on him. A crush that wasn't allowed to develop. A life that was not allowed to develop either. All because of the lack of a five-dollar gun lock. Randy was accidentally shot at point-blank range by a .30-06 by his best friend. Distraught from what he had done, Jimmy turned the gun on himself; took his own life. Two boys dead, two lives snuffed out too soon. All for the lack of a five-dollar gun lock. We're not talking about guns. We're talking about protection from young kids taking weapons and using them inadvertently. My God, can you imagine what, you know, it's -- it's sad enough that the kids are not here, but what about the parents? Randy still suffers with this today. And it's a contributing factor, I think, and many reasons why Randy has had other personal problems. I ask you, and Randy Thomas asks you, to

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vote for this simple, unobtrusive, simple piece of hardware.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Sangamon, Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will yield.

SENATOR DAVIDSON:

Senator Marovitz, it says either a gun lock, trigger lock or a locked box, and as it happened here recently, two children broke into the locked gun cabinet of their father. And unfortunately, in an accident, the five-year-old killed his nine-year-old brother. Under this provision that you have, would this father now be liable for a misdemeanor charge under the Statute, if this unfortunate -- would become law, because he had it in a locked cabinet and the kids were able to break into it?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Absolutely not.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Second question, as you did change to a misdemeanor from a felony - thank God - I have some question how can the Class A misdemeanor hold up 'cause the child really did no more other intentional damage than that they broke into a locked box or et cetera, or gained access to make the parent liable to a Class C misdemeanor. Now is this Class A misdemeanor superfluous, or is it likely not to be held up, or to be held up? I'm not an attorney.

PRESIDING OFFICER: (SENATOR LECHOWICZ)



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Senator Marovitz.

SENATOR MAROVITZ:

I -- I'm very confident that it would be held constitutional, and I don't think there's any question. There is nothing superfluous about it, and the penalty is on the gun owner who wasn't responsible and who was negligent in leaving that gun around for that child to use.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Hello. Also, if the parent has the misfortune of the child breaking in et cetera, et cetera, they can also be sued under the civil liability, and there's no cap under civil liability, as I understand it, in Illinois law. Also, under the civil law, you can bring suit for a wrongful death action. So this would allow someone to bring a suit against a parent who'd be totally innocent, due to the action of his child, for astronomical damages -- either under the civil wrong death, or under the civil liability. Is that not correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

What you're saying is not accurate at all. This bill does not allow anyone to bring suit for anything. This doesn't speak to that at all. This speaks to the criminal penalties...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson. Excuse me.

SENATOR MAROVITZ:

...There are -- there are civil damages.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, -- have you concluded? Senator Davidson.

SENATOR DAVIDSON:

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Well. As I read the amendment, there was civil liabilities under it. Ladies and Gentlemen of the Senate, I rise in opposition to this bill. I think - which was stated by Senator Watson - education, in which the NRA has been very strong for, has reduced the amount of accidental deaths. And I want to tell you, fortunately, I've never been involved in this, and my son's now twenty-nine, and my daughter's thirty. But if you have a parent who has a child - as it happened just recently in my district - that break into a locked cabinet and have a tragedy happen in an accident, and then lay on to them the possibility either a misdemeanor charge, where they're going to either have a fine and/or jail time, plus the possibility of civil liability, 'cause Senator Marovitz, civil liability is in that amendment that was adopted that changed it from a felony to a misdemeanor. And I urge all of you to think twice, and urge a No vote on this horrendous bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Collins.

SENATOR COLLINS:

Why, thank you. Question of the sponsor, because I -- I'm hearing a lot that's - is said that's in this bill that -- that I'm -- I'm not seeing in the bill, and I'd like to - for clarification, Senator,...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR COLLINS:

...does this bill deal with anything with the exception of safety, securing either with a lock, or locking the gun in a place out of the reach of children?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

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That's all the bill deals with.

SENATOR COLLINS:

Well I rise in very strong support of this bill. I'm sure that most of you have been here over the years, and after President Reagan was shot, I think there was a proliferation of all kinds of gun control bills throughout the country, including Illinois. But prior to that, I had been attempting to and had introduced, several years in succession, some kind of gun control legislation. Not believing in - given the fact that we don't have police -- adequate police protection and safety, especially in some areas of the State - that people should be denied in the absence of that protection the right to protect themselves. But what I did, I did not deal with abandoning the guns, but with some gun control. And all of that legislation has failed. But in looking at the Tribune's -- one of the articles of the Tribune, I -- I would just have to echo them. Of all of the legislation that we've had coming through here on gun control, some legitimacy -- was legitimate that failed. But I think we're going to look pretty foolish to vote against a bill that simply deals with safety of the children. I don't care whether or not, you know, where you live and what your rights are to have a gun, you don't have the right to be careless enough to have that gun in a place where your child can play with it and get killed, or kill someone else's child. And yes, it should be made a penalty for you, if you are that careless, because it's child neglect if -- if for no other reason, it is already a crime, and we should just strengthen it, and that's all this bill is doing. I think we all are going to look pretty foolish voting against this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Lake, Senator Barkhausen.

SENATOR BARKHAUSEN:

Well. Mr. President and Members, I think most of those who

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have spoken already are -- are correct in -- in different ways. I happen to support this legislation for most of the same reasons as -- as explained to us by Senator Marovitz. But I think at the same time, some of the opponents have made a good point, particularly Senator Watson, in pointing to the statistics that we shouldn't ignore if, indeed, they're correct, as -- as we can't help but believe they are, from the National Safety Council, indicating that for all of the tragedies that are wrought on society as -- as a result of the careless use of guns and perhaps particularly handguns, that there are far more tragedies from -- from other sources that we ought not to ignore, whether it's the wreckless use of automobiles, the unsupervised swimming that leads to drownings, the careless allowance of access to poisons, and other products that can -- can bring about, unfortunately, the same tragedies. It may well be that the principle embodied in this bill has application to some of these other products. I don't know. But I think that that is something, Senator Marovitz, that we ought to seriously think about. But I don't think at the same time, we should -- should ignore the simple step that this bill would take. I can't help but believe that it is going to lead all gun owners, virtually all gun owners, to stand up and take notice that Yes, they're going to have to be more careful in where they leave their guns, whether -- whether they leave them loaded, and to think seriously about who might have access to them. I frankly don't know whether it makes complete sense to provide the types of criminal penalties that we have here. But I would note again, that the penalty has been reduced from a felony to a misdemeanor. We are simply trying to draw attention to gun owners, to the possible consequences of the careless use of guns. And I think this -- this bill takes a reasonable step in that direction, and I urge your support of it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, briefly, Mr. President and Ladies and Gentlemen of the Senate. I oppose this bill for several reasons. You cannot legislate against stupidity or ignorance. If a parent is going to have a gun, my gosh, they should see to it that it's in a good safe place, and they should educate their children as to what can happen. As Senator -- as Senator Brookins said, you cannot just -- you cannot tell people, my gosh, we're going to make a criminal out of you, and you're a parent. If there's a accident that happens, let me tell you, that parent will be pretty upset as it is. However, this is not -- I don't thinks it's a good thing. I really mean this. You cannot legislate against stupidity and ignorance. You have to educate, as Senator Watson says, and keep educating the young people to know the whys, and wherefores of guns. What about knives? What about baseball bats? What about poisons? We've had more casualties, and I -- I just can't see the sense of it. There's enough -- there is enough laws in the books for criminal negligence...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR GEO-KARIS:

...and civil negligence and all I can say is, I don't think this is a step in the right direction.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Knox, Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in support of this bill. I opposed it initially in committee. I thought the penalties were too steep, that we shouldn't be talking about sending people to jail or making felons in this. But this -- the sponsor agreed that the NRA suggestion to amend this to a misdemeanor and to put

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in civil penalties -- it has lesser penalties than the Florida bill, which was supported by the NRA. I -- I think it'd probably be a better bill if it had a education component. And perhaps as it wends its way, education can be talked about, or it's certainly the subject of another bill. But we added the civil penalties where it more properly belongs. It's a gun safety bill, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. The -- the statistics are that every day in the United States, a child under nineteen dies from a gun accident - every single day in the United States. I've heard some talk about education. It was brought up to me by the NRA, and I said I think that's a good idea. I think we ought to -- I think we ought to have an education component here. I think it's very important that the gun owner -- that the gun owner be educated about gun safety, and how to handle a gun. I think that is a good idea, and I'm willing to put that in my bill. But the NRA said, "Oh no, wait a minute. We're not talking about educating the gun owner. No, no, we don't want to do that. We want to educate the little child. We want to give them a coloring book. We want to give them a gun and show them how to use it, and safety -- safety mechanism. But -- but we don't want to educate the gun owner." That's the education component that they want. They told members of the Judiciary Committee on -- on the Republican side of the aisle, that if Marovitz will reduce the penalty from a felony to a misdemeanor, we'll support the bill. So we did, and then they said, well, now, wait a second, I think we have something else here. Senator Geo-Karis said you can't legislate morality. Okay? Every single Member of this Body, - forgive me if somebody voted No - but almost every single Member

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of this Body voted for the Child Restraint Law. Every single Member, because sure, a parent, if responsible, should put their child in a child restraint, if that child is of tender age. But we legislated it for the child's safety. And that's exactly what we're doing here for the child's safety. The facts are that in Florida, the bill worked because people went out and bought the mechanisms. There is no downside risk into passing this law. It can only help save lives. Please support this legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall Senate Bill 2-0-2-0 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 33 Ayes, 23 Nays, 2 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senator Davidson requests a verification. Verification has been requested. Would everybody -- everybody please be in their seats. The Secretary will read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Barkhausen, Berman, Carroll, Collins, Daley, D'Arco, del Valle, Etheredge, Fawell, Friedland, Hawkinson, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Karpziel, Keats, Kelly, Kustra, Lechowicz, Luft, Macdonald, Marovitz, Netsch, Newhouse, Rigney, Savickas, Severns, Smith, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson, any question of the affirmative vote? Senator Davidson, please.

SENATOR DAVIDSON:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Newhouse. Is Senator Newhouse on the Floor? Strike  
Senator Newhouse.

SENATOR DAVIDSON:

Senator Collins.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins is by her chair. No further verification? On that question, there are 32 -- 31 Ayes, or what is it, 32 now? 32 Ayes, 23 Nays, 2 recorded as Present, and this bill, having received the constitutional majority, is declared passed. Senator Carroll moves to reconsider the vote by which it passed, seconded by Senator Kelly. All in favor, signify by saying Aye. Opposed. Motion's reconsidered. It's Tabled. He moved to Table it. Fine. 2-0-3-7. Senator Ralph Dunn. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2037.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. Senate Bill 2-0-3-7 amends the Natural Resources Act and authorizes the Coal Development Board to include public awareness and education within the scope of its powers and duties. With the Federal Clean Air Act pending in Congress, it is important to reevaluate the Coal Board's agenda, and we'd like to involve -- be involved in promoting Illinois coal through public awareness and education. The bill is co-sponsored by Senator Rea and myself, and it clarifies that the Coal Board can use our Coal Technology Development Funds for these purposes rather than General Revenue. I'd be glad to answer any questions. And...



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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall Senate Bill 2-0-3-7 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 54 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 2-0-5-0. Senator Rock. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2050.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2050 -- I'm sure most of the Members heard from their hospitals when they had their visiting day down here this week. This is the Hospital Association initiative, that has been called Operation -- Operation Reach. And the bill, as amended, contains four component parts, and I wish the Members to know that I have worked, at some length, with Director Kustra and members of her staff to try to bring some reasonability to this proposal. And I think we have arrived at something that's satisfactory to all concerned. You'll recall last year we dealt with the question of those hospitals that served a disproportionate share of Medicaid patients, and we made additional payment adjustments to those hospitals in the amount of roughly sixty million dollars, which the Governor this year annualized in his budget request, to his credit. This proposal deals now with outpatient indigent volume adjustment, and further

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deals with two subjects that are close to the heart of everyone here, I am sure, and that is additional payment, additional reimbursement to those hospitals that provide emergency and Level I and II trauma care. Those three component parts, if indeed it were enacted and effective immediately, would cost the Department of Public Aid an additional fifty million dollars, they estimate, by virtue of the amendment, which the Department and I worked on and which meets the Department's satisfaction. It would be a fifty-million-dollar price tag for those three component parts, reimbursement for emergency, reimbursement for trauma Level I and II, and reimbursement for outpatient service to poor people. What I have done with those is, recognizing that we literally do not have forty or fifty million dollars laying around, unfortunately, I have delayed the effective date until July 1 of next year, so that there is no fiscal impact this year. And I underline and repeat, no fiscal impact this year with respect to those three component parts. There is a fourth component that I wish to bring to your attention, and it is -- it is a hospital obstetrical adjustment payment. And for those of us that were in the committee when the testimony was given, I would just like to reiterate that I received a letter from the Southern Illinois Hospital Services -- Corporation, I guess, from its president, wherein he reiterates what he testified to in committee, that nineteen of the thirty-four southernmost counties in Illinois have no hospital obstetrical care. And they are providing - these two hospitals in Carbondale and Herrin are providing - seventy-seven percent of hospital obstetrical care in Southern Illinois, and fifty-six percent of that care is to Medicaid patients. "And our two hospitals," the letter goes on, "and the seven hospitals located around us, lost 3.7 million dollars last year providing those much-needed services." So the fourth component part of this, is an adjustment in the payment for hospital obstetrical

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care. The annualized cost of that, the Department tells me, is roughly two and a half to three million dollars, they figure. And it would provide additional compensation for these hospitals outside of the metropolitan statistical region - outside of Chicago Metropolitan Area; these are downstate hospitals - would provide them an additional, roughly, three million dollars a year. I have delayed the effective date of that provision until January 1, with the full expectation that we can find in the budget - the current Public Aid Budget, or the budget as it -- is finalized and sent to the Governor - at least that million dollars, to make sure that that kind of obstetrical care is indeed available and continues to be available in Southern Illinois. I think by virtue of the delayed effective dates, we have an opportunity to vote for this; we should vote for this. There is, I dare say, no one that denies that it is absolutely essential, it is necessary. There is no one that denies that it is the right thing to do, and the only concern was about the cost. And I have literally taken that out of the equation by delaying the effective date. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Well, Mr. President and Ladies and Gentlemen of the Senate. I -- you know, I do appreciate what Senator Rock is trying to do, and I think he made a good case in committee when he first brought this to our attention and said, you know, he would even consider holding the bill if he couldn't find the money of it -- for it. I don't know that he has found the money for it. And money does play an important consideration, because we are doing the same thing that the Federal Government has done, which has now gotten us into a Federal deficit, and that is - you know, work on the buy-now-pay later plan. There's a thousand good ideas that come to

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this Legislature, but I don't know that we can continue to, you know, keep adding on to this, adding on to this, and we cannot afford to pay for it. Yes, it is 1.1 million this year, which is an add-on to a budget that's already being cut in the Department of Public Aid, so somewhere there has to be a shift - and there -- I don't care what you do, you can't get around that in the out year, so you postpone it a year. Something that is allegedly so important, but we're going to hold it a year, so that we can stick it to any new administration coming up. I don't care if it's Republican or Democrat, whoever is the new Governor, he better start looking at tax increases, 'cause there's no way we're going to be able to pay for these things. They're going to be sitting out there, as an unclaimed total of monies owed, monies due -- you know, it sounds great on paper and we can walk away, but we are not providing any kind of financial underpinning for these kind of programs. Yes, there is a problem, but this does not solve it. Furthermore, if we have ICARE negotiations going on, which we do, and contracts which are made, and contracts which are agreed to, when you come up with bills like this and you work outside of that contractual relationship, it does set a pretty good precedent here for other programs to come up, so what's the sense of having ICARE or trying to negotiate contracts anyway, when you're coming through the backdoor like this? Again, I appreciate what Senator Rock is trying to do; I think we all want to be there. But there comes a point of financial responsibility, where you have to be able to pay for some of this. And on -- on that basis, I -- I think we really have to look closely. This is a fifty-million -- fifty-four-million-dollar hit, in the out years, and I don't where we're going to get it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. It seems to me sometimes - and I say this with all due respects to -- respect to President Rock and what he is trying to do - but it seems to me sometimes in these Chambers that if we were to make consistency a crime, there would be few, if any, of us indicted, and there would be few, if any, of us convicted of consistency. The other day I rose on the Floor here with a fairly simple bill that would have given a income tax break to small businessmen on Health Care Insurance. Now this amounted to somewhere - I think we agreed that day - between six million and maybe twelve or eighteen, whatever it was. But I was told at that time that it wasn't so much the idea that the -- the idea of that bill was bad, but we simply did not have the money to spend for it at this time, in view of fiscal constraints, tight budgets, and all the rest of it. So I figured, well, so be it. But here we have today before us, a proposal - granted, the effects of it will be delayed; Senator Rock has said not this year, but next year - but it still will be due somewhere along the line. It seems to me - and I'm not even really -- debating the merits or the need - just as I was told the other day, may be a good idea, but where is the money going to come from? My analysis says here that "the bill proposes a formula by which additional payments shall be made to hospitals on top of payments made for treatment of Medicaid patients. Also proposes the State subsidize inpatient obstetrical services at a rate of fifty percent over and above the rates currently paid to hospitals for inpatient obstetrical care." Ladies and Gentlemen, it seems to me that if we have agreed - or are in the process of agreeing - that we're short of money at this time, that that becomes a principle under which perhaps we should try to operate. And to say that, "Well, we won't pay for it this time around, but we will defer those payments until a later date," simply doesn't do it to me, because those payments will come due.

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We either have it or we don't have it. And I frankly doubt we're going to have it later. So Ladies and Gentlemen, I would -- I would urge you to think carefully about the expenditure here, giving Senator Rock all credit for what he's trying to do, and that, I think, we have to do. But let's consider the cost, and the cost at this particular time in -- in the foreseeable future. And I would urge a No vote.

END OF TAPE

TAPE 5

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. This is a very difficult issue for me to argue against. I am deeply committed to a -- a rather large hospital; have worked very closely with the Illinois Hospital Association in a number of areas, and most of you know that; have worked with Senator Rock in a number of areas as well, supported strongly the disproportionate share of a year ago, felt it was necessary and had to happen. I fear the signal we're sending here. Senator Rock, you sat with me and others a couple of weeks ago when we worked out the -- the Democratic Responsible Plan to deal with the budget. And not only do we fear the expenditures of this year, but we fear what we do to the base next year. And this may be something we need to do next year, and perhaps we can. The Illinois Health Care Industry, across the board, is facing -- facing near tragedy, and most of you know that. From long-term care, you name it, the problem is there. I have been pleading to get a task force to deal with the

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issue Statewide covering all components. We've not been able to do that yet. One day soon, if we don't recognize the plight of hospitals and health care in this State, the State's going to be in the business more than they want to be, and we don't want that to happen. But we can't pick and choose, Ladies and Gentlemen; we simply can't do that. We are a responsible Body. Let's don't send the wrong signal to those people out there, telling them that we're going to do something, and then not be able to do it. Difficult to argue against. It's needed. But we simply can't afford it this year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator -- Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I -- I truly do understand the concern, and that is the reason for the delayed effective date. I don't wish, any more than any of you wish, to be irresponsible, but on the other hand, Senator Maitland, I fear the signal we don't send, rather than the one we send. Are we to tell the Hospital Industry in this State, "Please keep taking care of these poor people, and we'll somehow take care of you in the ICARE formula." The ICARE formula simply isn't sufficient when you're dealing in a disproportionate share of poor people. And so, by virtue of the passage of 2050, even with the delayed effective date, there is, I suggest, as a matter of public policy, a recognition that we truly appreciate what you, the hospitals, are doing for the medically indigent, in our State. And we recognize that in twenty counties south of here, there is no hospital-based obstetrical care. And we are saying to those hospitals, "Please continue to serve, and we will, indeed, give you additional compensation." But for goodness sake, don't stand here and say, "I can't vote for this, because we can't afford it."

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There is no fiscal impact on three of the four components this year. And I don't care who the Governor is - the fact of the matter is, we are going to have to deal with this subject, if indeed, we expect the medical care providers of our State to continue to provide medical care to poor people. And we ought to do it now. And say to them, "At least we recognize your situation. We are concerned and committed." And I promise you, with all the power that I have, I will attempt to find that fifty million dollars next year, and work with whoever is in the administration to do that. But to turn them down at this point, and pat them on the head - I really do fear that signal. That's a terrible signal to -- send. We ought to recognize that they are doing a yeoman's service for the people of this State, and that we can at least promise them that we recognize it, and we will, indeed, pay for it. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2050 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 14, 2 voting Present. Senate Bill 2050, having received the required constitutional majority, is declared passed. 2052. On the Order of Senate Bills 3rd Reading, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2052.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. Senate Bill 2052 establishes the same enforcement procedures for the



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administrative adjudication of Building Code violations as currently exist under State law for the administrative adjudication of parking ticket. This would be applicable to municipalities of more than a hundred thousand. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, is this permissive? The cities can choose to do it or not do it, as they choose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Yes, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2052 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2052, having received the required constitutional majority, is declared passed. Senate Bills 3rd Reading is Senate Bill 2-0-8-2, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2082.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This is a Department of Revenue administration bill, and, as far as I know, it's noncontroversial. I'm sure it would have been on the Agreed Bill List had it not been amended. The underlying bill deals with lists of partners who file on a 1065 tax form. And it simply says that the Department of Revenue does not have to retain those lists of the names, addresses, and so on, but they do have to be available. The bill was amended to codify what we are presently doing anyway, dealing with the invested capital tax on utility companies, and there were two provisions on that. Here again, I don't think they're controversial. There's no dollar change or money in this thing, and -- and I would seek a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall Senate Bill 2082 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2082, having received the required constitutional majority, is declared passed. 2084. On the Order of -- Senator Schaffer, 2-8-4 <sic> 2-0-8-4. On the Order of Senate Bills 2nd -- I'm sorry -- Senate Bills 3rd Reading, Madam Secretary, 2-0-8-4. Beg your pardon. Senator Schaffer. Senator Schaffer. All right. There's been an amendment filed. It's to be on the Recall List for later. All right. Take it out of the record. Senate Bill 2-0-8-6. Senator Topinka. On the Order of Senate Bills 3rd Reading, bottom of Page 9, Senate Bill 2-0-8-6, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2-0-8-6.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, this is an administration bill. It would expand the Board of Trustees for the Illinois Historic Preservation Agency for -- from five to seven members. And it, you know, works this out politically so that everybody is happy. I don't know of any opposition to this. It's being done basically to get a better spread geographically.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall Senate Bill 2-0-8-6 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 2-0-8-6, having received the required constitutional majority, is declared passed. Page 10. We're really rolling. Let's keep going. 2-0-8-9. Senator Topinka. On the Order of Senate Bills 3rd Reading is Senate Bill 2-0-8-9, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2-0-8-9.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, this is also an -- an administration bill. It comes to us from DCFS. This would amend the Abused and Neglected Child Reporting

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Act. It allows DCFS to release records to State Departments of Public Health, local health boards, and other licensed investigative agencies who conduct child care investigations. That's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2-0-8-9 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2-0-8-9, having received the required constitutional majority, is declared passed. Senate Bill 2102. Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 2102, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2102.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra. ...(machine cutoff)... Oh. 2102, Madam Secretary. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. There have been some Illinois court cases recently that have had the result of undermining some of the Pollution Control Board's penalty-setting powers, and they have asked for clarifying language. This particular bill provides that the Pollution Control Board is authorized to consider any matters of record in -- in litigation of aggravation of penalty related to, but not limited to, the following factors: the duration and gravity of the violation, and the presence or absence of due diligence on the part of the violator in attempting to comply with the requirements of the Act. There was one concern that Senator Welch expressed

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that might -- an original provision of the bill might allow a case to drag out. He introduced an amendment to deal with that. And I know of no opposition to the bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 2102 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 2102, having received the required constitutional majority, is declared passed. Senate Bills 3rd Reading is Senate Bill 2110, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2110.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President, Members of the Senate. Yesterday, we put an amendment on Senate Bill 2110 to -- because we've been working with the Department of Mines and Minerals, Department -- Independent Oil Producers, Petroleum Council - have not got an agreement together. So we'd like to pass the bill over to the House, and they're continuing to work. So I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Discussion? If not, the question is, shall Senate Bill 2110 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 2110, having

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received the required constitutional majority, is declared passed. Senate Bills 3rd Reading is Senate Bill 2115, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 2115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, a little earlier today we passed a bill for Senator Welch. This -- the bill is virtually identical. It's the administration's version of the bill. As you'll recall from that debate, the Department of Natural -- of Energy and Natural Resources convened a Task Force on Solid Waste Reduction and Recycling. They submitted a report. This bill implements that report minus the fee structure, and with the same waste reduction goals that were agreed to on the earlier bill. We'd just like to see them both proceed forward, and continue the debate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall Senate Bill 2115 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none -- I'm sorry -- 2 voting Present. Senate Bill 2115, having received the required constitutional majority, is declared passed. 2143 was on the Recall List from this morning. 2168. Senator Jones. On the Order of Senate Bills 3rd Reading is Senate Bill 2168, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2168.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. Senate Bill 2168 amends the Liquor -- Liquor Control Act, and permits a distributor, or importing distributor, the right to refuse to sell beer containing five-tenths or less of alcohol by volume to anyone who markets, or intends to market, this beer to a person under age twenty-one. That's all the bill does. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 2168 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2168, having received the required constitutional majority, is declared passed. Senate Bills 3rd Reading is Senate Bill 2176, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2176.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This bill allows the Secretary of -- of State to have some discretion in determining the application and procedure for issuing special license plates. What we have did is met in subcommittee and attempted to bring some order or

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reasonable order to special licensing. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall Senate Bill 2176 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 5, none voting Present. Senate Bill 2176, having received the required constitutional majority, is declared passed. 2190. On the Order of Senate Bills 3rd Reading is Senate Bill 2190, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 2190.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 2190 is the Expedited Child Support Act, which follows the arbitration model to expedite the handling of parentage in child support cases by the court system to relieve the court docket and make sure that child support monies get into the hands of the parents and the children in a timely manner. It's needed because of some federal mandates. The costs are reimbursed on a two-thirds basis by the Federal Government. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for some



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questions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I was talking to some proponents of this last evening, and -- and as I understood it, at least as late as last evening, there was no provision for who was going to pay for this in the bill. My -- my concern is the -- is the payment for it, and not the -- the procedure itself. Because I think in -- in -- probably in Cook County, it's tremendously needed. Maybe in some of our less populated counties with less of a caseload on our judiciary, it's -- it's not as much needed. But if we mandate this program on our counties, who's going to pay for it? The counties? The -- the other one-third that is non-reimbursed? And -- and as I understand it, we have some counties that do not participate in the -- in the IV-D System. And in those counties there would be no reimbursement of the cost, as I understand it. Is this something the State's going to pick up? Or are the counties going to have to pick up that one-third, or in some cases a hundred percent of this program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

It is not my intention to have the State pick up the tab for this program. I've indicated that to the people who have drafted the legislation and the judges who are in support of the legislation. There will be a funding mechanism coming back. I think it should be paid for by the counties. If the IV-D program isn't participated in, then, in fact, there won't even be a cost, because this predominantly involves IV-D cases -- predominantly involves IV-D cases. But I think whether it's an add-on in that particular county to a filing fee, I don't think this should come

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from the State coffers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Second question - we also had some discussion about whether this might be made voluntary on the part of the counties, or whether all counties are required to participate. It's my understanding - and -- and please tell me if it's correct that at this point it's not voluntary, but all counties would have to participate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

That's correct. Right now, it is not voluntary, and that's because of -- of mandates by the Federal Government for this type of program to be established.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, to the bill, Mr. President. I rise in opposition to the bill, at this point. I -- I think you could have a bill that would pass, if it was optional or we provided for a funding mechanism. But to mandate this on all our counties, and the increased costs that this would bring to our county governments, particularly some of our smaller counties where our caseloads are such that we wouldn't need it, I think would be a mistake. And I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Senator -- Marovitz, I know what you're trying to do. This has been successful in other states. And -- and I think the concept is good. However, I know the Illinois Bar Association, for instance, had some very strong objections. Did you manage to take care of their objections now? Have you -- in the -- by the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Yes. To the best of our knowledge, we've taken care of the Bar Association objections. They have no opposition to the bill, and they're going through the process within the Bar Association of getting the bill approved. We have worked and drafted the amendment with their -- with their knowledge and with their cooperation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Would you have any objection to - in the House perhaps - adding an amendment that would allow this to be a - at least until the federal mandates come down - allow this to be a -- a -- up to the discretion of the Chief Judge of that circuit? Because I think Senator Hawkinson has got an -- has got an excellent point that there are some -- some circuits that aren't necessarily going to have to use this, because they don't have enough cases to keep them busy now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I -- I have no problem with that at all, Senator Fawell.

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Right now, if they're in compliance with the federal time periods, they can be exempted automatically. But I have no problems with allowing it to be up to the discretion of the Chief Judge of the circuit. I have no problem with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

And you would be willing to make sure that that amendment is placed on the -- the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, I'm not sure that this bill in its current form is in -- is in perfect shape. But I do think we have something approaching an emergency on our hands, both because this is another instance in which the feds are on our backs to make us comply with an important aspect of federal law, and because we -- we all acknowledge, or should acknowledge, that -- that we in Illinois have not done the sort of job we should have done in -- in recent years in providing for an expedited system of -- of child support collections, especially in these so-called IV-D cases where welfare and welfare resources are at stake. I believe that in our largest counties - particularly in Cook, but probably also in a county like mine, in Lake - there is great potential to relieve the existing burden on the judicial system that is imposed by a high number of child support cases. And that -- that the use of hearing officers, or the like, who presumably would be paid less than judges, offers potential for some cost

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savings, in fact, and will mitigate against what is being represented as an additional budgetary burden that this -- that this bill would impose. So I urge your support of this legislation, with the understanding that some of the suggestions that have been made by my colleagues, here on the Floor, will be entertained as this bill moves through the process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

Just briefly, Mr. President. By October of 1990 the Federal Family Support Act is going to require very specific guidelines regarding child support and parentage actions, and if the State doesn't comply with these time frames for disposing of child support cases and getting child support money to the families when it -- where the money is needed, then we will lose federal welfare funds. And therefore, I would suggest that we support this legislation and get the time frames down and the money to the kids where it belongs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2190 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 10, 1 voting Present. Senate Bill 2190, having received the required constitutional majority, is declared passed. Senate Bill 2192. Senator Jones. We'll wait till it snows. 2208 is on the Recall List. 2213, I understand is to be amended. It's on the Recall List coming up. 2237. Senator Savickas. Bottom of Page 10. Senate Bill 2237, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2237.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President and Members of the Senate, House Bill -- or Senate Bill 2237 was introduced at the request of the City of Chicago, and it would add, in our quick-take provision in the Statutes now, the twenty-third reason for quick-take, which is -- would be by a municipality for the purposes set forth in Section 11-31-1 of the Illinois Municipal Code, which is that a -- municipality may acquire, by condemnation, any land within the territory of the municipality containing dangerous and unsafe buildings, or uncompleted and -- abandoned buildings. The purpose of this legislation is to allow the City to acquire and take title to this -- these abandoned buildings, for the purposes of quick demolition and the reverting of the land back to useful -- to productivity use. At the present time, it's about a four-year purpose -- or four-year trial trying to go through court - condemn the buildings, and then look for the owner. This process should cut it down to about two years. We hope that this will help alleviate some of our problems in some of our communities, and turn the property over, either to the community for redevelopment, or for resale for development and put on the tax rolls. If there are any questions, I'd be glad to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Senator -- Senator Savickas, does this apply only to the City of Chicago, or to all municipalities in the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

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I'm -- I'm sorry, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Well, stay here tonight. Senator Davidson.

SENATOR DAVIDSON:

Does this apply only to the City of Chicago, or does it apply to all municipalities in the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, I would imagine it would apply to all. It -- it's in -- it's in Chapter 110, paragraph 7-103, dealing with the quick-take, and unless there is something in that Chapter that has some limitations on the amount of people, it just adds the twenty-third item by which quick-take can be used, and that's for these purposes. I don't have the whole law in front of me, but I -- unless there's some other portion in there that restricts it by population, I would imagine it applies to all municipalities. And I'm sure all municipalities must, at one time or another, have this problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We've got so many lights now, I'm getting a glare. Senator Davidson.

SENATOR DAVIDSON:

Under the quick-take provision, who reimburses the property owner that the property is under condemnation for. And who reimburses that property owner for the legal expense, if by error, a piece of property is judged abandoned, et cetera, is taken by quick-take and removed, destroyed or otherwise? Where's the funds, or who's responsible to reimburse that property owner who was illegally or ill-advised, taken of his property?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

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SENATOR SAVICKAS:

Well -- Senator, I seriously doubt that it would be taken by mistake, because this would -- the basic intent -- and I understand that the Section would provide that upon a judicial determination that the building in question has been abandoned by its owners. The criteria include unpaid taxes and/or water bills for two years, and the property being vacant, and has deteriorated into a dangerous and hazardous condition. The city would be able to initiate a summary procedure to acquire title to the property either before or after demolition. And that the owner need only enter an appearance in the court action to prevent the city from acquiring title. Usually, in a case like that the owner would not care to acquire title, because he would be assessed the cost of the demolition work and the court costs for this property. So what happens is, they just walk away from it and the city is responsible for the demolition, and all the costs entailed in obtaining the property. At the present time the City of Chicago demolishes a minimum of two hundred and fifty buildings a year, at the cost of two million dollars with no recourse, just -- they absorb the cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Senator Savickas, some of us in the DuPage County area -- I'm -- I'm sensing a minor seismic disturbance. About 3.5 on the Richter out there. A question to you - is this the same bill that you withdrew an -- one amendment yesterday from, and added Amendment No. 2? The first amendment would have affected an area



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in DuPage County. That was withdrawn. The second amendment, which was put on this bill, is the one you're discussing now. Is -- am I under the right perception?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Senator, as I had stated yesterday to you, and on the Floor, the first two amendments conflicted. If one amendment was adopted it exempted everything after the enacting clause, just for that particular bill. And the party that had requested the amendment for the park districts and the community groups with a problem of obtaining, I guess, some property in the community -- for the park districts in DuPage - evidently there was a question that it's already in the Statutes, and they can do that. So we proceeded with the City amendment, and left that one out. This only deals now with abandoned buildings in municipalities and their ability to obtain them for demolition purposes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson. All right. Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Mr. President and Members of the Senate, that is the basic bill. We're trying to resolve that problem and hopefully this will help alleviate the abandoned building problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2237 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 10, 3 voting Present. Senate Bill 2237, having received the the required constitutional majority, is declared passed. Page 11. 2239. Senator Savickas. On the Order

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of Senate Bills 3rd Reading, Senate Bill 2239, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2239.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President and Members of the Senate, Senate Bill 2239, as introduced, was a shell bill. The purpose was to adopt an amendment that recodified and made some changes in the Towing Code and the towing operation. Because of a major concern of the towing operators, the concerns with the Secretary of State, that were answered, the ICC and the State Police, we have requested and introduced a resolution requesting the Transportation Committee appoint five members to address this problem for the recodification and, if any changes, so that it can all be put together and everybody can agree on the -- on its -- on their inclusion or exclusion. So at this time I would ask that we just move this bill along. Keep it open as a vehicle. If and when the committee does give any recommendations, that's the purpose of this bill and that's why we just move it along at this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. As Senator Savickas has mentioned, this is a vehicle and that's the very reason that all of us in Transportation Committee voted Present. Just concerned about what's liable to come. So that's the reason for the Present votes out of the Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall Senate Bill 2239 pass.

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Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 4, 10 voting Present. Senate Bill 2239, having received the the required constitutional majority, is declared passed. Senate Bill 2249. Senator Savickas. On the Order of Senate Bills 3rd Reading, Senate Bill 2249, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2249.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, this was put in at the request of our former...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Excuse me, Senator Savickas. Could we clear the aisle there so we -- Senator Savickas.

SENATOR SAVICKAS:

This was put in at the request of our former State Representative Eddie Kucharski, who is presently with the metro -- Metropolitan Exhibition -- Fair and Exposition Authority. And it does exactly what it says, that the designee together with one of -- one of the secretary, treasurer, vice chairman or chairman, may sign checks or drafts for payment of other obligations of more than five thousand dollars. It seems that there is quite a bit of traveling going on, and usually one -- one of the parties is out of town, and they just want another co-signee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2249

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pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 30, 3 voting Present. Senate Bill 2249, having failed to receive the required constitutional majority, is declared lost. 2253. Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 2253, Madam Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2253.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a clean-up bill, adding new program requirements to the Toxic Pollution Prevention Act. It allows Hazardous Waste Research Information Center to award grants for toxic pollution prevention. The amendment has been -- the bill has been proposed through the Citizens for a Better Environment to strengthen the Act, and establish priorities. It does not affect any business requirements, merely the requirements of the Department. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall Senate Bill 2253 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 2253, having received the the required constitutional majority, is declared passed. 2255. Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill

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2255, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2255.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 2255, as amended, is a Truth in Taxation bill, and it is, indeed, a property tax limitation bill. In simplest terms, what it does is to provide that every taxing district - and, incidentally, that includes home rule districts, when it increases its levy more than five percent over the prior year, must have a three-fifths vote of the governing board in addition to the hearing requirements that are already there. And if that levy increases nine percent or more over the prior year, it must go to referendum before it can become effective. So in other words, it -- it's a basic change in Truth in Taxation is instead of a special hearing at five percent, it is a -- an extraordinary vote of the governing body at five percent, and referendum at nine percent. The only exceptions are those that are already built into the Truth in Taxation Law, and they are for debt service, for public building commission lease payments, which are -- already obligated by contract and by law, and then separately, in a different Section, there is an exclusion for election costs, which occur to certain units of local government on a periodic basis. Those are the only exceptions that are built into it. Now what this means is that it is, indeed, a very tough limitation on the property taxing power of units of local government, but it does allow for a little bit of leeway, if you will. That is the leeway, basically, between five percent and nine percent for those areas and those units of

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government that have large population growth, and therefore are likely to have extraordinary costs that they might not be able to keep within a five-percent limit. Other than that, it is a tough limitation, and I freely acknowledge that. My argument to those who have complained to me - as I'm sure they have to some of you - that it is not -- does not accommodate those high-growth, high-population areas, is that, if for example, it's a fire protection district - you've got to have some new fire equipment, or a fire station and that's going to take you above nine percent, by golly, you ought to be able to persuade your voters that it is worthwhile at a referendum. Other than that, you are going to have to stop and think before you increase your property tax levies any extraordinary lengths. It is a tough bill, but does allow that much growth. The one thing I would like to point out is that it does not fully address what I still think is one of our most serious problems in property taxation. And that is not just the amount that each individual taxing unit attempts to extend its levies, but the cumulative effect. We have five thousand nine hundred and seventy taxing units in this State. The poor taxpayer does not know until the tax bill arrives that the accumulative effect of all those units may, indeed, be a whopping tax increase. That is a very difficult thing to address until we get everyone on identical tax cycles. But this, at least, is going to put restraint and constraint on some of those units of local government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. I rise to differ with Senator Netsch on her characterization of this bill as tough property tax relief. I would -- I would have to add that it must be a sign that we spend too many hours cooped up in these

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artificial surroundings; not enough time back home with people who have to pay property tax bills, who have to make a living, to know the difference between a tax relief bill that is tough and one that is, apparently, offered to deal with some kind of political agenda out there. Let me explain why this property tax relief bill is anything but tough. First of all, to the provision which says that a three-fifths vote is required for a levy over five percent of last year's levy; on that particular issue, we had testimony in committee from some school superintendents from the collar counties, who have had experience in passing many levies, and I asked them point-blank if they would tell me what the votes were that were taken on those levies. Were they close? Were they unanimous? And in every case, the gentleman said, over the last few years, in this particular school district in DuPage County, they were unanimous votes on the levy increase. My experience, representing the suburbs, is that you seldom, if ever, in these high-growth areas, find cases where local governmental units are fractured or split on a levy increase vote. Seven-zip, fourteen-zip, sixteen-zip - it's all worked out prior to the meeting, and those votes simply aren't that contested, and therefore a three-fifths doesn't have that much impact on that levy increase vote in any given district I'm familiar with. But there's another problem with this bill that I think is even more serious, and once again, I think it shows we -- we simply spend too much time here, and we don't get out and talk to people. Nine-percent cap - a nine-percent cap. The Wall Street Journal today, Senator Netsch, reports that the Department of Labor is issuing its Consumer Price Index of 4.7 percent today. For the last year, the CPI has hovered somewhere around 4.7 percent. So I ask you, why should each unit of local government in my district or any other district across this State be allowed to levy taxes at double - at double the rate of inflation? It won't be too

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long, and those of us in Cook County will be returning home to those tax bills that are coming out in August, and I'd like to see anybody from Cook County show up for one of their taxpayer meetings, and try to justify a so-called property tax relief bill which sets the cap at nine percent, when the cost of living is at 4.7. It is no accident, as you know, Senator Netsch, that the bill that I have introduced has a cap at five percent, or the CPI, whichever is lower. The reason it has the five percent, is because it is tied to the Consumer Price Index. The fact that you allow government to double - to -- to grow twice the size of the CPI - just doesn't make any sense. I don't know what you want to call this bill, but you can't call it property tax relief. The simple proposition that I thought we were all trying to address here, on the subject of property tax relief, is that government should not be allowed to grow faster than the taxpayers' ability to pay. And the Consumer Price Index is the measure of the taxpayers' ability to pay. And for you to consistently, through committee, through 2nd Reading, and right on to 3rd Reading, leave this bill at nine percent shows that you're either totally insensitive to those taxpayers, or you simply don't understand that people out there want relief from property taxes. And the only way we're going to get it is to tie those increases to some reasonable measure. Your bill simply does not do that, by allowing government to grow twice as fast as the rate of inflation. It cannot be called property tax relief; it's property tax-flation, and we ought to defeat it. I would suggest a Present vote on this particular bill. And tomorrow, you'll have an opportunity to vote for property tax relief, which has that effective measure - the CPI accounted for. That's property tax relief; this isn't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.



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SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know it seems sort of strange whenever we, of all people, are going to ask why local government should be allowed to raise at twice the CPI. Half the time it's 'cause we've mandated those costs on to them. That's usually the first reason why they do it. Most of the cities today had to have a five to six percent, or better, increase in their total tax rates, because of the mandated cost we had for pensions. So you want to know why we want to have it twice the CPI? Because we mandate these costs for them. And I'm getting tired, I guess, of this Body continually attempting to save people from themselves. That side of the aisle is always great at saying, "You know, we mandate too much, and we shouldn't do this," but here we are again, mandating to local government one way or another, and I don't even agree with this bill. And I sure don't agree with the CPI bill. To me, let local governments do what they must do, and if they don't do what you think they want -- what they should do, kick the rascals out. You know, the reason you pay high costs for your schools in some of these collar counties - I know DuPage always cries about the cost of their -- their schools and everything - it's 'cause you demand -- you demand that. You demand those good schools. You demand those high prices for teachers, and you demand that you have the best. Well, damn it, if you want the best, you got to expect to pay. And if you don't like what you pay, vote them out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, if I could, a question of the Chair, and -- and then a couple of comments. Obviously, this is a limitation on home rule units. I don't think that could be any clearer. I was just wondering what vote will be required. And -- I'll let you apply

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the just, knowledgeable expertise that we have assembled there on the Podium to get us an answer, which I'm sure will be consistent on this question in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

True. True.

SENATOR SCHAFFER:

First on a positive note, I think it's bad to always be negative. I am intrigued by the three-fifths requirement to -- an extraordinary requirement to raise taxes, I think that's an innovative idea. That three-fifths requirement has a nice ring to me. I -- I think when taxes are increased, the three-fifths requirement is a very logical thing, and perhaps is a precedent. I am sure we ought to have a little consistency on that, also. I note with some interest that there are those among us who don't -- would apply this at the local level, but hide in a closet when the subject is brought up at the State level. Perhaps consistency is, in fact, the hobgoblin of little minds, as Senator Dirksen was fond of saying. But I do have a problem at the risk of shifting directions here. I happen to come from a very fast-growing area. A couple of weeks ago, I went through a relatively small elementary district, went through their one school, where they had just completed a nice addition - not a huge addition, but a nice little addition and had for the first time had a learning center, and were quite proud of their addition. And after we got through, the two school board members and the superintendent that had conducted me through, kind of pointed me out the window, and pointed to a large corn field and said that one of my local communities has now apparently approved that hunk of ground for development of two thousand new homes. And that they feel that in any given year, as many as seven hundred and fifty new homes could be constructed, thereby doubling, potentially, the school population. It's my impression from reviewing the bill, that

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there is no exemption, and that the implications of a school district having to have its population doubled, even if it had space for the kids, and then being limited in this manner would be to absolutely shut that school district down. And it would be difficult, because in many cases they aren't even going to know the scope of the growth. While I am down here this week, several hundred people will move into my district, believe it or not. Several hundred people. I think they're coming from all of your districts, but we're -- we're happy to have them, up to a point. This -- this bill, as it's presently constructed, would literally be destructive of the education system in this State in the fast-developing areas that we do have. And I really think this is a major hole, and one that will cause a great deal of hardship to a lot of people and children, as they try to get an education in those part of the States that are -- State that are experiencing the kind of growth that we're seeing, at least in my area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Senator Netsch, you know a couple of weeks ago when we debated the tax accountability amendment, you stood on the other side of the aisle there, and you had a very eloquent speech mentioning my temper tantrums, and -- and how I was going for the tax accountability and that was not the way to go. And then you said that "there are...three things that we need to do with respect to that most burdensome" -- and I'm quoting too, Senator -- "that most burdensome of all taxes - the property tax." Then you go on to say that we ought to provide some three Rs "... some

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relief. We should provide some reform, and we should provide replacement." Now -- now Senator, I realize that your bill does provide a minimal amount of relief, a miniscule amount of reform - where's the replacement, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

The -- the replacement is not in this bill. I did not suggest that it was. Replacement comes only with some other form of State revenue that will either replace property taxes generally, as, admittedly, Senator Rigney attempted to do this morning, or by changing School Aid distribution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Well, Senator Netsch, some other form of replacement does not answer the question to myself or neither to the homeowners in your district, as well as mine. I think that -- is a little hypocrisy going on there. You're talking -- you're criticizing the tax accountability at one end. You said that you've got the answers to the questions. The -- problem is the property tax. You come up with your three Rs, and even your own answer -- your own bill does not have the answer that you said you would come up with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Netsch has been trying to redefine some of our terminology when it comes to taxation. So I would like for her to

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clear up a few things for me. First of all, is this a tax relief bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

It is, primarily, a tax limitation bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

So it is not a tax relief bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

It will provide relief in those areas where taxes are -- where levies are going up above the amounts that are specified in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. Oh, I'm sorry.

SENATOR NETSCH:

So the answer is, for some people, it will not be; for others, it will be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, let me point out -- I want to make a comment, then I want to ask her another question. If your bill had been in effect the last ten years, in which the property taxes went up a hundred and seven percent in Cook County, that is seven and a half percent compounded annually, the property taxes would have gone up a hundred and twenty seven percent instead of one hundred and twenty. Now, I would submit that that's neither relief nor limitation. What I guess it is, it's an opportunity for a lot of

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those people in government, who are very responsible, who out of fear, would probably raise their levies, and the end result being is that instead of getting limitation or relief, we would get neither one. This bill -- if it is property tax relief, then I am a neurosurgeon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator -- with respect to Senator Schaffer's inquiry, the bill does not explicitly preempt -- I'm sorry -- does not -- is not preemptive; therefore, it would require only 30 votes. Senator Netsch.

SENATOR NETSCH:

With all due respect, in my judgment, it does preempt home rule. And I freely acknowledge that it does require three-fifths. Well, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That means it takes 40 votes under the Rock ruling, right?

SENATOR NETSCH:

Under -- under -- under that approach, it would. Take -- take...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Netsch.

SENATOR NETSCH:

...Take another look at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well. Parliamentary inquiry. You made -- made a ruling from the Chair as advised by your Parliamentarian, but since the sponsor of the bill says it is preemptive, and it would take a minimum of 36 votes, would you be kind enough to clear the record as whose ruling we're going to abide by?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Well. We -- we -- the ruling has been from the Chair. This is the first time in my seventeen years that a sponsor is arguing the other way. However, I am relying on the Parliamentarian, and their -- in fact, it is not preemptive, and will take thirty votes. Senator Netsch may close. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, -- and -- and Ladies and Gentlemen of the Senate, two points. One, the -- Senator Netsch was a member of the Constitutional Convention, and she -- she should know about...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well. What is your point, Senator?

SENATOR GEO-KARIS:

The 36 votes that are necessary. Number two, she said it was a tax limitation bill, and, by golly, if it's a tax limitation bill, I hope she will support all of us who are in favor of having it put on the ballot, as we have passed with four hundred and thirty thousand votes, instead of sitting back and saying it's a tax limitation, but we're not going to support the other side's tax limitation...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR GEO-KARIS:

...There is a share of hypocrisy, here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, I -- I -- the -- the debate had closed. I -- Senator Netsch was -- was -- was about to close, and Senator Netsch may close.

SENATOR NETSCH:

Thank you. I would like to respond to a couple of the points. First of all, to Senator Dudycz. There is a difference between a three-fifths requirement to limit taxing power but not spending

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power for a single State Legislative Body and a three-fifths vote required of five thousand nine hundred and seventy taxing units on their levy which, indeed, is their spending. I think those are two very significant differences. Let me say to Senator Schaffer, the whole point in putting the referendum requirement at nine percent is to allow some leeway for those areas that are experiencing population growth and otherwise. Now Senator Kustra is going to tell you that his bill totally exempts all new construction and certain other types of -- of growth in it. I'm not convinced that it does, but let us assume that he is correct. Then his five-percent cap is considerably higher than my nine-percent cap on referendum. And I think that is an extremely important point. There are no -- no exclusions here, except for those that are already built into the Truth in Taxation way. And Senator Kustra, I would really say to you, you can't have it both ways. If you want to allow some leeway for growth of those areas that are, indeed, experiencing population growth and change, then do it. But you can't at the same time say that one is a tax limitation, and the other is not. You have a much -- if your bill is correct, as you describe it, you have been arguing for a much greater gap in tax limitation than is present in this bill. Now, if you folks want to lock in and not support this bill, that is your business. But this does, in fact, put constraints on local governments, and you ought to vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 20 -- Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Parliamentary inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

What's your inquiry?

SENATOR DUDYCZ:



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Does this -- does this preempt home rule? If it does not preempt home rule and we need 30 votes, that means Chicago is not affected by this bill. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Parliamentarian indicates to me that there is no -- that it's not explicit in the bill; therefore, it is not preemptive. It takes 30 votes.

SENATOR DUDYCZ:

So it excludes Chicago, in other words.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, you make your own your -- you can make your own interpretation. The question is, shall Senate Bill 2255 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 12, 21 voting Present. Senate Bill 2255, having not met any of the constitutional tests that were up here this morning, is declared lost. ...(machine cutoff)... 2274. On the Order of Senate Bills 3rd Reading, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2274.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. The Gentleman does not want it called. Senate Bill 2277. On the Order of Senate Bills 3rd Reading is Senate Bill 2277, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2277.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. Senate Bill 2277 is a comprehensive primary health care bill, and as you may notice the -- it is, indeed, a comprehensive effort in primary health care, and the effort has been growing and so does the commitment. Many citizens are currently located in underserved areas of Illinois, and I might point out both rural and urban. In fact, I have a map here that would show the underserved areas and there's at least fifteen to twenty counties that are excluded, which means that most of the counties or portions of the rest of the counties are in underserved areas. So Statewide, we have seen the closing of fourteen hospitals since 1986, including, in my district, the hospital in Cairo, Pierce Hospital in Eldorado, as well as others and others that you know of as well. Senate Bill 2277 addresses the need for more health care professionals in underserved areas of Illinois. It addresses a problem of medical malpractice insurance; it deals with a growing cost of a medical education, as well as the concerns of health care professionals about making a living in areas of extreme poverty. It's a problem we all share, whether we live in the urban or the rural areas of our great State, and it's a problem that we must address. We have been working closely with several organizations in putting together this package on primary health care with linkages to secondary care. And those organizations include: the Campaign for Better Health Care, the Illinois Hospital Association, the Illinois Primary Health Care Association, Illinois Public Health Association. So within this bill, we cover emergency services. We cover community hospital program, mobile health units, family practice physicians, community health care centers, family

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practice residency program. It's a program that is in need. We have said throughout this State that this is the primary problem that is faced, and I would -- I feel that this is a program that we can address the issue and would ask for your support.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, if I can have your attention now. We're -- this is the last bill on this Order and then we have three on the Order of Recall, and there are a couple, I'm told, remaining yet on 2nd Reading. So we can be out of here very shortly, if everybody attempts to cooperate. Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, may -- may I please ask some questions of the sponsor?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Topinka.

SENATOR TOPINKA:

Thank you. When you originally started your -- your work here on rural health, and I appreciate what you're trying to do 'cause there's no question, there is a problem with rural health. You've now added the word "urban" into it. So you've -- you started encompassing here a far larger terrain with a lot of problems that may not necessarily be common, one to another. Now, would the Center for Rural Health, which is in the Department of Public Health, be responsible for administrating this kind of amorphous urban part of your proposal?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Well actually, Senator, this -- the Public Health Department would have the responsibility for both rural and urban. And, you know, we have the infant mortality problem in Alexander County, the same as we have in -- in the City of Chicago or Cook County.

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PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

So, indeed, the Center for Rural Health is going to be responsible for both rural -- whatever you're doing in your area and I'm going to now have you doing something in Cook County and DuPage County, and up in my area, and it's going to fall to the Center for Rural Health?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

This is a Statewide coalition -- problem here. The Department of Public Health would be dealing with both the -- the urban and with the -- the rural. They have that -- would have that responsibility and they would be working -- I would think that the components within the Department of Public Health would be working together on -- on these problems.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

To the bill: Mr. President, Ladies and Gentlemen of the Senate. First of all, the problems in terms of health care are not all exactly the same. And I just don't know how you're going to work out this rural health care situation when you start getting into the urban areas, and sending up the Center for Rural Health to administer this. I mean, I don't think they're qualified, or would be able to handle what we're doing. You've diluted your effort in -- in rural Illinois, which, to be really honest, is I think where you should be directing your attention, and you've been doing a pretty good job of it up to now. I think you're kind of diluting your own case. I would also question, within this bill, why we're giving scholarships to certain medical

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types of people, for instance, let's -- let's go for dentists. Now we've had the closure of dental schools all over the State of Illinois with the advent of things like flouride and other -- other technological helps and assistances. We -- we really do have kind of a surplus of dentists. They've now gotten into cosmetic surgery, and cosmetic dentistry, and things of that sort. And now you're -- you're having dentists and optometrists, and chiropractors - you're adding them to the scholarship pool, when what we need are more nurses. I think you're the mark there. Why not go for more, you know, obstetricians, which is what you need in rural Illinois. I don't quite understand why you're doing that. And I would point out that a bill just like this in the House for -- with a four-million-dollar price tag went down. Yours has upped the ante to sixty-nine million out of GRF. So here we are today, with our little tabulator going, when both sides of the aisle have agreed that we're trying to hold the line. There'll be no new tax increases. There's going to be a two-percent cut. Why are you doing this? I think this is -- I really think that all of us ought to look at this bill very appraisingly and not support it. Thank you.

PRESIDENT ROCK:

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

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just to make a few comments on Senate Bill 2277 and, quite frankly, here we go again. I hope somebody on the other side of the aisle is ready to vote for a tax increase. This is sixty-nine million dollars. It may be a good cause. Quite frankly, I thought we had an agreement around here there were going to be no new programs this year. We can't afford it. We've cut back every one of the Governor's recommendations for every code department and I think we've done a pretty good job. Senator Rock

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had a very good idea. I agree with him, but, quite frankly, it's another fifty million dollars every year, you add those two together, and if my arithmetic is right, that's a hundred and nineteen million. Where's the money coming from? The other side of the aisle ready to vote for a tax increase? I know this side isn't ready to vote for a tax increase. And, quite frankly, why don't we do the right thing for a change around here, and kill this thing. We just simply can't afford it.

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Keats.

SENATOR KEATS:

I am unable to find it. The cost is something that bothers me, but there's a second one. What are you doing on the medical malpractice insurance? I just can't find it in the bill or in our explanation.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

There would be monies provided in there to help pay for premiums in underserved areas to -- to help offset the -- the costs there.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

So what you're saying, you're not really putting any limitations on the awards, we're simply letting the taxpayers subsidize the insurance. Is -- I mean, is that correct?

PRESIDENT ROCK:

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Senator Rea.

SENATOR REA:

The...

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Well I'm sure that the Department would work out limitations on that.

PRESIDENT ROCK:

Further discussion? Senator Rea, to close.

SENATOR REA:

Thank you, Mr. President. Just responding to some of the questions and concerns there. You know, this is a problem in the rural area - the same problems that we have in a rural area that we have in a -- urban areas. If you will look at the report that has come out of the summit report, you'll notice that those problems are the same, but there is a need for these various types of primary health care services and those resources. As far as new monies, no, this is not new monies, this is reallocation of already existing monies that's there in terms of the two-percent out-of-state insurance monies. So, you know, we have talked - we've given lip service to primary health care, and have said that it should be accessible to all parts of the State. It should be accessible in the city. It should be in the rural area. And when we have infant mortality here in the State of Illinois that is much higher than you would have in Germany and many of the countries overseas, then I think it's time that we start looking at a way to solve that problem, and I think this is a solution to that. I ask for you Aye vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 2277 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. All voted who

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wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 19 Nays, 4 voting Present. Senate Bill 2277, having received the required constitutional majority, is declared passed. I beg you pardon. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

I'd like to verify that vote, please. The affirmative.

PRESIDENT ROCK:

That -- that request is in order. All right. Senator Topinka has requested a verification. That request is in order. Will the Members be in their seats. Madam Secretary, please read the affirmative roll.

SECRETARY HAWKER:

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

PRESIDENT ROCK:

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

SENATOR TOPINKA:

Yes, please. Jeremiah Joyce, please.

PRESIDENT ROCK:

Senator Joyce on the Floor? Is Senator Joyce on the Floor? Strike his name.

SENATOR TOPINKA:

Senator Savickas, please.

PRESIDENT ROCK:

Senator Savickas is recorded in the negative.

SENATOR TOPINKA:



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I'm sorry. Senator Smith.

PRESIDENT ROCK:

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

SENATOR TOPINKA:

Senator Carroll, please.

PRESIDENT ROCK:

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

SENATOR TOPINKA:

Senator Netsch, please.

PRESIDENT ROCK:

Senator Netsch is in the rear of the Chamber.

SENATOR TOPINKA:

Senator O'Daniel.

PRESIDENT ROCK:

Senator O'Daniel's in his seat.

SENATOR TOPINKA:

And Senator Berman.

PRESIDENT ROCK:

Senator Berman. Senator Berman on the Floor? Strike his  
name, Madam Secretary.

SENATOR TOPINKA:

Senator Jones.

PRESIDENT ROCK:

Senator Jones is in the rear of the Chamber.

SENATOR TOPINKA:

Okay. Senator Marovitz. Oh, I see -- I see him. Excuse me.  
That's it -- Senator Luft.

PRESIDENT ROCK:

Senator Luft is in his chair.

SENATOR TOPINKA:

That's it.

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PRESIDENT ROCK:

All right. The roll has been verified. On that question, there are 30 voting Aye, 19 Nay, 4 voting Present. Senate Bill 2-2-7-7 -- 2277, having received the required constitutional majority, is declared passed. All right. With leave of the Body, we'll -- revert to the Order of Senate Bills 2nd Reading. There has been a request from Senator Brookins. If any other Member has a bill on 2nd Reading that they wish to move, this is the moment. It will be too late tomorrow, I hope, unless -- Senator Philip and I will be here on Saturday, but we'll be here by ourselves, I hope. Yeah, right. 2291. On the Order of Senate Bills 2nd Reading is Senate Bill 2-2-9-1. Read the bill, Madam Secretary.

END OF TAPE

TAPE 6

SECRETARY HAWKER:

Senate Bill 2-2-9-1.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Brookins, on Committee Amendment No. 1.

SENATOR BROOKINS:

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

PRESIDENT ROCK:

All right. Senator Brookins has moved to Table Committee Amendment No. 1 to Senate Bill 2291. Discussion? If not, all in favor of the Motion to Table, indicate by saying Aye. All

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opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Are there further amendments?

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDENT ROCK:

Senator Brookins, on Committee Amendment No. 2.

SENATOR BROOKINS:

We'd -- we'd like to Table Committee Amendment No. 2.

PRESIDENT ROCK:

All right. Senator Brookins has moved to Table Committee Amendment No. 2 to Senate Bill 2291. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Brookins.

PRESIDENT ROCK:

Senator Brookins, on Amendment No. 3.

SENATOR BROOKINS:

Thank you. This bill addresses several problems dealing with auto theft. The Secretary of State, the State Police, Cook County State's Attorney's Office and business owners and operators have all agreed to the changes in this amendment. The bill expands the definition of "essential parts" to include parts that are the most often stolen - seats, radios and aluminum wheels. Nine other parts have been depleted from the list - quarter panels, transmissions in vehicles and other second classes. The bill creates two new offenses to help convict professional thieves - the aggravated offense related to motor vehicles and other vehicle felonies and the organizers of an aggressive vehicle theft conspiracy. I'd ask for a favorable vote.

PRESIDENT ROCK:

Senator Brookins has moved the adoption of Amendment No. 3 to

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Senate Bill 2291. Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This is a new amendment and obviously, probably should have gone through the Transportation Committee. You mentioned the salvage yards and -- and those type of businesses, and we passed a bill several years ago that just literally, practically put those people out of business, and we've been making some progress in trying to get some of the paperwork and the requirements reduced on that industry. Now what are we doing here? Is this going to add back, now, more restrictions, more requirements, and what are we doing to those people?

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Thank you. Senator Watson, what we did is took restrictions off. They have agreed to it and they're working with it, and they're happy -- or not happy, but satisfied.

PRESIDENT ROCK:

All right. Senator Brookins moved the adoption of Amendment No. 3 to Senate Bill 2291. Further discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Does any other Member have a bill on 2nd Reading? Going once; going twice; it's gone. On the Order -- with leave of the Body then, we'll move to the Order of Senate Bills 3rd Reading. A copy of the recall requests have been distributed. Senator Schaffer. Bottom of Page 9, Ladies and Gentlemen, on the Order of Senate Bills 3rd Reading. Senator Schaffer 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 Senate Bills 2nd Reading, Senate Bill 2084, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is a Lottery bill and has to do with people that falsify, or alter, or counterfeit Lottery tickets. And it has been suggested that we add the word "knowingly" before the penalty, so that the person would have to knowingly alter such a thing. So that just possession of the altered or counterfeited ticket isn't a crime.

PRESIDENT ROCK:

All right. Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 2084. 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. 2213. Bottom of Page 10, on the Order of Senate Bills 3rd Reading is Senate Bill 2213. Senator D'Arco seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 2213, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 4 offered by Senator D'Arco.

PRESIDENT ROCK:

Senator D'Arco.

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SENATOR D'ARCO:

Thank you. Mr. President, the amendment becomes the bill. In other words, we -- we're striking everything after the enacting clause, and making the amendment the bill. What I would like to do is to put this amendment on - and there's a subsequent amendment that Senator Topinka has - put the -- both amendments on the bill. And then we can debate the bill tomorrow morning, if that's agreeable with everyone.

PRESIDENT ROCK:

All right. Senator D'Arco's moved the adoption of Amendment No. 4 to Senate Bill 2213. 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 Senators Topinka, D'Arco and Barkhausen.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, this amendment would provide a -- civil liability phrase to the bill so that, indeed, those health care providers who are involved in making these decisions, following all that precedes in the bill, would not be held liable.

PRESIDENT ROCK:

Senator Topinka's moved the adoption of Amendment No. 5 to Senate Bill 2213. 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:

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3rd Reading. 2267. Senator Marovitz. Bottom of Page 3, Ladies and Gentlemen, you'll find Senate Bill 2267, on the Order of 3rd Reading. 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 Senate Bills 2nd Reading, Senate Bill 2267. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 5 offered by Senators Marovitz and DeAngelis.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Several Members, on both sides of the aisle, asked that the civil penalties be removed from the legislation. This amendment removes the civil penalties from the legislation, as requested by others and -- and defines what "sexual orientation" is. Puts that back in and defines it specifically. And I would ask for adoption of Amendment No. 1 <sic>.

PRESIDENT ROCK:

All right. Senator Marovitz has moves the adoption of Amendment No. 5 to Senate Bill 2267. Discussion? Senator Keats.

SENATOR KEATS:

The immediately following amendment that I have offered is identical to this except deletes one term - "sexual preference," so as the sponsor, if he wishes to put this amendment on, I would not oppose it, but the next amendment will be identical except for those phrases.

PRESIDENT ROCK:

All right. Senator Marovitz has moved the adoption of Amendment No. 5 to Senate Bill 2267. Further discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

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SECRETARY HAWKER:

Amendment No. 6 offered by Senator Keats.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

This amendment is identical to the last amendment. If you remember, this is a Hate Crimes bill that has many, actually quite favorable, things in the bill. But this has been the question of including the term "sexual preference" in the law. This amendment that has been distributed is identical to Senator Marovitz's amendment, with the exception - we have removed the term "sexual preference". Again, I -- as you know, I haven't twisted anybody's arm on this. It's just a question of do you think that "sexual preference" is something we should put in the law, as a specific group, that we should be differentiating? It's a call on your part. I don't ask you to go either way. I just tell you, I feel strongly that this is probably not a category that should be singled out in the law.

PRESIDENT ROCK:

All right. Senator Keats has moved the adoption of Amendment No. 6 to Senate Bill 2267. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Very briefly, we are protecting race, creed, religion, national origin, and by the legislation, sexual orientation, not sexual preference. And I guess if you want to take out one particular class that now has been very specifically defined by the previous amendment - civil penalties removed - that is specifically defined, if you want to take that out and say that gay-bashing is okay, that's what this vote does.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:



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Mr. President, I will not speak as strongly as Senator Marovitz, but Senator Keats, you have, in fact, by taking it out, singled out a group.

PRESIDENT ROCK:

All right. Further discussion? Senator Keats, do you wish to -- I'm sorry, Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. About an hour and a half ago, I received a telephone call from Chicago Police Deputy Superintendent Joseph deLeonardi, and he brought to my attention that the Chicago Police Department currently is -- has a very serious problem with hate groups. And he said that the police officers are specifically dealing with - you may call it gay-bashing or -- or picking on homosexuals - and -- you know, I think what Senator Marovitz is trying to do with -- with his bill, and what Senator Keats, my seatmate, is trying to undo, is trying to prevent a specific attack on a specific segment of our community. Like 'em or not, condone what they're going or not, they are being picked on by some hate groups. They're -- they're specifically going after a certain segment of our community. Senator Marovitz's legislation, you know, doesn't deal with promoting homosexuality or immoral behavior and it's addressing criminal behavior against a specific part of our community. Like I said earlier, like it or not. And -- and we're dealing with -- you -- you've got to focus at this bill and Senator Marovitz's amendment deals with the actions of the offender, not the problems of the victim or the potential victim. So I think what we should do is we should let Senator Marovitz's bill go on as it -- as he intended it to -- to go on, and we can debate it tomorrow on 3rd Reading. But I would -- I would say don't support Senator Keats' amendment.

PRESIDENT ROCK:

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

SENATOR KEATS:

Thanks for the help. To say that this amendment okays gay-bashing is absurd. That really is a little silly. It is illegal now. That kind of violence is clearly illegal. Everyone knows it's illegal and is easily provable. Senator DeAngelis, let me correct something you said, because you clearly had misread. You said, "This is singling out a group." You're correct, but you misunderstood. By putting it in, you are singling out a group. You are saying, "Sexual preference or sexual orientation is the same as race, color, creed, religion, ancestry, physical or mental disability or national origin." You are singling out this group in saying that is the same as race, creed, religion, et cetera. I think you misunderstood and really had yourself backwards. With that, I would say this is a call on your own. If you feel that sexual preference is something that should be in the law, and that that should be a category no different than race, creed, religion, ancestry, it's your call. I would ask for you to support the amendment.

PRESIDENT ROCK:

All right. Senator Keats has moved the adoption of Amendment No. 6 to Senate Bill 2267. All in favor, indicate by saying Aye. All opposed. Opinion of the Chair, the Noes have it. The amendment fails. Yes. Okay. Hey, listen. The question is the adoption of Amendment No. 6 to Senate Bill 2267. Those in favor of the amendment will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 19 Ayes, 28 Nays, none voting Present. The amendment fails. Are there further amendments?

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SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Ladies and Gentlemen, unless there's further business, that should conclude our business for today. We will reconvene here at nine o'clock tomorrow morning. My recollection is we have less than thirty bills to deal with, so we -- make your plans accordingly. We will begin at the beginning, and go right on through. Nine o'clock tomorrow morning. If there is no further business or announcements, Senator Vadalabene moves the Senate stand adjourned until Friday, May 18th, at the hour of 9:00 a.m. Nine o'clock, Ladies and Gentlemen.

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