

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

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PRESIDENT ROCK:

The hour of nine 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 Steve Adamson, Calvary Temple, Springfield, Illinois. Reverend.

THE REVEREND STEVE ADAMSON:

(Prayer given by the Reverend Steve Adamson)

PRESIDENT ROCK:

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

SECRETARY HAWKER:

Senate Journal of Wednesday, June 14, 1989.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. JONES:

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

PRESIDENT ROCK:

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

SENATOR T. DUNN:

Thank you, Mr. President. I move that the reading and approval of the Journals of Thursday, June 15th; Friday, June 16th; Monday, June 19th; and Tuesday, June 20th, in the year 1989 be postponed, pending arrival of the printed Journal.

PRESIDENT ROCK:

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

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ordered. All right. Ladies and Gentlemen, we will begin on the Order of Recalls. A list has been distributed by the Secretary. A number of Members have indicated they wish to call bills back for the purposes of amendment. We will attempt to accommodate that list of Recalls, and then we will move to the Order of House Bills 2nd Reading. And then we will move to the Order of House Bills 3rd Reading, beginning where we left off the other day at the nine-hundred series, and then we will go to the Order of Motions in Writing. There are a number of motions that Members have expressed interest in - Motions to Discharge one committee or another. We will get to those late this afternoon, and then we will move to the Order of the appropriations Agreed Bill List as the final Order of business. Copy of the appropriations printout has been distributed to everyone, and the procedure for voting on that list. ...(machine cutoff)... Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. With leave of the Body, I would like to rerefer House Bill 588 to the Education Committee.

PRESIDENT ROCK:

That request is always in order. Page 8 on the Calendar. Senator Holmberg moves to rerefer House Bill 588 to the Committee on Elementary and Secondary Education. Without objection, leave is granted, and it's so ordered. ...(machine cutoff)... All right. As the Chair indicated, we will begin on the Order of Recalls to accommodate those Members who have indicated they wish to recall their bills for purposes of an amendment. Then we'll move to the Order of House Bills 2nd Reading, and then the Order of House Bills 3rd Reading, beginning with Senator Collins' bill, 910. Then later this afternoon we will get to the Order - pursuant to the request of a number of Members - we'll get to the Order of Motions in Writing. There are a number of motions that have been

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filed to discharge bills and place them on the Order of 2nd Reading. And finally we will deal with the House Bills 3rd Reading that represent the FY'90 appropriations. So if I can turn your attention to Page 6 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 168. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 168, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio, on Amendment No. 1. Hello. Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. What this amendment will do -- we -- it will -- it will reinstate Senate Bill 1301 as it left this Body. It is the funding mechanism for the Healthcare Program that we passed out of here in several different packages. Most of this package now reposes on the Governor's Desk with the exception of the funding mechanism, which is currently held up in the House. All we are attempting to do is, by virtue of this, is to put that Senate Bill 1301 on this bill and send it back over, and I would move its adoption.

PRESIDENT ROCK:

All right. Senator Demuzio's moved the adoption of Amendment No. 1 to House Bill 168. 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. 225. Senator O'Daniel seeks leave of the Body to return House Bill 225 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 225, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Severns.

PRESIDENT ROCK:

I understood that was to be withdrawn.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator O'Daniel.

PRESIDENT ROCK:

Senator O'Daniel, I would check the LRB number to make sure. There's more than one filed up here.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. The LRB number on this would be SDS868225.

SECRETARY HAWKER:

That's fine.

PRESIDENT ROCK:

Senator O'Daniel, on Amendment No. 1.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. Amendment No. 1 to House Bill 225 is an amendment -- and an agreement's been worked out between the motorcycle people and the Department of Conservation, and it allows six-to sixteen-year-olds to operate ATVs under adult supervision, and makes some other minor changes. If there's any questions, I'll attempt to answer them. If not, I'd move for the adoption.

PRESIDENT ROCK:

All right. Senator O'Daniel has moved the adoption of Amendment No. 1 to House Bill 225. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The

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amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Watson.

PRESIDENT ROCK:

Senator Watson, on Amendment No. 2.

SENATOR WATSON:

Thank you, Mr. President. This amendment recodifies existing requirements for the automotive repairs and rebuilders and the automotive recyclers into the Vehicle Code, and in addition it also -- the -- automotive parts recyclers must include a statement that the applicant purchase at least five vehicles per year or has five hulks or chassis in stock. This is an agreed amendment with the Secretary of State and the Automobile Recyclers and Rebuilders. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has moved the adoption of Amendment No. 2 to House Bill 225. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 257. On the Order of House Bills 3rd Reading -- Senator Berman seeks leave of the Body to return House Bill 257 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 257, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

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Thank you. In -- in committee the bill -- this bill - dealing with the licensure of landscape architects - we had committed ourselves to revising the fees upward. That's what this amendment does. There will be another amendment that the Department wanted regarding regulatory processes. That's not ready. What I've indicated to the minority spokesman that we will ask that this be non-concurred in in the House, so that that amendment, whenever it's ready before June 30th, will be added to this bill. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman moves the adoption of Amendment No. 1. Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, the sponsor's spoken to me about this and I -- I think what he's suggests is the right way to proceed. I just -- I guess I have to ask, you -- you don't have any other plan for this bill, do you, Senator, other than the architects licensure law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, on your future plans.

SENATOR BERMAN:

I have no future plans.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Too bad for you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

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No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 263. Senator Weaver seeks leave of the Body to return House Bill 263 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 263, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is somewhat of a technical amendment recommended by the Taxpayers Federation. If there are any questions, I'll be happy to answer them. Otherwise, I'd move adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment no. 1 to House Bill 263. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 283. Senator Donahue seeks leave of the Body to return House Bill 283 to the Order of 2nd Reading of the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 283, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 is -- identical to House Bill 2650, and it was held in the House Regulation -- Registration and Regulation Committee and we're not sure exactly why. What it does, is it permits the Department of Public Health to conduct inspections necessary for enforcement of the Act. It establishes Department of Public Health's authority to fine or suspend the licenses of home health agencies which are out of compliance with program rules. Requires the agency records and documents to be available to the Department of Public Health, and just, in essence, it allows Department of Public Health to regulate the home health industries, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 386. Senator Mahar on the Floor? Senator Mahar on the Floor? 386. 424. Senator Hall. Senator Hall seeks leave of the Body to return House Bill 424 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 424, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me. Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This is a technical amendment. It amends the Employees Rights Violation Act. It makes the bill

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applicable to findings of administrative tribunals. Pursuant to House Bill 424, any policy-making officer of a State agency adjudicated by an administrative tribunal to have violated the first and fourteenth amendment rights of the employee, shall have discharge. In our explanation it had administered tribunals. Administered tribunal makes findings and not judgments, so I would like to move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 470. Senator Barkhausen seeks leave of the Body to return House Bill 4-7-0 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 470, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Amendment No. 3 is essentially a bill that we passed out of here overwhelmingly, dealing with the subject of tenancy by the entirieties. The proposal, since it left here, has been refined, considerably narrowed in scope, and it satisfies all the concerns of the Real Estate Title Industry. I'd be glad to answer any questions, and would otherwise ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Barkhausen moves the adoption of Amendment No. 3. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 489. Senator Marovitz. Senator Marovitz on the Floor? 574. Senator Kelly. On the Order of House Bills 3rd Reading, Senator Kelly seeks leave of the Body to return House Bill 574 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 574, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Kelly and Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. This is the issue of abortion and the viability in hospitals. What we are doing with this amendment is reducing - which a number of the Senators had a problem with - the Class 3 felony to make it a Class A misdemeanor, and I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I beg your pardon. The...Senator Kelly has sought leave to return 574 from the Order of Postponed Consideration to the Order of 2nd Reading for the purpose of amendment, so we have the record properly straight. Senator Kelly now moves the adoption of Amendment No. 2. Is there discussion? Senator Berman.

SENATOR BERMAN:

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Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Berman.

SENATOR BERMAN:

What did House Bill 574 do before this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, House Bill 574 would...provided a penalty to a physician of a Class 3 felony if they violated the...the proposed law. It would have been a Class 3 felony, and...and what we're doing is making it to a class A misdemeanor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, maybe I'm confused...I thought 574 dealt with a different subject matter than what we debated yesterday, or the day before, on the bill. Are you telling me that this House bill is the same bill that we debated the other day?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yes, it is. It's still the same bill that we've been trying to...to pass here, and it missed by one vote for the last three times. How...Senate Bill 195 and now House Bill 574, so it's exactly the same one and dealt with the issues and pertaining to physicians and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I think my confusion was because this is...this bill is being called back for amendment. It's on Postponed Consideration.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes.

SENATOR BERMAN:

Okay, I...that's where was confused. All right, on the amendment...well, let the amendment go on and we'll argue it if we ever get back to Postponed Consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Would the sponsor yield for a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Severns.

SENATOR SEVERNS:

Senator Kelly, is this bill's primary purpose to be used as a vehicle?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I know you're talking about the U.S. Supreme Court decision which will be forthcoming. Obviously there's more than this bill that deal with the subject of abortion, and this bill exclusively is not being earmarked to be the vehicle for the Supreme Court decision. But I will tell you this, I'm sure if it would be alive and a decision comes down and the bill is still present, whether it's this bill or the other one, that issue is potentially possible, so I'm not going to rule that out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

I...I just think the Membership should know that the primary purpose is, in the event that the Supreme Court makes a decision in the next few days, and realizing that the Supreme...U.S.

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Supreme Court is going to deliberate for a period of over six months. I think this bill and the bill offered by Senator Watson, are two bills that we must be watching very carefully, because the intent is much different than the statements within the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, I beg your pardon, Senator...Senator Kelly. You wish to respond to that, please?

SENATOR KELLY:

Well, well just...just briefly, and I want to say...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We have...we have one more speaker.

SENATOR KELLY:

...I'm not convinced, I think the Senator is already convinced that the...that the issue is going to come down contrary to what she's interested in or what the people of...I'm not sure I'm going to be satisfied, and I don't...I...I know I'm not, right at this point. So I think before we rule it out we ought to see what the Supreme Court has to say.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hudson.

SENATOR HUDSON:

Well, thank you, Mr. President. Very briefly, I...my...my view of this is that what has been stated here is not correct. The primary purpose of this bill is not, I repeat not, to...take the position of a vehicle bill. This bill started out, it has a purpose of its own, it has dedicated supporters that are supporting this bill because it has a purpose of its own, and I think it's a misstatement for anyone to say that it...its primary purpose is as a vehicle bill. It simply is not true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kelly, do you wish to close? Senator...all right...the...Senator Kelly has moved the

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adoption of Amendment No. 2, House Bill 574. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments? Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. This bill will be...will be returned to the Order of Consideration Postponed. 643. Senator Barkhausen seeks leave of the Body to return 643 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 643, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Barkhausen and Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Amendment No. 1 attempts to respond to the Illinois Supreme Court decision handed down just on Monday, named People versus Perry, which declared unconstitutional the law that we passed, I would guess two or three years ago, dealing with the subject of videotaping child victims of certain sex-related and child abuse crimes. The court declared it unconstitutional in as much as the videotaping, which could be used in court under the bill that we passed and went on the books, did not provide for the right of cross-examination. This revised version that I'm proposing that we attempt with this amendment still provides for videotaping, but would not be admissible in court unless both parties agree, but still, by providing this videotaping, we would afford the opportunity of trying to get defendants to -- to plead guilty to these crimes in appropriate circumstances, and I ask for its adoption.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 760. Senator DeAngelis seeks leave of the Body to return House Bill 760 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 7-6-0, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 1 is an agreed-upon amendment between the communications people and the Department of Revenue, in which they will not be taxed for bad debts that are incurred by the companies. I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 7-6-0. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Aye have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 788. Senator Jones. Is Senator Jones on the Floor? 1423. Senator Zito. Senator Zito seeks leave of the Body

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to return House Bill 1423 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1423, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes. Thank you, Mr. President and Members. Amendment No. 1 simply changes one word from "cause" and inserts "solely." I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this amendment does, it will require the Director of the Department of Insurance to review the statement of acquisitions of all companies attempting to merge or be purchased by a domestic insurance company.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

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No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1480. Senator Marovitz. 1724. Senator Welch. Senator Welch on the Floor? Senator Welch on the Floor? -- 1754. Senator Marovitz. 1871. All right. Is there leave to have Senator D'Arco handle 1754? Leave is granted. On the Order of Recalls, Senator D'Arco seeks leave to -- of the Body to return House Bill 1754 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1754, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you. Mr. President, Amendment No. 1 is identical to House Bill 1912, that for some unforeseen reason was not heard in the Judiciary Committee. It provides that the operating funds under the control of the management company shall not be -- shall be exempt from the creditors of the managing company. It also specifies that general powers of the board of managers may be limited by the condominium instrument regarding limits on expenditures for capital improvements. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved the adoption of Amendment No. 1. Is there -- to House Bill 1754. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 2 specifies various requirements regarding the rights and duties of developers, prior to election of a master association - the requirements regarding election of master associations and the relief for failure of the board of directors to provide records as required. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)... Senator D'Arco's moved the adoption of Amendment No. 2 to House Bill 1754. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 1871. Senator Watson seeks leave of the Body to return House Bill 1871 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1871, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, thank you Mr. President. Mr. President, Amendment No. 1 was adopted -- there was a technical problem with that amendment. I would like to make a Motion to Reconsider the vote by which number -- Amendment No. 1 was adopted, and then proceed to Table that amendment and go with the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Watson, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The vote is reconsidered. Senator Watson now moves to Table Amendment No. 1 to House Bill 17 -- I'm sorry -- to House Bill 1871. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment 1 -- No. 1 is Tabled. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

All right. This amendment is the same language as -- as the one we've just withdrawn. And it was an amendment that was actually brought to us by the State's Attorney of Cook County. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1880. Senator Watson seeks leave of the Body to return House Bill 1880 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 1880, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Watson.

SENATOR WATSON:

Yes. This was another amendment that was requested by the Cook County State's Attorney. It amends the bill to require that the sexual assault victim be told the results of the HIV test. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Amendment No. 2 to House Bill 1880. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1978. Senator Barkhausen seeks leave of the Body to return House Bill 1-9-7-8 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1978, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Amendment No. 1 is a request from a community currency exchanges, and the amendment provides that a community currency exchange shall have the right to an appeal under the Administrative Review Act, where another applicant for a license within a three-mile location has a license granted. I'd be glad to answer any questions, and would otherwise ask for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 1978. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon. 3rd Reading. All right. Page 2 of your Recall List. 2004. Senator Schuneman seeks leave of the Body to return House Bill 2004 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2004, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. On a point of personal privilege. I have the pleasure of introducing to the Senate today three very fine people from Lake County, Jack and Debbie Thelen, my constituents from Antioch, and Assistant State's Attorney Claudio Hoogasian, who is in Senator Barkhausen's district, from Lake Forest, Illinois, Lake County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Standing right behind Senator Geo-Karis.

SENATOR GEO-KARIS:

Welcome them, please.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome. Welcome. Senator Fawell, with respect to Amendment No. 2 on House Bill 2004. Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is an amendment that licenses the bill collectors. It is an agreed amendment between the association and the licensing department. There is also another portion of the amendment involving nurses, and allowing them to take some courses in the local hospital rather than going up to a -- a university to renew their license. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2059. Senator Daley seeks leave of the Body to return House Bill 2059 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2059, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Daley.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. Amendment No. 1 to House Bill 2059 addresses some problems that came up in the committee dealing with reasonable -- the driver at fault. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. Senator Daley has moved the adoption of Amendment No. 1 to House Bill 2059. 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 amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry. No further amendments. 3rd Reading. 2062. Senator DeAngelis seeks leave of the Body to return House Bill 2-0-6-2 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 2062, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 is a very comprehensive amendment which will be further discussed on 3rd Reading, but basically it is something that's been worked on for a long time, which will bring the HMOs in line with a lot of the requirements that insurance companies have. I urge its adoption, and I also would like to have a point of personal privilege after we adopt this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 2062. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator DeAngelis, on a point of personal privilege.

SENATOR DeANGELIS:

Yes. In the gallery behind the Senate we have visiting us today Senator Laura Kent Donahue, who is visiting us in the gallery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I can't find her. I'm sorry. She just went out the door. All right. 2123. Senator Davidson seeks leave of the Body to return House Bill 2123 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 2123, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 -- 3, pardon me, offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate. This amendment is a answer to a problem that has occurred in all those areas where there's a number of State employees, due to the insufficient funding of the Health Insurance Reserve Fund for the State of Illinois, and what it says is the administrative services shall pay all qualifying claims within sixty days upon the receipt of such claim. And secondly, if not sufficient funds are available, the Director shall notify the Comptroller, and if the balance in the General Fund is more that a hundred million dollars, the Comptroller shall transfer sufficient funds from the General Revenue Fund to the Health Insurance Reserve Fund to meet the requirements. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment No. 3. Is

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there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2191. Senator Jones seeks leave of the Body to return -- next week. 2310. Senator Maitland -- Maitland on the Floor? 2369. Senator Welch. 2450. Senator Barkhausen. 2450. Senator Barkhausen seeks leave of the Body to return House Bill 2450 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2450, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen. Senator Berman.

SENATOR BERMAN:

Thank you. This is amendment that I discussed with Senators Hawkinson and Barkhausen dealing with the student searches, and what it -- what it does is to remove a -- a dictate in the original amendment concerning the admissibility of certain evidence. That we will leave to the criminal courts to decide. I move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Amendment No. 3. Is there discussion? Senator Hawkinson. Pardon me. Senator Topinka. Senator Topinka. Senator Topinka. Could we -- Senator Hawkinson wishes to addresses this. Senator Hawkinson.

SENATOR HAWKINSON:

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

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I haven't seen the language of the amendment in distributed form, but I assume this is the -- the one that you showed me that leaves intact the Section that we talked about. Public policy Section.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes. As per your request, we did not touch that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2491. Senator Brookins. 2513. Senator D'Arco. Senator D'Arco seeks leave of the Body to return House Bill 2-5-1-3 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 2513, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The amendment provides that in the event of disposal of a vehicle from a towing -- from a -- a junk pond, the towing entity who receives the vehicle must then get a

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junk title certificate and receive a payment of fifty dollars from the Vehicle Recycling Fund, to offset the cost of towing the vehicle. There is a provision in the amendment to create the Vehicle Recycling Fund, and there is also a provision that two dollars of the fees imposed for the vehicle registration shall be placed in this Vehicle Recycling Fund, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves the adoption of Amendment No. 1 to House Bill 2513. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator D'Arco, I'm told that the amendment on the next bill is not yet ready. Okay. So we'll skip that. 2520. Senator Luft seeks leave of the Body to return House Bill 2520 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2520, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. To identify my course with this amendment, I'm going to ask leave to reconsider the vote by which Amendment No. 1 is adopted. Once that amendment is Tabled, Amendment No. 2 will satisfy the requirements of Amendment No. 1. So at this time, I'd ask leave to reconsider the vote by which Amendment No. 1 was adopted to House Bill 2520, for the purposes

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of Tabling that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft, having voted on the prevailing side, has moved to reconsider the vote by which Amendment No. 1 was adopted. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The vote with respect to Amendment No. 1 is reconsidered. Senator Luft now moves to Table Amendment No. 1. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 incorporates the language that was in Amendment No. 1. There is also a technical change, which was misspelled words. Thirdly, we passed out Senate Bill 529, which was referred to as the Bates case. In that bill we left out two -- references, rather -- to two Statutes, and this is more or less a cleanup for that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2589. Senator DeAngelis seeks leave of the Body to return House Bill 2589 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2589, Madam

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Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What Amendment No. 2 does, it immunizes from liability the persons who administer HIV tests upon the consent of DCFS's Guardianship Administrator. It's the same immunity we give everybody else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of Amendment No. 2 to House Bill 2589. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Schuneman. 2772. Senator Schuneman seeks leave of the Body to return House Bill 2772 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2772, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Mr. President, there seems to be a little confusion. I'm listed on a list as having two amendments, and as far as I know I've only got one. Has more than one been filed?

SECRETARY HAWKER:

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It's the same LRB number. It looks like it was filed twice.

SENATOR SCHUNEMAN:

I'm sorry. I didn't hear that. Oh, the second one was filed twice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The -- the -- the Secretary indicates that apparently the amendment was filed twice, so why don't we just -- why don't we just withdraw Amendment No. 1 and then proceed. Senator -- 1 and 2 I assume, are the same? No, they're not. Beg your pardon. Well, I'm getting different signals here. Senator Schuneman.

SENATOR SCHUNEMAN:

Mr. President --

PRESIDING OFFICER: (SENATOR DEMUZIO)

I was just -- I'm just trying to help out.

SENATOR SCHUNEMAN:

I know you are, and there -- there was an amendment filed - I think under Senator Dudycz's name.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes.

SENATOR SCHUNEMAN:

And one amendment under my name. Now, the Clerk is shaking -- the Secretary is shaking her head --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, why don't we do this - why don't we just take it out of the record? Leave of it -- leave to come back in a few minutes.

SENATOR SCHUNEMAN:

All right. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR SCHUNEMAN:

I -- I want to follow your earlier suggestion, which was to Table one of the amendments that filed in my name...

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PRESIDING OFFICER: (SENATOR DEMUZIO)

No. Just withdraw Amendment No. 1. Senator Schuneman seeks leave of the Body to withdraw Amendment No. 1. Is leave granted? Leave is granted. Amendment No. 1 is now withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This amendment simply adopts the indemnification of the Comprehensive Health Insurance Plan and those with whom the plan will contract. We've done this in other legislation, but apparently this particular proposal fell off the House Bill, and so now we have to do it again. It also changes one provision as it relates to other insurance carried by people who apply for the Comprehensive Health Insurance Plan coverage. The current law requires them to drop that other coverage. This amendment would allow them to keep that other coverage during that period of time when they are waiting for their Comprehensive Health Insurance Plan to pick up their coverage. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

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Thank you, Mr. President. Amendment No. 2 is identical to Amendment No. 5 of Senate Bill 95, which was adopted unanimously earlier this Session. It was approved. What it would do - Amendment No. 2 would raise the minimum widow's annuity for retirees of the Chicago Police Department from one hundred and fifty to two hundred dollars per month, and the widows whose husband died in service would have their minimum increased from three hundred and twenty-five to four hundred dollars a month. It also raises the minimum retirement annuity from four -- four seventy-five to five seventy-five a month. It will affect approximately twenty-five hundred pensioners. This -- these increases will raise the amount of money that those pensioners receive, from below the poverty line to slightly above in some cases. And I seek the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- is there discussion? Senator Jones, for what purpose -- Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. A question to the Chair. This bill deals with the Chip Board, and I question whether this amendment is germane.

PRESIDING OFFICER: (SENATOR DEMUZIO)

In anticipation of your question, the Parliamentarian has, in fact, been researching the issue, and it would be the ruling of the Chair that since the bill does deal with the Chip employees, that the subject matter of the amendment is different, dealing with pension benefits for Chicago Police, and therefore the amendment is -- is not germane. Senator Dudycz.

SENATOR DUDYCZ:

Well, Mr. President, they both deal with the Pension Code. I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Well, I'm just -- I'm told by the Parliamentarian in -- in his examination of this, that it seems to me that there are a number of other vehicle bills that, in fact, would be germane. We're not trying to be dilatory here; we're just making a -- what we think is a proper ruling. All right. Further discussion? Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir. Senator Schuneman.

SENATOR SCHUNEMAN:

Well on that issue, Mr. President, the -- even the synopsis of the bill clearly says that it deals with the State Employees Retirement System, so it -- it does - the bill, in fact, does deal with retirement issue, although it also addresses the Comprehensive Health Insurance Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Again, Senator Schuneman, I will -- I want to repeat that it is my understanding with respect to the Parliamentarian, that it, in fact, is not germane. All right. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2786. Senator -- Senator Weaver seeks leave of the Body to return House Bill 2786 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2786, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

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SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. This amendment increases both the Cigarette Tax and the Liquor Tax, effective July the 1st, '89. The Cigarette Tax increase would be ten cents per pack, which would generate roughly a hundred million dollars annually. On the liquor side, it would bring our Liquor Taxes up to the national average, and generate about sixty-nine and a half million dollars. I'd be happy to answer any questions. I'd move adoption of Amendment No. 1 to House Bill 2786.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of -- of Amendment No. 1 to House Bill 2786. Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

How much would this raise the tax on a package of cigarettes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Ten cents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

How much would it raise the tax on a drink of alcohol?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

It would go from two dollars a gallon to three dollars and twelve cents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Schuneman.

SENATOR SCHUNEMAN:

How does that translate per drink?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I haven't really calculated it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank -- thank you. It's my understanding that -- that this increases the tax per drink about a penny -- about a penny. That, in fact, that -- that's how the sixty-million-dollar Liquor Tax translates when you -- when you apply it to, you know, so much a drink or so much for a bottle of beer that, in fact, it -- it becomes about a penny a drink. And I'm not opposed to your amendment, but I -- I wonder if it makes any sense for us to raise the tax on a package of cigarettes ten cents and only raise the tax on a drink of liquor by a penny. It seems to me maybe we ought to turn that around. I'm going to support your amendment, but I -- I'm not sure that this is what we really ought to be doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. Senator Rock. Your light may not be working, but your mike may be on. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Rock.

SENATOR ROCK:

I -- I'm curious as to what the impact of this proposed Liquor Tax. I don't have any particular problem with the Cigarette Tax,

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but the Liquor Tax is kind of a new element, and I'm curious as to what the impact would be -- is in the County of Cook. The County of Cook already imposes an additional Liquor Tax, and -- and I -- I -- my recollection is, when this was proposed four or five years ago by the Governor, that there was a hue and a cry the likes of which we've not heard in a long time, particularly from the Cook County Retailers - that this just puts them in a totally noncompetitive position in terms of the retail sale of wine and spirits, and I'm -- I'm curious as to what your view of the impact as it relates to the County of Cook is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Under the home rule powers, the municipalities have that option of putting a tax on many things. I'm not sure exactly what the Cook County or the city tax is on alcohol, Senator Rock. I will say this, that the State has not raised the Liquor Tax for twenty years. Twenty years ago I handled the legislation in the -- in the House that increased the Liquor Tax. And it was my thinking, rather than to go eighteen cents on cigarettes in a period of -- where we're experiencing a decline of about ten million dollars revenue this year on cigarette tax, that the increase to eighteen cents has -- has been proposed would probably further deteriorate the revenues of the State, so in that regard, in order to come up with a hundred and seventy million dollars, I -- I'm just, in this amendment, bringing up the alcohol and beer tax to what is the national average throughout the United States.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- I'm sorry. Senator Weaver. I beg your pardon. Further discussion? Senator Rock.

SENATOR ROCK:

Well, I -- I'm not -- I'm not questioning your motivation or

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-- or your intent. What -- what I'm concerned about is that when this was discussed - and I can remember that campaign, frankly, a penny-a-drink campaign - and -- and the retailers, particularly the business community in Cook County, was mightily upset, and so I would urge your caution I guess, those of us from Cook County, to be awfully careful, and I intend to oppose it, but I don't want my opposition construed as -- as any opposition to a cigarette tax. I'm talking about the Liquor Tax portion, because I think the retailers in the County of Cook are already subject to a pretty heavy tax increase that was imposed by the County Board in the County of Cook and the City Council, the City of Chicago. And I would caution those of us from Cook to be a little careful of this one until we -- until we know the impact. If you'll tell me the impact, it might solve it. But the fact is that this was -- there was some serious, heavy opposition, and I know the Governor was aware of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Cook County imposes a tax rate of six cents per gallon on beer, sixteen cents per gallon on wine, and thirty cents per gallon of wine over fourteen percent, and a dollar per gallon on distilled liquors. So that is the extent of the Cook County Tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

And then this would be over and above that. So that the numbers the -- the net numbers that you wind up with are, for the County of Cook at least, significantly higher than are reflected on this analysis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Weaver.

SENATOR WEAVER:

Well, certainly the County can reduce their tax if they wish. The total on a gallon of whiskey would be four dollars and twelve cents in the County of Cook. Beer would be twenty-six cents per gallon. I'm not sure what other municipalities or counties, if any, have imposed a liquor tax Statewide.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Several questions of the sponsor. This obviously came up rather suddenly this morning, and I'm not even sure that in your opening statement - and I didn't here the first part of it - that you might not have covered this, but it would be obviously very helpful if we had a revenue estimate on all parts of this package and a total. Did you give us a total for the entire package? Would you mind repeating that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The -- if we could have some order, please. Senator Weaver.

SENATOR WEAVER:

Economic and Fiscal Commission estimates that the Cigarette Tax would generate approximately a hundred million dollars annually. They estimate that the alcohol tax -- beer and alcohol tax would generate 69.5 million dollars annually.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

All right. If I might, and I -- perhaps this is more appropriate on 3rd Reading. I assume the amendment is possibly going to go on, and that this -- we need more information when we get back to the bill. Would you provide us with a breakout of the

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amount of the increase that would be attributable to each of the categories of liquor? How much would be attributable to beer? How much to wine under fourteen and so forth - in writing, preferably, so that we can look at it. Do I understand a hundred million you are attributing to the ten-cent increase in the Cigarette Tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR WEAVER:

And I can give you the figures on the liquor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Beer would go from seven cents, the current rate, to twenty cents. Wine from twenty-three to sixty-one, and alcohol spirits from two dollars to three dollars and twelve cents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yeah. I -- not just the -- the amount of the tax increase, but the amount of revenue that would be attributable to each of those categories of increase. If you would provide that. I gather, if I am correct, that the Tobacco Products Tax is not included in the package, as the Governor originally proposed. Is that correct, Senator Weaver?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

The difference in revenue in millions would be - on beer, it

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would be 37.4 million. Wine, fourteen percent would be nine million. Wine over fourteen percent, 1.6 million and alcohol and spirits, be twenty-one and a half million. Totaling 69.5 million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

All right. Thank you. My understanding is that the one hundred million that you attribute to the Cigarette Tax is solely Cigarette Tax. The Governor has abandoned the Tobacco Products Tax. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

You are correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

And -- and one last category of information. I think it would be helpful, not just for people from Cook County, but for others from other areas throughout the State, perhaps particularly border areas, if when we get to this on 3rd Reading, you could give us a -- a -- some indication of local liquor and cigarette taxes, so that every Member can get a sense of what the total package will be on those two products, so that they can analyze it in terms of their own areas as well. Is that a possible thing for you to do, Senator Weaver?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I think we can get those figures for you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

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SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Yeah, Senator Weaver, the ten-cents tax on cigarettes would generate how much money?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Ten-cent tax on cigarette would generate approximately a hundred million dollars annually.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, speaking on the cigarette tax increase, you know, I intend to support the cigarette tax increase, and I intend to -- when this bill -- if it passes the Senate, I intend to call on all cigarette smokers across the State to go on strike. I've been trying to find a reason to quit smoking, so I'll be supporting this bill, and I'm going to call a press conference on the State Capitol, and all cigarette smokers who are opposed to paying this tax and who want to quit will join me - you smoke too - so we will have a press conference together, and we going to go on strike, and we going to quit smoking.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Well, July 4th is going to be a great day around here. All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. I just wanted to -- to comment on the Cook County argument that I heard enunciated on the Floor here a few minutes ago. I -- I hope none of you are paying too

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serious attention to an argument that is so full of holes. This tax which Senator Weaver is proposing is a Statewide liquor tax. As he said, the first time since 1969. I heard the question, "Well what do the Cook County retailers think of this?" Hey, if this is a Statewide tax, the same inequity or the same difference between Cook County and outside of Cook County is going to remain after we take our action. So let no one from Cook County think that we are doing anything more to anybody in Cook County that we're doing to them right now. We should put this on - I agree with Senator Schuneman. This isn't enough of a Liquor Tax. It's hard to believe that a penny a drink would find any challenge on this Floor, but somehow, I'm not surprised.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Weaver, you may close.

SENATOR WEAVER:

Thank you, Mr. President. I think everyone has a pretty good idea of what this generates, what the tax is, and what the purpose of the taxes increase are, and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. All right. Senator Rock, there were a number of Members that -- we go back on the Recalls. Okay. We're going to go back, start from the top on the Recalls, go right down the list. This is your last shot, so 386. Senator Mahar seeks leave of the Body to return House Bill 386 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is

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granted. House Bills 2nd Reading is House Bill 3-8-6, Madam Secretary. Read the bill.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. This is an amendment that was requested by two park districts in my area. It insures greater certainty with regard to completed annexations and disconnections. Bond counselor Chapman and Cutler point out that it's needed to reenforce needed certainty in connections with park district bond issues and finance. And I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 3-8-6. Is there a discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 489. On the Order -- Okay. 1480. Senator Marovitz. On the Order of House Bills 2nd Reading -- I beg your pardon. Senator Marovitz seeks leave of the Body to return House Bill 1480 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1480, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

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Thank you very much, Mr. President. This is an amendment that was agreed on by the Bar Associations and the bank people. It allows a mortgagee to require that the plaintiff mortgagor pay for liability insurance during foreclosure. I would ask for adoption.
PRESIDING OFFICER: (SENATOR DEMUZIO)

1-4-8-0. Senator Marovitz has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1724. Senator Welch seeks leave of the Body to return House Bill 1-7-2-4 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1724, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Amendment No. 1 was requested by the Illinois Housing Development Authority, because the bill deals with some bonding. It's a required amendment in order for the bonds to be issued. I would move for adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 1 to House Bill 1724. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

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No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2129. Senator Jones seeks leave of the Body to return House Bill 2129 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2129. 2191. I beg your pardon -- seeks leave of the Body to return House Bill 2191 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2191, Madam Secretary. Read the bill.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. Amendment No. 1 authorize the issuance of medical liability insurance that provides a group aggregate limit. Policy must be issued to a group domicile in Illinois whose members are Illinois residents. Group aggregate limits must be approved by the Director of Insurance or conformed to the minimum amounts set by formula according to the size of the group. And I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

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SENATOR JONES:

Yeah. Thank you, Mr. President. Amendment No. 2 authorize captive insurance companies to reinsure employees liability, including -- workers' compensation. It exempt foreign and alien insurers from rules pertaining to insurance companies. Exempt a domestic captive from the previous tax if it employs an Illinois base management firm, and makes other minor changes. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves the adoption of Amendment No. 2 to House Bill 2191. Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator, is this the one that reduces the capital required for these insurance companies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Actually -- actually what it does, Senator Schuneman, is clarify what that is, and that doesn't reduce it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, our staff indicates that -- that what it does is allow these captive insurance companies to only have three hundred thousand dollars in cash and then put up the rest of the capital in a letter of credit, which is -- is that allowed to any other insurance company in Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

No it isn't. Again, it does not reduce it, it just sets -- sets by the -- sets forth the means by which that comprehensive

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insurance can be organized, and the letter of credit is going to be because they're only insuring their own companies as such. So this is the reason why a letter of credit is sufficient in this -- in this area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, it appears that this also allows these captive insurance companies, for the first time, to reinsure their own workers' compensation liability, but does -- do the same -- then it appears also that since they are being allowed to do that, and other reinsurers of workers' compensation have to have five million dollars in capital. Why are these companies allowed to do it with only two and a half million dollars in capital?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Okay. Again, Senator Schuneman, see, the companies that you speak of are on the public market. This -- the captive only insure their own people within, so therefore it is not public as such.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Schuneman.

SENATOR SCHUNEMAN:

Well, for those of you that are interested in protecting the rights of workers, you know, I think you ought to be aware of this -- that here we have legislation at the last minute, not subject to any hearings, being put forward, that would, in effect, reduce the capital that's required to provide insurance for injured workers, and I don't know what -- Senator Jones, do you know what the -- what the position would be of the labor unions on this issue? It seems to me they'd be really against this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Jones.

SENATOR JONES:

Well, I have not talked to the labor unions as such, and knowing you being a great supporter of the -- labor unions, perhaps you have talked to them, but this is the amendment that -- brought to me by the representative of these captive companies. If you recall, we did pass this legislation, which you supported in the past, and this is more or less a cleanup. So I haven't discussed anything with the labor unions as such, and -- but now that you mention it - and they are your friends - I will talk to them on that matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further -- Senator Schuneman.

SENATOR SCHUNEMAN:

Just finally, Mr. President. You know, I really don't think we ought to do this at this late date. What this does is set up a special -- for a special limited group of companies, the right raise lower amounts of capital. It puts them into a business which they have not been in before - that of reinsurance - and another problem is that these companies are not covered by the guarantee -- by the Guarantee Fund, so one of -- if one of them goes broke, then who's going to pay the benefits to those injured employees? And I -- I really think we shouldn't do this at this late date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I think we ought to put this amendment on, but I think we ought to do it with caution. Senator Jones, you are correct; part of that is technical cleanup, because I had passed some legislation some time back regarding captive insurance companies. Senator Schuneman, I don't believe under the law right now there is a capital requirement, and Senator Jones

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might be correct on that, in that this does create one. But I'll tell you, there's going to have to be some questions answered before this bill passes on 3rd Reading, and I think we ought to put it on. And the reason for the delay on this, I have been told, is that there's some significant cleanup in this, and they've been working on it for quite a period of time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman, for a second time.

SENATOR SCHUNEMAN:

Well, thank you for rising on that. Somebody's been working it for a long time. I don't know why they didn't put in a bill and have hearings on it. You know, we have people sneaking amendments to us at the -- at the door of the Chamber, wanting them put on at the last minute. Let's -- let's have the glare of public hearing on these matters. I -- if this is the right thing to do, I have no problem with doing it. But I don't like the procedure here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. No doubt they have been working on this legislation for quite some time, and trying to put it together, and as the Senate sponsor, the concerns related by the minority spokesman - I will address those concerns prior to this bill being voted on on 3rd Reading. I move the adoption of the amendment, because it is quite complex, and if there are problems as relate to the labor unions as such, we will deal with those problems. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 2 to House Bill 2191. Those in favor will indicate by saying Aye.

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Opposed, Nay. The Ayes have it. Senator -- all right. Senator Schuneman has requested a roll call.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves the adoption of Amendment No. 2 to House Bill 2191. 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 31, the Nays are 25, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 2310. Senator Maitland seeks leave of the -- no. 2369. Senator Welch seeks leave of the Body to return House Bill 2369 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 2-3-6-9, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is allow withholding, from State employees' salary, payment of parking fees on the parking facilities located on the University of Illinois Urbana-Champaign campus. I'd move for adoption of the amendment.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 1 to House Bill 2369. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2491. Senator Brookins...(machine cutoff)...Beg your pardon. 2428. Senator Welch seeks leave of the Body to return House Bill 2-4-2-8, 2428 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading, House Bill 2428, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you. This is the Revisory Act. I'd move for adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 1 to House Bill 2428. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading...(machine cutoff)...Okay. We -- there are a number of -- we will now move to Page 30 to House Bills 2nd Reading. Move to Page 30 -- Page 30 in your Calendar. House Bills 2nd Reading, House Bill 359. Senator D'Arco on the Floor? 513.

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Senator Marovitz. House Bills 2nd Reading, 887 -- Senator Thomas Dunn. On the Order of House Bills 2nd Reading is House Bill 887, Madam Secretary.

SECRETARY HAWKER:

House Bill 887.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and Members of the Senate. The last few years have seen the growth of enterprise zones expand dramatically, along with the growth of civic centers, and our Legislative Calendar has been clogged with these bills, and it's apparent that that trend is going to continue well into the future. In an effort to eliminate confusion and streamline our process, this amendment simply provides that the entire State would become an enterprise zone, except for those areas that are designated as civic centers. I think this would probably eliminate several hundred bills in the next few years, and while it would bring this whole process to fruition somewhat quicker than it might normally happen, I think it would clearly culminate where we eventually will end up anyhow, and suggest that those of you who don't want to be beseiged by your cities to become enterprise zones, that this will solve that problem once and for all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? Senator Watson.

SENATOR WATSON:

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Well, thank you. I -- I don't know if my seatmate's serious or not here. I certainly hope not. I would hope that this amendment goes down, because the enterprise zone concept has been something that's been very positive for this State and it's been positive for the communities, especially in my district and those of us that live -- live outside of the metropolitan area, it's been a good thing. It's been a tool by which those communities can attract industry and attract jobs and, quite frankly, many of the areas of this State don't need enterprise zones, and what -- what we need to do is establish those areas that are economically depressed, and give those people the tools that are needed and necessary to attract industry and jobs. And I think this is a -- a bad amendment, and I hope it will be rejected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Well, I'm a little bit surprised at Senator Schaffer for taking the easy way out, I mean here he is, sitting next to Frank Watson, and we've already got the battle of the Hatfields and the McCoys and - hereafter known as the Schaffers and the Watsons, so I -- you know, it's obvious what this is doing, and I urge that we defeat this. And I think Senator Watson was correct. He didn't know if his seatmate was serious, and now let me answer for you. He's not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President, and I apologize for rising and asking the sponsor of the amendment to please clarify what this amendment does for me, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

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SENATOR SCHAFFER:

It simply provides that any part of the State that wants to be an enterprise zone can do it by adopting an ordinance, or they could be a civic center - whichever they want - thereby eliminating all the confusion here in the Legislature that we've had the last several years, and heated debate, and a lot of unnecessary -- you know, waste of time. 'Cause we seem to give everybody that wants to be one - one anyway. Why not just make it automatic?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 8-8-7. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes -- all right. The opinion of the Chair the -- the Nays have it. Amendment No. 1 fails. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This a much more palatable amendment. This is at the request of DCCA and also Department of Revenue, and what it does is it changes the period for which high-impact business investment credit is available, and it requires businesses to place minimum investment in qualified property that the business has placed in service before the credit can be made available. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

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SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator D'Arco was on the Floor and -- when we passed up his bill, the Chair inadvertently did not see him. And with leave of the Body, we'll go back to House Bills 2nd Reading. Top of that page is House Bill 359, Madam Secretary. On the Order of House Bills 2nd Reading.

SECRETARY HAWKER:

House Bill 359.

(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 D'Arco offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment provides a - and this is according to Senator Hawkinson's wishes - that a petition for visitation under the Grandparents Rights Act must be filed with an affidavit stating that they have been denied visitation. It also provides that paternity must be established by the punitive father, in order for the visitation to take place. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves the adoption of Amendment No. 1. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

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No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1191. Senator Lechowicz. Senator Lechowicz. 1191. On the Order of House Bills 2nd Reading is House Bill 1191. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1191.

(Secretary reads title of the bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. Chairman -- thank you, Mr. President and Members of the Senate. I move the adoption of Committee Amendment No. 1. All it does is change the effective date of the bill. Makes it effective January 1st, 1990. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to House Bill 1191. 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 Smith -- Senators Smith and Topinka offer Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Smith on the Floor? Senator Topinka.

SENATOR TOPINKA:

Yes, I'd like to move the amendment, if I might, if Senator Smith is not here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm -- I -- I'm opposed to Amendment No. 2 -- Floor Amendment No. 2, and I would strongly recommend that the Body seriously -- object to this amendment. The Lady didn't explain it, but let me just briefly tell you, I had the opportunity of reading this fine report Monday night. And the report is by Dr. Turnock, and it's the impact on access to health care in Chicago. This amendment was also addressed in committee. We spent close to an hour on the amendment. The amendment was rejected by the committee by a vote of 8 to 4. There are eleven points that were recommended, but unfortunately, they are not in our provision to accept. It's between the County of Cook, the State of Illinois, the Governor, and this Body to implement the eleven-point program. And for that reason it's unworkable, and I'm opposed to the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just rise in support of Senator Lechowicz's position. For a moment, not arguing the merits of the amendment, the simple fact is you're kind of for or against this bill. Now if you're against the bill on 3rd Reading, vote to kill it. If you're for it, vote to pass it. But on 2nd Reading, the sponsor in this case, who's opposed to the amendment, probably ought to have the

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right to move the bill to 3rd the way he wants it. And if he wants a bill you can't vote for, well then, that's the sponsors decision, and you just kill the bill. But the simple fact is, as sponsor of the bill, I would ask my colleagues to allow him to move it forward in the manner to which he would like it, and then make a decision on 3rd Reading on the overall merits. Again, this amendment was defeated in committee, and so it has been discussed before.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you. Mr. President, this issue has been before this Body for a long time. And there's no question in my mind that the best way to proceed with this affiliation agreement is to do it the way it was originally thought out. And the way it was originally thought out was for Dr. Turnock to do an impact study to determine if this affiliation was the right thing to do. He did that study. This General Assembly requested that study. He did it. And he said in that study that before any agreement between the University of Illinois and Michael Reese should take place, there must be a signed agreement between Cook County Hospital and the University of Illinois. That was one of the most important points that Dr. Turnock suggested be done before this affiliation take place. Dr. Ikenberry said to me that he agreed with that assessment, that we cannot abandon the people that are being served by the University Hospital until Cook County takes over the functions of that hospital. How can we, in good conscience, pass this agreement without knowing if the people that are being served by the University of Illinois will continue to be served? We, as a Body, cannot do that, and should not do that. And I discussed this point with the Chairman of the Cook County Board and he said he would have a signed agreement. And now it's

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my understanding, the Cook County Board is having second thoughts about that. Why? Because of the fiscal implications of taking over the University of Illinois Hospital. I want this agreement to go through. I want this affiliation to take place. But I also want the people that are being served on the west side of the City of Chicago to continue to receive medical service. That, after all, is what we should be all about here. This amendment provides a safeguard to insure that if Cook County does not take over University of Illinois, this agreement will not go forward as announced in this bill. This amendment should be passed to help safeguard the protections that are needed before this can take place. And I wholeheartedly support this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm sorry, I took sick, taking medicine on an empty stomach, but I'm fine now. This bill, 1191, we offered an amendment to really to safeguard Cook County Hospital to make the University of Illinois live up to its tradition and its promise. The State Chairman, Dr. Turnock, made eleven -- gave eleven points that we are supposed -- that the University of Illinois is supposed to live up to before any transaction with the University -- with the Cook County Hospital, and they have not done one thing toward that. We're not trying to hurt you, Senator Lechowicz. We're merely trying to safeguard the people of the State of Illinois. We have babies dying because of lack of prenatal care, high-risk babies, things that are not done to sanitize and to make things safe here in the State of Illinois. And these points that he promised - Dr. Ikenberry and the people of the University of Illinois promised that they would live by, they have not done, they have not fulfilled their responsibility. And it goes hand in

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hand with your legislation. Now, the people of the City of Chicago, the State of Illinois are writing in the newspaper, they're trying to give you a message and tell you something. And it would be derelict in your pursuit of trying to pass this legislation if you do not let us pass this amendment and put it on that bill. I ask the Members of this Chambers to please vote for this amendment so that we might be able to safeguard not only the people of the City of Chicago, but the people of the State of Illinois, in their pursuit for health care in this State. Please vote for this piece of amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are a number of speakers. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. And I wish that -- I'd like for the Members of this Body to get some idea of the progress of this -- of -- of the progress of this piece of legislation. Early on in the process, when a merger was being discussed, a number of us were concerned about the delivery of services to the indigent and the prospects of expanding a two-tier medical system - one which already exists, and which should not exist; services should be available to all. What happened as this idea progressed was that many of us in the Legislature were faced with what we were assured was a "done deal," and that without any consultation and regardless of what this Legislature thought or regardless of what the legislators who were involved in services to the indigent in health care and in education. There are a number of facets to this bill. Those facets include the training of individuals, the people who will serve us in the health care system in the future. It includes the Cook County Hospital, a facility that serves that community adjacent to the campus of the University of Illinois in Chicago. We approached the Board of Trustees and asked that they

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postpone action on this measure until such time as there could be discussions and reassurance of the service delivery system, of some notion about what would happen to the Cook County Hospital, or some notion of the kind of faculty that we would have left at that institution to train the medical personnel of the future. None of that - none of that was responded to. And arrogantly the Board went ahead without further consultation, or without any information to those of us who asked, to say that this was a "done deal," and that's been the attitude throughout. Well, I can't in this Body endorse a "done deal" for anyone and particularly when that "done deal" practically assures us of a two or tier -- two-tier medical system in which the indigent will be shut out. Now I think we have to address a question to ourselves, and that is, what is the ultimate cost to the taxpayers of the State of Illinois, when we shut off a system of both education and of care for the indigent? Do you think they're going to go away? You can bet they're not. The costs are simply going to escalate and we'll pay it out of another pocket, at an increased and inflated cost to the taxpayer. So it isn't alone the insulting manner in which this was done - and that certainly should be enough to make most of us have second thoughts - it's the consequences of what is being done. If there is representation that this is being done with absolute consideration of all people involved, that simply is untrue. The neighborhood immediately adjacent to that institution is up in arms now. There are meetings and meetings and meetings about this institution and about this process, that we certainly ought to be aware of, so that a bill, a vote cast in favor of this merger, has two effects: one, it's a deliberate insult to the community, it's an insult to this Body, because we were not in on the planning and not privy to the agreements that were made. It's also going to cost the taxpayers money. And for that reason, I would urge a No vote on -- I would urge an Aye vote for this

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amendment, because it may make a bad bill a little more palatable. In the absence of which, you can assure a No vote from this Senator and perhaps from many others on this Body who feel equally as insulted by this procedure as I do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and Members of the Senate. It is difficult for me to comprehend why anyone would be opposed to the points outlined by the State Board's study. We had a meeting on Saturday, and prior to that meeting -- and we had been told that this was a three-way -- two-way proposition, that the Cook County and the Reese piece was together, that one would not go forward without the other. On Saturday, we were told, a meeting with most of the elected officials on the west side, from the County Board, the aldermen and committeemen and the Legislature met on Friday -- Saturday morning in my office with the University staff. We have been trying since October, I think every way we can, to accommodate this transaction with the least -- the least negative impact on patient services in that area, and to no avail. This amendment will provide some of - some of - the safeguards and protections that is necessary to insure continuity of services, availability and the quality of services that's going to be provided if that merger take place. I think it is crazy for us to move this bill out unamended. It's really silly to move it out, period, without some concrete evidence that the County Board is going to agree to that merger, and I don't think they are until they know where the money is going to come from, or how much it's going to cost the taxpayers in the County of Cook to actually proceed with that merger. Now there's no doubt that there is a need for Cook County to either have a new hospital or to expand and it would make more sense for them to take over the University

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Hospital. And it would most certainly be more cost-effective, but the -- the -- the Board has not acted and we should not move this bill forward until the Board act, but if we are going to move it, we most certainly should not do it without this amendment. So I strongly support this amendment and hope that the Members on this side of the aisle will see the wisdom of attaching this amendment to the bill to make it better.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was in committee that day when we attempted to put this amendment on this bill. We heard both the Republican and the Democrat side of that committee. How important this bill was to George Dunne. At that time I asked a question: If it was that important to George Dunne, why was not George Dunne in committee to testify in favor of the proposed bill? George Dunne wasn't there. I asked if additional space was needed, why don't they just contract with the other hospital for this additional space? And the answer was, it was not the wishes or not proposed as a recommendation by the County Board, but not all members of the County Board. We only heard from the members that were, to paraphrase what Senator Newhouse said, privy to this deal. A constituent called me about a month ago and stated that she is at the U of I Hospital as a patient in dialysis, and if she needed to get an appointment with a physician, she can have one within two weeks if it was not an emergency or she can just come in an emergency room immediately if it was an emergency. She then went on to call Cook County Hospital and asked them if she needed to come in for an appointment, when was the earliest time she could come in. They gave her the month of August for the earliest appointment. That was last month. If you listen to the debate

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that has been on the Floor regarding this issue, the proponents, Senator Newhouse, Senator Collins and everyone who stood up, have the patients' best interest in mind here. And the eleven points that the proponents are asking to have put on this bill are not that far out of the question. What they are are safeguards - safeguards to constituents who have elected officials, such as George Dunne and the other members and us in the General Assembly. Someone has to look out for their best interest. As Senator Newhouse even said, this is not a good bill. Does it make a bad bill a little better? Well, maybe, because if we put this amendment on, this General Assembly is at least thinking of the safeguards of the public, the people who allow us to serve in this Body. It is therefore that I stand and ask for an affirmative vote for this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have been in discussion with the Governor's Office, University of Illinois, and with people who work or represent George Dunne. Allegedly they are close to coming to some kind of an agreement. Might I suggest, to save a little time around here, let this amendment go on. Let it go to conference committee. Hopefully, sometime next week, reasonable people can work out a compromise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I also rise in support of this amendment. It's an amendment that I think will help protect the many individuals that have relied on the U of I Hospital. But I think it's important to point out at this stage that this merger

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idea, this merger proposal, is in part in response to problems in the health care delivery system, and if this merger goes through, we will not have responded to the real issues in the health care delivery system. We will once again have done a patch-up work. We will once again have taken care of one institution's problem, or maybe two institutions' problems. But the problems that led up to the need for this proposal will have gone totally unresolved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I too sat in on that committee, the Health Committee, and heard testimony as relate to the merger. And at that hearing I had wanted the president of the university, Dr. Ikenberry, to at least be available or be permitted to testify to -- to address the issues as relate to those points. But the -- the president and his staff were not permitted to testify, to tell -- to tell us or any member that -- or the witnesses there, as to what progress had been made as relate to those points that was issued in that report. I hear talk about indigent care and so forth, but when you look at the situation there on the west side of the City of Chicago and the near south side, especially the south side of the City of Chicago, there is not one facility on the whole south side, other than Michael Reese, that has a level-one trauma center. Which a lot of patients go in from the south side, which is really a disgrace. It can be Jackson Park Hospital, University of Illinois, Rosen, you name it. Not one to deal with the critical trauma needs of the people. Michael Reese does have that. When you look at the -- at the bed capacity at the University of Illinois, the bed capacity is for five...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, hold on, please, Senator Jones, hold on. Ladies

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and Gentlemen, I can't -- I cannot hear the Gentleman myself.

SENATOR JONES:

The bed capacity at -- at U of I is five hundred. It's only half filled. U of I is a really a teaching educational institution. If the physicians there cannot be properly trained, does not have access to the patients, then why not the merger? I, too, care about the indigent, but this will benefit greatly for Cook County Hospital. Cook County Hospital at -- at its inception, when it was first put together, was designed to take care of a core of poverty around certain area. But that poverty has spread throughout the entire county. It doesn't belong to the west side, it belongs to the people of Cook County. It belongs to people in my district equally as well. They need services, too. Hopefully -- hopefully and -- and this issue could not be addressed, old Provident Hospital, for example, would become a part of this agreement, located in your district, Senator Smith. So if that can be part -- that would also deal with the indigent. But -- a hospital sitting there, half filled, and you talk about access to health care. If -- if they were not getting access to health care, then why is it half filled? It would benefit the people greatly with the merger. Sure, they have problems financially, as Senator D'Arco pointed out, which must be addressed. But if we pass this bill, the county doesn't act, nothing happens. Nothing whatsoever happens. And I sat in on many, many meetings. But the indigent would have better access to health care with this proposal. Without it, the ones on the far -- on the south side will not have it. So I -- I -- I'm opposed to the amendment, and I will be supporting 1191.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Well, I'd like to really just amplify on some of the comments

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that were made, Mr. President. Basically, to Senator Raica, as far as George Dunne not appearing personally in the committee, he did send Terry Hansen from the County -- Cook County Hospital, who quite adequately defined the County's purpose. And the works has been transpired between Stan Ikenberry, the President of the University of Illinois; George Dunne, the President of the County Board; and also the people from Michael Reese Hospital. We had a very long and thorough hearing. This amendment was discussed close to an hour, before it was rejected by the -- by the committee, 8 to 4. To -- to Senator D'Arco, I read the eleven-point program that I stated earlier as far as -- by Dr. Turnock and Public Health. No one questions the tenacity and the -- and the goodness of this report as far as how it could be implemented. I asked Dr. Ikenberry and Terry Hansen to proceed to give us a response on the eleven-point program and who is responsible from one through eleven. I shared this information with you as a passout just the other day. Maybe in the confusion as far as the number of papers you have on your desk, you really haven't seen the report. (Would you do me a favor and take a walk?) It says, and this is a letter from Dr. Ikenberry, upon my request, on the eleven-point program. "Dear Senator Lechowicz: You asked me to report to you the eleven conditions set forth in the Illinois Department of Public Health's impact study on the access of health care resulting from the proposed affiliation. I have enclosed a copy of our letter to you last week reporting on the University's plans for complying with these eleven conditions. You asked also that we indicate which parts are to be accomplished by the University, which are to be accomplished by Cook County, and which require the compliance of the Governor. I have addressed each point below: 1) First part of the report requires the cooperation of the University, Cook County and Michael Reese Hospital. As our report indicates, we are

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planning the affiliation agreements to insure access to health care is maintained. 2) Requires the cooperation of all three parties. 3) Requires the cooperation of all three parties. 4) Primary responsibility of Cook County and Michael Reese, both plan to expand obstetric, pediatric and neonatal intensive care and patient bed capacity as recommended. 5) Michael Reese has made a firm commitment to comply with this recommendation. 6) Michael Reese has pledged to remain in Chicago Trauma Network at a level-one Trauma Center. 7) Michael Reese has agreed to follow University policies concerning transplant services. 8) Cook County officials have repeatedly expressed their intention to offer employment of all U of I staff the affiliation and use agreements provided for this. 9) Requires the cooperation of University, Cook County, Michael Reese and the Illinois Department of Public Aid. 10) Cook County and Michael Reese in cooperation University. 11) Cook County. As we have indicated, the University is committed to working with all parties, all parties, to insure compliance with the conditions recommended by the impact study. I hope this is helpful. I look forward to discussing this at your earliest convenience." Stan Ikenberry. The point with this amendment, and everybody is trying to work best possible way for providing adequate health care, is that the Department of Public Health could, could seriously affect the health care in Cook County and the west side in the City of Chicago within this agreement. That's why Stan Ikenberry, in all good faith, says, "I'm in total agreement with this eleven-point report." But it requires more than my agreement and that's why I went point by point who's responsible. And for that reason, I'm going to have to oppose this amendment, and that's the only reason. But in all good conscience, the people that worked on this bill are trying to provide adequate and safe health care facilities for all the residents in the County of Cook. And I vote -- I would ask that

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you would vote No on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We have a number of additional speakers. Senator Raica, for a second time.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I apologize for standing a second time. But I can't understand how anyone can say that that agreement received a fair hearing in the Public Health Committee. There had to be sixty to seventy people in that room. We were only allowed to hear from two proponents and two opponents on that bill. The situation in the Chicago, when they went on, when these talks went on for weeks, and we get two hours to hear about a mess that George Dunne sent down to this Body. So how anyone can stand up and say that it got a fair hearing in Public Health, I am totally appalled by that. Secondly, we were told by the opponents of this bill, in committee, that of the eleven agreements, or the eleven points that were mentioned, at least two of them were already being put on the side or being broken. So what kind of agreement is this, when we have eleven points that really we have no problem putting on, there's talk over here about attempting to put them on, and that Ikenberry and his people are attempting to work out in good faith, when already the people who are close to this, have said that there has been no agreement, and these agreements or the eleven points have been broken already? And as far as George Dunne not appearing in committee, a lot of the talk that went on, a lot of the quotes were in a Chicago newspaper from George Dunne. And all we wanted is the opportunity to ask George Dunne questions. We were not afforded that opportunity. So again, I'm standing up and asking for an Aye vote on this. Let's give the people of Chicago a chance to be heard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right, further discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I would just like to move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

I would move the previous question on this very good amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There's only one speaker left. Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. Chairman. I -- I'm sorry to stand for a second time, and I hope that we will fulfill the request that we would vote for this amendment. But I want to just say this here to my colleagues. We are elected State officials, and we make a pledge to preserve properties of the State of Illinois. The University of Illinois is our property; we have been furnishing and providing for them 10, these many years. Senator Lechowicz, we're only trying to help you. Because the University of Illinois has forfeited some of the promises that they have been made. Now -- they were not supposed to have any relationships at all with Michael Reese, and I have no objections there. But if you go into that hospital right now, Cook County, the Department of Anesthesiology, the College of Medicine at Chicago, all of those are things that have been moved. The doctors and heads of the department have been moved. What are you going to go into? you are going into a shell. And this is why you are going to have to ask the people of the State of Illinois, the County of Cook, to give you so many millions of dollars in order to supply that hospital. The decrease in the number of patients seen, or in the OB clinic, has led to a commensurate increase in unregistered

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patients present or presented to the labor and delivery unit. More seriously, we have already seen a doubling of the fetal deaths rate, a measure of prenatal care. Babies are being born and there are no care whatsoever being given. The people are leaving the hospital, the doctors are leaving, the research departments are leaving. What is Cook County Hospital going to be going into? Nothing but a shell. You have violations yourself, the Cook County Hospital. This will give you an opportunity to straighten up in the newspaper and the editorials and everything, you've seen it all just as late as this morning. Things about the hospital. Thank God for this amendment that you can help to straighten yourself out with. I just wanted to bring this to your attention. And Dr. Ikenberry -- my colleagues said that I didn't give him an opportunity to talk at the hearing. You had people who came here and paid their own money to come here to speak, and I thought it was right to have them to have something to say, inasmuch as they were patients, because, one, if they have a -- transplant, they may have it at Michael Reese, but if they are not insured, they would have to go back to County or someplace else to get follow-up treatment. This is certain death for a lot of people. These are the things that are nurturing as a result of this merger and this affiliations. Our director, since he has been there - and this is not known - his administrative office is thirty-seven million three -- fifty-three thousand nine hundred and ninety-four dollars. And now he's up over forty-eight percent of his budget and -- in administration. And the hospital itself is below poverty line right now. And if the hospital is given an opportunity by the end of -- of June 30th, the debt -- the hospital itself, would be only about a hundred thousand dollars. The record shows that. That's the only thing I want to say. Please let us vote for this amendment and help Cook County Hospital if you want to help them, and help the University of

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Illinois maintain their integrity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved the adoption of Amendment No. 2. Those in favor will indicate by saying Aye. Opposed, Nay. I -- opinion of the Chair, the Ayes have it. Amendment No. 2 is -- amendment is adopted. Is Senator -- Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I ruled that in the first place. Further -- all right, 3rd Reading. You know, pay attention sometimes out there. 1192. Senator Lechowicz. All right. That's on 3rd Reading. 1514. Senator Thomas Dunn. On the Order -- 1530, Senator -- Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

1192, we've got to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Well, there is 1191, we've got to do 1192.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I inadvertently passed it. Okay. Let's take 1530 out of the record. House Bills 2nd Reading is House Bill 1-1-9-2. All you have to do is let me know what you want to do and we'll do it. 1192, Madam Secretary. House Bills 2nd Reading.

SECRETARY HAWKER:

House Bill 1192.

(Secretary reads title of the bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Any amendments from the Floor? All right. -- beg pardon? All right. Senator Lechowicz. Or do you want Senators...

SENATOR LECHOWICZ:

Thank you, Mr. President. I move the adoption of Committee Amendment -- it changes the effective date, makes it compliable to January 1, 1990.

PRESIDING OFFICER: (SENATOR DEMUZIO)

My Calendar didn't have that committee amendment. All right, Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to House Bill 1192. 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:

Senators Smith and Topinka offer Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. We have an amendment on 1192 and this amendment -- of U of I Hospital and Medical School affiliation, requires the University of Illinois to affirm to the Governor and the General Assembly leaders, that conditions outlined by the Department of Public Health, the successful implementation of proposed affiliation with the Michael Reese Hospital and the Medical Center have been met at least thirty days prior to the implementation of any affiliation agreement. That is the amendment that we have. I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Smith has moved the adoption of Amendment No. 2. Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I believe it's similar to the amendment that was No. 2 that was adopted in 1191. And there was a debate and the enrolling as far as the same -- I'm sure -- the same type of proponents and opponents. I have no objection to the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved the adoption of Amendment No. 2 to House Bill 1192. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1530. Senator Marovitz. On the Order of House Bills 2nd Reading is House Bill 1-5-3-0, Madam Secretary.

SECRETARY HAWKER:

House Bill 1530.

(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 Marovitz offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Amendment No. 1 was -- was requested by the Judiciary Committee. It removes the section calling for felony penalties for criminal

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housing management where the real estate taxes are delinquent, and provides that the owner must contract with licensed contractors to make repairs of the buildings, and I ask for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1553. Senator Jones. Senator Jones. 1-5-5-3. Going once, twice. 1557. Senator Schaffer. On the Order of House Bills 2nd Reading is 1-5-5-7, Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1557.

(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 Schaffer offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the mandatory recycling bill. This amendment we've attempted to work out some of the -- and we hope most of the problems, with the various people who expressed concerns. It moves the program date to January 1st, 1994. It addresses the concerns of the City of Chicago and involving high-rise buildings, makes several other changes to make the program more workable, allows any county that wishes to enter into

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the program prior to 1994 to do so. It's a major step forward in recycling, but I think it's a -- a plan that even the most uninspired supporter of the concept could live with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1621. Senator Rock. On the Order of House Bills 2nd Reading is House Bill 1-6-2-1, Madam Secretary.

SECRETARY HAWKER:

House Bill 1621.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I would like to Table the committee amendment. There is a Floor amendment which will supersede -- takes its place and make it higher, wider, longer and heavier. So I move to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves to Table Committee Amendment No. 1. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY HAWKER:

President Rock offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A copy of Amendment No. 2 to House Bill 1621 has been distributed across the Floor, and I hope the Members would have an opportunity to have taken a look at it. This amendment does four things. 1621, as it came from the House, provided additional leadership positions for the House. At their request, that is left intact. The amendment would provide an additional leadership spot for the majority and the minority in the Senate. It would provide a six-thousand-dollar annual stipend for chairmen and minority spokesmen. It would include the provisions with respect to the constitutional officers' pension change, as they requested it, and it would increase the district office allowance for the Members of the General Assembly by twenty-five thousand dollars, also affording them the opportunity, if they so wish, to use that or any amount of the total allowance for the purpose of hiring legislative assistants in their district, and I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 2 to House Bill 1621. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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3rd Reading. 1667. Senator O'Daniel. Senator O'Daniel on the Floor? Page 31. 1692. Senator Woodyard. On the Order of House Bills 2nd Reading, top of Page 31, is House Bill 1692, Madam Secretary.

SECRETARY HAWKER:

House Bill 1692.

(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 Woodyard offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Yes. Thank you, Mr. President and Members of the Senate. As House Bill 1692 left the committee, it -- it definitely needs -- needed some language definition. It deals with recycling, and we had to develop language for what is described as a viable market. The language brought to us is actually from the Environmental Council, and the amendment now basically provides guidance to counties for their Solid Waste Management plans. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate <sic> Bill 1695. Senator Kustra.

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Senator Kustra on the Floor? 1719. Senator Luft. I beg your pardon. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

I'm sorry, Mr. President. Senator Kustra has indicated to me that he would like to give up sponsorship of the bill, and with leave of the Body, I will take up sponsorship of the bill, and I think there's a committee amendment and an amendment filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Philip. Senator Philip seeks leave of the Body to remove Senator Kustra as the sponsor of House Bill 1695, and replace Senator Kustra with himself. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1-6-9-5, Madam Secretary.

SECRETARY HAWKER:

House Bill 1695.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, do you want to move the committee amendment?

SENATOR PHILIP:

Yes, I would like to move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved to adopt Committee Amendment No. 1 to House Bill 1695. Is there a discussion? Senator Berman.

SENATOR BERMAN:

Mr. President, at the proper time, just remove my name as a co-sponsor on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I will just do it now. Senator Berman has requested leave to be removed as a hyphenated co-sponsor of House Bill 1695. Is

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leave granted? Leave is granted. Senator Berman no longer is the co-sponsor. Senator Philip has moved the adoption of Committee Amendment No. 1. Is there further discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment -- Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY HAWKER:

Senator Thomas Dunn offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn. Senator Dunn is not offering the amendment, so with leave of the Body, we will withdraw that amendment. Is leave granted? Leave is granted. The amendment is withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 simply changes a word from "shall" to "may." I move for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves the adoption of Amendment No. 2 to House Bill 1695. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill -- I'm sorry, House Bill 1719. Senator Luft. On the Order of House Bills 2nd Reading is House Bill 1719, Madam Secretary. Read the bill, please.

SECRETARY HAWKER:

House Bill 1719.

(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 Luft offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 1 permits the public agency for which a bank invests public funds to review the ledger maintained by the bank. What we're in fact doing is clarifying the right of access of public agencies to the ledgers maintained by banks, which invest the funds of public agencies, and I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft moves the adoption of Amendment No. 1 to House Bill 1719. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1860. Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 1-8-6-0, Madam Secretary.

SECRETARY HAWKER:

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House Bill 1860.

(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 Barkhausen offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Amendment No. 1 to House Bill 1860 contains some provisions that are similar but much narrower in scope than Senate Bill 942 that passed here overwhelmingly. It relates to making membership in a street gang a Class 4 felony, a Class 3 felony for soliciting membership in a street gang, and a Class 1 felony for compelling under threat of force, membership in a street gang. It removes those provisions in Senate Bill 942 even though - as I said - overwhelmingly passed here, which would have the greatest correctional impact. I'd be glad to answer your questions and otherwise would ask for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Question of the sponsor. Senator Barkhausen, in the -- in the current law, the definition of street gang or organized gang means, "an association of five or more persons with an established hierarchy formed to encourage members of the association to perpetrate crime or to provide support to members of the association who do commit crimes." That's the current law. Now you're changing it to a "combination, confederation, alliance, network, conspiracy, understanding or similar conjoining, ...of

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two or more persons." Why -- why is it necessary to change the definition from five or more people to two or more people who get together and have a common name, insignia, flag, recognition, means of dress, same haircuts, secret signal or code? Why -- why you -- why is it necessary to change that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

One of the reasons is apparently - although I was having my ear whispered into - I was not part of these discussions, but apparently the Cook County State's Attorney expressed a preference for the definition. It included the smaller number of people. You know, I would guess in most circumstances that a -- that a gang would involve probably five or more persons, but there certainly could be situations where there would be a lesser number or where a lesser number than all of them would be in a particular commission of crime. There would be a smaller number of individuals involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm really not arguing the substance of the bill, because we're on the same wavelength, but it's hard for me to conceive how two people who have the same haircut can be considered a gang. I mean, I understand the rest of the bill about criminal activities and committing criminal activities, but when we think of gangs, I don't think two people are a gang, and I don't think anybody in here would think that two people are a -- are a gang, as we think of it. And I just wonder if we're going too far and we're overlegislating something that really isn't a problem. Increasing the penalties, honing in on these people, absolutely. We're all for that, but -- but I'm not so sure why -- why we're doing this

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and why we're -- why we feel it's necessary to come on and say, "Well, two people acting in concert, we're going to consider them a gang." I just don't understand the -- the necessity for that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

I ask for a favorable action on the Motion to Adopt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2-0-3-0. Senator Hall. Senator Kenneth Hall on the Floor? 2226. Senator Marovitz. Senator Marovitz. 2272. Senator O'Daniel. On the Order of - 2351. Senator Thomas Dunn - House Bills 2nd Reading is House Bill 2351, Madam Secretary. Read the bill, please.

SECRETARY HAWKER:

House Bill 2351.

(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 Thomas Dunn offer -- offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This amendment was requested by the

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Illinois State Medical Society, and what it does would be to expand the exemption to anyone that does diagnostic x-rays. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2363. Senator Carroll. House Bills 2nd Reading is House Bill 2-3-6-3, Madam Secretary.

SECRETARY HAWKER:

House Bill 2363.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Carroll offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 would change the concept by saying that rather than merely being an assumption, it could be either an assumption or a supposition. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 2363. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted.

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Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2517. Senator Carroll. House Bill 2758. Senator Keats. Keats on the Floor? 2776. Senator Rock. House Bills 2nd Reading, House Bill 2776, Madam Secretary. Read the bill.

SECRETARY HAWKER:

House Bill 2776.

(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 Rock offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2776 would afford the Members of the General Assembly to use their district office allowance for out-of-district travel. As I'm sure you're all aware, we are allowed to utilize our district allowance for in-district travel and some Members, particularly those who have been in attendance at committee meetings at the State of Illinois Center, have requested of the Comptroller the opportunity to reimburse themselves for mileage, in fact, going out of their district. The Comptroller has said under the law that's not available. So we are changing the law to make it available. Amendment No. 1 would also solve another problem that the Comptroller has had. Some of the Members have submitted vouchers for printing, which included congratulatory mailings. Congratulatory cards or whether happy birthday, happy

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anniversary, happy new baby, whatever it is, and the Comptroller's Office has literally kicked those back saying that it is not authorized under the law, so Amendment No. 1 would say, very simply, "As used in this Section, the term "printing" includes congratulatory mailings, including but not limited to greeting or welcome messages, anniversary or birthday cards and congratulations for prominent achievement cards." This will solve the Comptroller's problem and hopefully those Members who were mad at me because the bills weren't paid - wasn't my fault. The comptroller kicked them back. And I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)... Senator Rock, the amendment that we have -- is -- the last three alphas are DCV. Senator Rock has moved the adoption of Amendment No. 1 to House Bill 2776. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (Senator Demuzio)

(Machine cutoff)...Reading. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

I was in the back of the Chamber when you went over 2758, and I would request that we call it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It was probably good judgment on my part, but, with leave of the Body, we'll go back and pick it up, while we're still here. 2758. House Bills 2nd Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 2758.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER:(SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Keats and Brookins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. As a courtesy to any Republican or Democrat Members listening over the microphone: Gang, there's probably going to be a verification in a couple of minutes, and to save yourself having a heart attack running, you might start walking towards the Senate Floor right about now. With that, I will move on to say Amendment No. 2, offered by Senator Brookins and myself, is the amendment that brings the Cook County Judiciary into line with the rest of the judiciary of the State of Illinois. As you may be aware, the rest of the State is in roughly twenty circuits, and Cook County is in one, with roughly the same number of judges. On questions, I can gladly give you exact numbers. What this does is simply give Cook County three districts that at least will start to bring into motion the process of allowing the Cook County Judiciary to be held to the same standards as the rest of the State. It's a very fair amendment...has been drafted based on the 1980 census, which is the only census we can use...under legal doctrine. Now yesterday you may remember, there was some question in terms of a...judicial inquiry note. We have had it filed. Mr. Samuel Conti, you know, the Director of Administrative Office of the Court, has filed it, and what it shows...it was distributed to everyone twice, once individually. And it shows that it's not a problem. And then I also ...included in every one a full packet explaining it, so there's a packet from Senator Brookins and myself. So if you have any questions, we're

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glad to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I guess my objection is that...that this is being portrayed as somehow we are making Cook County like the rest of the State, and I just don't think that's a fair representation. I would ask the Gentleman, under your proposed reapportionment, Districts 1A, 1B and 1C, as I'm sure you are well aware, one of the criteria, the judicial criteria for proper...reapportionment is proper distribution minority and majority representation. I would ask the Gentleman, what are the minority percentages in...in District 1A, 1B and 1C?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

In District 1A, which is pretty much considered the minority district...as you remember, the courts have held a district must be at least sixty-five percent a minority in order to be considered a minority district. In order to reach that quota, District 1A was brought to a level of 68.7 percent minority. Districts 1B and 1C, because in order to get District 1A at that level, the minority counts...were dramatically lower. 1C, it is well under ten percent, and 1B...to be frank, I do not remember that off the top of my head, but my guess is it would be under twenty-five percent. But it meets the Supreme Court guidelines of one-person, one-vote, number one, but, number two, does allow for the larger majority mandated by the courts...to be sure that a minority district can be counted a minority district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

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SENATOR ROCK:

Well, I...I thank the Gentleman for the lecture on the legalese of reapportionment, but I...I'm sure he's aware that it's a Justice Department's standard, not a Federal Court standard. I...I would only point out that with 1B and 1C in particular being less than ten percent minority, it is frankly not representative at all of the thirty townships that comprise 1C as I currently read it, and I would further point out to Senator del Valle, if he's within the sound of my voice, that this does serious damage to any hope on the part of the Hispanics to participate in this program, because they are literally swallowed up and do not have the opportunity, it seems to me, under this reapportionment scheme, to, in fact, elect Hispanic judges, as is the representation, which again I suggest is wrong. It...it just seems to me that this late in the Session, to come with a very serious reapportionment program that in my judgment is seriously flawed, is a mistake. And I would only ask the Gentleman, rather than prolong this discussion, I'm...I'm...I can count as well as anyone. If he would afford me the opportunity, I have an amendment in the Reference Bureau at this moment to change the configuration to make it, in my judgment, more constitutional, or constitutional, if you will. And I would ask him to afford me the opportunity to present that amendment along with a map, so that the Members would have an opportunity to vote accordingly on a reapportionment scheme that I think is fairer than the one that is currently being offered. And if he will afford me that opportunity, we can move on and recall it tomorrow, and I will furnish him, as soon as I receive it, a copy of my amendment to his amendment, with a copy of a map.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

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First, I should answer your last question. The other remarks...remarks I will cover in closing, in terms of constitutionality and...and the fact that Hispanics under the present program have nothing, and this at least offers an opportunity. I'll get to them in closing. In terms of your amendment, Senator Rock, first, we feel this is constitutional. Normally, I would extend this offer to the President of the Senate and say, "You're right. I'll be glad to wait." But we're late now, and as you may remember, the last time I called this bill back to 2nd Reading, I had some minor problems getting the bill back off 2nd, and so I...I say, as a courtesy to the President of the Senate, were it not for the fact that I'm still a little sore from the beating I took yesterday, I don't think I can afford to offer that, because I might have further trouble. So I would say normally I'd be glad to do it, but at the moment I just don't think I can offer that courtesy, although I have at times tried to do that, and this bill has certainly been held long enough to allow those to consider it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, did you wish a ruling on the germaneness of this amendment then? Further discussion? Senator...Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise in support of this amendment and it is not easy to break or fight leadership within our party, and I know that I have did this, and I also know that sometime the consequences of fighting your own leadership within your own party. But I'm going to rise and I rise in support of this amendment. I have been on...on it from the onset, and also I'd like to answer a question that was posed by my president, Senator Rock. When we offered and sat down with 543 that was on and filed from the inception, no one spoke to me concerning it. No one from

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leadership called me. They attempted just to ride over it.
And...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you arise? ...Senator Rock?

SENATOR ROCK:

Point of order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

What's your point?

SENATOR ROCK:

The Gentleman who is offering the amendment said in unequivocal terms that this amendment bears no relationship whatever to 543 and its amendment. None. It's a totally different plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

No one has talked with me personally concerning this issue, this amendment, or anything, and I think that as a Senator here in the State of Illinois, as an elected official from the south side of the City of Chicago and represent a large majority -- a large majority -- in the Democratic Party, that I was due that respect. And therefore, I say to my fellow colleague, Senator del Valle, if they can ignore the largest minority within the Democratic Party, what eventually will happen to you?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Keats was courteous enough to allow me to understand the map, and let me tell you what this map does, and why I am in opposition to this bill. I represent a district which is substantially Democratic, and which is substantially

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Progressive. That's a word that we use now instead of the L word. And when I look at this map, it does something that my constituents I don't think want to happen, and I suggest to the people that are on this Floor, who are minorities, who are women, who are Progressive, who are, quote, "Liberals," who are concerned about the direction of our judiciary, that this is probably the worst approach that could be taken regarding the future of the issues that touch upon minorities and women and progressives, and let me tell you why I say that. There are three subdistricts created here. A 1A, which is essentially...everything south of Chicago...south in Chicago, south of Chicago Avenue. That's going to elect a Democratic Supreme Court Justice. There's a District 1B, which is...the west suburbs, near west suburbs...the southwest side of Chicago and the north side of Chicago and the near north suburbs, Evanston, Skokie and close to that.

END OF TAPE

TAPE 3

SENATOR BERMAN:

That will probably elect a Democratic Supreme Court Justice. But District 1C...1C is going to elect a Republican Supreme Court Justice, and that's why the Republicans are supporting this amendment. Right now, Ladies and Gentlemen, there is a four to three Democratic control of the Illinois Supreme Court. If a Democrat runs as a Democrat and believes in issues such as equal rights and First Amendment privileges, and the progressive issues that the Democratic Party has constantly campaigned on, then you have four Democratic Justices that philosophically, I hope, have agreed with that general Democratic philosophy. That's the

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philosophy I run under, and that's the philosophy that my voters elect me under, and when the people vote in either a Democratic...primary in my district, or vote overwhelmingly for Democratic candidates in my district, that's the kind of philosophy that they want government to follow. The adoption of this amendment will probably result in a four to three Republican control of the Illinois Supreme Court. That will mean, and I say this factually not critically, but factually, that the conservative policies of the Reagan years, the conservative policies of the Reagan appointees to the United States Supreme Court, the Bush philosophies which are in the mold of the Reagan philosophies, which may be good for conservative Republicans but those aren't my philosophies and they're not my voters' philosophies. Those will be the philosophies that will control the Illinois Supreme Court. Let me suggest to the women members of this Illinois Senate that this vote on this amendment, in light of a possible revision of Roe versus Wade, could have dramatic impact on the rights of women...the rights of women to determine their own future regarding their own pregnancies. I am not going to get into a pro-life, pro-choice debate, but I suggest to you that women ought to decide for themselves. That right may very well be taken away if the Reagan Supreme Court and a Republican-controlled Illinois Supreme Court which will be passed under this map, comes into play. It's simple politics. That's why the Republicans are voting for it. That's exactly why I'm going to vote against it, and I hope that every progressive-minded minority, progressive-minded Democrat, every woman on this Floor, would vote against this map.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

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

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PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor indicates he will yield. Senator Luft.

SENATOR LUFT:

Senator Keats, has anyone, and I want to emphasize anyone, on this side of the aisle, did they have anything to do with drawing the boundaries of your districts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Very, very definitely, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Then let me speak to those Members on our side of the aisle that apparently had something to do with this. Amplifying what Senator Berman just said, I would suggest that you consider this very strongly, because if Senator Berman is right, and I suspect that he is, not only are you shooting yourself in the foot, you're shooting yourself in both feet and on a kamikaze mission that's going to wind up being very destructive. And I would hope that all Members...all Members on this side of the aisle, for the benefit of all of us on this side of the aisle, would vote No on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This is an issue that perhaps might have been better discussed in a caucus, but...it's on the Floor of this Legislature now. So far as Senator Berman's remarks, Senator Berman, I will have to say to you, I was almost persuaded...I'm sort of between yin and yang on this bill and the reason I'm sort of between yin and yang is that I agree with what much of Senator

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Berman said. I think it was fairly accurate. I come from a district where both the L word and the P word are acceptable. The problem that I have is that given the argument that Senator Berman made and which I accept as accurate, is that within those parameters we have somehow been unsuccessful in...finding those women that you talk about, and in finding those minorities that you are talking about, to both stand as candidates and fill those positions. How do I go back and explain that to my constituency? That won't be easy. What's your recommendation...do I punch a Present button? Is it possible that the suggestions that I have made might somehow be heard in the absence of the drastic step that's being proposed today? Where do I come down? This is a drastic step. It may not turn out to be all that his proponents wish it to be, but it's a move, and if it's the only way to get the attention of those who make these decisions and those from whom we do not hear between elections from one election to the other who importune us at that time to support a system from which we have had no relief. If it's a question of fairness,...if it's a question of fairness, I have to vote No. If it's a question of justice, if it's a question of justice, I have to vote No. If it's a question of...of party line affiliation, I have to vote Yes. When I juggle those considerations, I come down with two noes and a yes. Guess what's going to happen?

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. To Senator Keats and...and Senator Brookins, I will not be supporting your amendments, and I guess my reason is different from all of those that have been suggested to date. It doesn't come as any great surprise to you, and most particularly to Senator Keats, who's always been a supporter in the past of a Constitutional Amendment to do away with the

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partisan...election of judges, that I don't believe in electing judges in partisan elections to begin with, and anything which seems to confirm and support the credibility of that idea is not something that I am going to support. I think that it...it is worth saying that one reason, and this is addressed more to Senator Brookins, one reason why I have not supported the partisan election of judges such as we have in Illinois, is not only do I think it has not been the best method for the quality of the judiciary, but I think it has not been the best method for representation of minorities and women, and women are a minority when it comes to the legal profession as well. I think we do not look as good as states which select their judges in other ways in that respect, and I have argued this with you in the past, and I think I can well demonstrate that case, but, to me, continuing partisan election, particularly with the increasing costs of judicial elections, and that is going to get worse and worse and worse over the years, is going to end up not achieving even what you hope that it will achieve, which is to increase the representation of minorities and women in the judiciary. I am absolutely convinced that the system that we call merit selection, the appointive system, is the way in which that will be achieved. I do not want partisan elections to continue, and in good conscience I cannot support something that I think contributes to the continuation of partisan elections.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and Members of the Senate. Unlike Senator Netsch, I am convinced that this amendment would, in fact, increase minority...participation. I am not convinced that it will not diminish...Democratic participation, which I am not proud to stand here and be a part of. I don't know who should

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have done what in terms of the communications in trying to resolve this problem within our own party, but I know no real, real efforts has been made. Now I'm not casting the blame on who, but this issue has been before the Body. There's also been a lawsuit filed, and there have been attempts after attempts to get this bill passed. There have been all kinds of parliamentary maneuvers to stop it from getting passed, but to my knowledge there has not been a meeting called among the leadership House and Senate for us to sit down and try and come about with some meaningful solutions to this problem. I am not one who likes to play the game of having to go across the aisle and get votes or vice versa. I think we ought to resolve our problems within our own Democratic ranks. But the reality of the circumstances before us dictates that nothing has been done. There is not any real efforts to increase minority judges. There have never been in the history of this State, to my knowledge, and I have checked with several other people, that we have ever had a black or a minority on the...in the Supreme...on the Supreme Court in the State of Illinois. That makes no sense. If you look at what is happening in the judicial system in terms of...of...of the sentencings of crime, and I'm not casting any aspersions on the people there, but there's something seriously wrong when I look into the prisons and the only people out there...ninety percent are minorities. When I look into the county jails and eighty-five, ninety percent are minorities. There's something seriously wrong in the system. At least, if we had representation, the people of this State would probably feel better, the minorities, knowing that those people have truly had the best representation possible if we have some input into this system. This bill provides that opportunity. It may not be the best bill, but it is all we have, and I'm not confident that if we don't move now that we will get another shot at it. So I stand strongly in favor of this amendment.

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PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I...am somewhat reluctant to speak on this issue as a downstate nonlawyer, or I guess I should probably describe myself as an upstate downstater, since I'm on the Wisconsin line, but I couldn't help but notice...a year or so ago...an article in one of the Chicago papers that...as I recall dwelt among other things on where the geographic location of where the Cook County Judiciary came from, and I was struck by the fact that the vast majority of the judges appear to come from two or three specific areas in Cook County...all primarily in the City of Chicago...obviously with a sprinkling elsewhere. Totally out of proportion with the population, very unlike the spread that we see downstate where judges tend to be spread pretty much throughout the area and reflect all sorts of diversity, and...I noted with some interest that one of the the many articles on the Greylord situation concluded that the Cook County Judiciary had become a somewhat inbred operation springing from a relatively small circle of people who apparently...at least some of them, felt they could get away with just about anything. I would suggest to you, Senator Netsch, (I never get her to listen, but then she probably doesn't miss much), that that piece of intellectual justification you tossed at us might be valid if there was, in fact, the hope that we were going to get the merit selection. I just don't see that on the horizon. I would suggest to my friends, particularly on the other side, although I think I can say that many of us on this side are also concerned with increased minority participation in the judiciary throughout the State, that this is probably the only way it's ever going to happen, at least in our lifetimes. I think that Cook County Judiciary, after sitting in my district and talking to my constituents, needs a shakeup. I think it's needed

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a shakeup for a long time, for a lot of reasons, and I would suggest to you that this amendment and this concept, while it may not be exactly what any of us would like to do, is a major step in the right direction from any way you want to look. Oh, and Senator Berman, I would suggest to you the way the Grand Old Party operates, that we will end up if we do end up electing a Supreme Court Justice, and I'm convinced even in that district we could drop the ball in the weeds - we certainly have some history there - that it'll undoubtedly end up being some ultra-liberal from Glencoe who will drive us up a tree and end up being the most liberal member of the court. And I would suggest to you, those of you who have studied the way the way the Grand Old Party operates, that there's a lot of validity to my assertion, so I have to reject your arguments. I would also suggest to you that the current Supreme Court Chief Justice is a Republican from downstate, which indicates to me that that Body is not a partisan operation, and while I may not agree with all their rulings, I have never seen heavy partisanship there, and I don't want to see it there, and I don't think anybody does, but I think this is a major step in the right direction and deserves all of our support.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I want to say to this Honorable Body that it's going to hurt me very much, the vote that I'm going to cast in support of this amendment. I have always been a person who believed in first supporting my party when I could, and then listening to partisan politics afterward. I called home yesterday evening late and also this morning and spoke to many of my friends that I had made over the last forty years who are attorneys, and many who serve on the Judiciary in Cook County. And let me say this to this Honorable Body, that an opportunity was given to give

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the minority a seat on the Supreme Court, but it didn't take place. An opportunity was given to increase the judgeships for minority in the Cook County area, but it didn't take place. And I will say now, yes, the passage of this amendment and this bill might change the Supreme Court minority. It might change the balance of the court, but what do we have now, the minorities, as I stand here and speak before you? What we're merely asking of those of you who will be supporting this amendment is a par equal chance and an opportunity to be properly represented in every phase of government in these United States and in this State of Illinois. I will be supporting this amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and...Members, a few minutes ago when Senator Schaffer was talking about an ultra-liberal from Glencoe, I would have thought if...Senator Keats was a lawyer, that he might be talking about our distinguished colleague, but Senator Keats, until we change the Constitution, I'm afraid you won't...or until you go and...not only go, but graduate from law school, I'm afraid you won't be eligible for the...for the Supreme Court. But in a...in a more serious vein following up on some other remarks of both Senator Schaffer and more particularly Senator Netsch, and as one who has...who has also been a supporter of some form of merit selection in the past, I would just like to say that I see nothing inconsistent between the adoption of this amendment and hopefully passage of the bill and what I hope will...will ultimately be, at some point, the adoption in this State of some form of merit selection of judges, for there is nothing that...that...precludes providing at the same time for smaller judicial districts in Cook County and at the same time an alternative means other than partisan political elections to the method ...the current method

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of...of selecting judges, and I just wanted to make that point. I think the adoption of this amendment and passage of this bill, however, will cure what is one of the...the leading complaints about the judiciary, particularly in Cook County, which is...is lack of representativeness and the...the inability of the average citizen, particularly in Cook County, to know who any of their judges are. We have heard and read for years complaints about these long, long ballots with all these names of judicial candidates...most of them living...living well beyond the neighborhood where the individuals are voting, and I think that the adoption of this amendment will help to cure that, and I strongly support it.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

And bring us something back.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Brookins.

SENATOR BROOKINS:

You have to move now. Thank you, Mr. President and I apologize for rising a second time, but this is an important issue and I...I just got to say that, Senator Berman, I come from, I guess, a more liberal with the big L and little l and all kind of ls than any community and any district in the State of Illinois. And yes, my people go back to being Democrats all the way. They swear and die by being Democrats. In my mother's house, you do not eat or anything unless you have sworn a loyalty to Roosevelt, Theodore Roosevelt...Theodore Roosevelt...Franklin Roosevelt. Get my Roosevelts right. Thanks you all, but that is real. That is real. And I don't think you can get any more liberal than Franklin Roosevelt. And I know...I know that until we can participate in the decision making of this State, then we got a

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problem and I know that we're biting a bullet in what is happening with the U.S. Supreme Court and their rulings. I know that, and you know I know that, and every ruling that they have made has really been against minorities. But this is such a drastic action and such a drastic thing and our only opportunity, so therefore, I'm urging all my colleagues, vote for this. Vote for this amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Dunn. Thomas Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. I just wanted to compliment Senator Brookins for having a very smart mother. I just wish he'd listened to her more.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Further discussion? Senator Rock.

SENATOR ROCK:

Could we have your attention, please? Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, apologize for rising a second time but I...some...some things have been said which I think ought to be straightened out. Senator Brookins, this is not the only opportunity. Amendment No. 2, in my judgment, is fatally flawed, and I suppose it's fatally flawed from my point of view, because there simply is not recognition of minorities in the suburbs by virtue of the district as it's drawn, but more importantly, I hate to see us in the position as Democrats, as Senator Newhouse pointed out, why should we, to achieve justice and equity which, in my judgment, as I said the other day to Senator Collins, the Democratic Party of Cook County is committed to, and, in fact, if you looked at the list of approved judges, of appointed judges, in the last go-around, you will see that the minorities were well represented as was the agreement, and there's a commitment on the part of the Democratic

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Central Committee to, in fact, slate and endorse and support more minorities for judgeships. Be that as it may, why should we be put in the position of virtually guaranteeing a Supreme Court Justiceship in suburban Cook County, and I, as a suburban Democratic committeeman, resent that mightily. So I have Amendment No. 3, Senator Brookins and Senator Newhouse and Senator Collins and Senator del Valle, which, in my judgment, more adequately reflects the population of the County of Cook, and, in addition, will give the Democrats in the suburbs a fighting chance to elect a Democrat to the Supreme Court. Subdistrict 1A is not at all touched...not at all touched under Amendment No. 3. What will happen is that 1B and 1C...there's a different configuration. We, as Democrats, should not concede suburban Cook County...a suburban Cook County District Judgeship to the Republican Party, and I, for one, don't intend to do that. So I would ask you, please, to ignore Amendment No. 2. Following immediately on its heels is Amendment No. 3, which will better reflect both the population and the politics of Cook County. So I urge the defeat of Amendment No. 2.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Further discussion? Senator Keats, you may close.

SENATOR KEATS:

Thank you, Mr. President. I appreciate it. First, I was not going to speak to Senator Rock's amendment and I will just make one comment because that will be a later amendment. We passed a bill that started this process and we were treated well in the House with 68 Yes votes. We still couldn't get anything done. I could withdraw this amendment, allow yours on, and in all fairness it will go to the House and...gee, guys, one of the reasons we're where we're at is because you have been so fair. You're looking at the old Republican coalition, and when Theodore Roosevelt was

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brought up, this was the Republican Party that you're looking at today. This was the coalition. Had you treated your membership fairly, you wouldn't be in the position where the Democrat Party memberships' only chance of being represented is in a coalition with the Republican Party. You have shot yourself in your own feet. You say to your minority members, "Trust me. The check's in the mail. I'll respect you in the morning." You know you don't give the minority members of the Democrat Party a whole lot of credit. We do. We understand that the old coalition ran this country for many years. Let me merely remind you to a point or two...oops, you're right, Phil, I got to be quiet. I just lost three of my own votes. Concluding very quickly, I will say, you understand the problem. It's this or nothing. Speaker Madigan is never going to allow a bill out of here that does anything similar to what we want to do. We have put together a coalition that allows all the minorities, the black minorities, the Hispanic minorities, and the Republican minorities to be treated as full citizens, and I would appreciate your affirmative vote.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats has moved for the adoption of Amendment No. 2 to House Bill 2758. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, the Ayes are 37, the Nays are 21, 1 voting Present. Amendment No. 2, having received the required number, is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by President Rock.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Rock. Amendment No. 3.

SENATOR ROCK:

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

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Again to Senators Newhouse and Collins and Brookins and del Valle and Smith and all the others who are interested, Amendment No. 3 would divide the County of Cook into three judicial subdistricts for the purpose of electing Supreme, Appellate and Circuit Court Judges. 1A, as proposed in Amendment No. 2, remains identical. There is no change in the line. What is changed, however, is the configuration between 1B and 1C and I think it's...from a partisan standpoint, it is certainly more favorable to those of us that are Democrats, but more importantly, I think, it better represents the population distribution in suburban Cook County. So those of you who are interested in moving this bill forward, at least let's move it forward as Democrats. We do not not have to give away a seat on the Supreme Court to achieve equity and justice and fairness, and I would urge the adoption of Amendment No. 3 by every Democrat in this Chamber.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. President Rock, I rise in opposition to your amendment and I must rise in opposition to your amendment, because what happened in the House when we passed that bill would be the same fate that we would reach here if we allow this amendment to go on this bill. President Rock, you drew up an amendment and you know that I'm vitally interested in this subject matter and have passed bills in it and was not invited to sit down with you. I would imagine no other minority was invited to sit down with you in the drafting of this amendment and, therefore, we are still at the same impasse that we were, cut out of any meaningful debate, discussion, or anywhere around where major decisions are made. Not even our caucus leader was called to your office to be...discuss this amendment, so I know that if we pass this amendment without the...the sanction of the...the House or

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what have you, we got a problem. So I rise in opposition to this amendment, and I urge my colleagues to vote No...vote No on this amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Keats.

SENATOR KEATS:

I thank you, Mr. President. Very briefly I will say, Senator Rock, this amendment of yours is a perfect example why the minority members of your party hopefully will stick with us. We worked out this map together. We worked together to decide what had to be done, and on this map you didn't ask one single minority member of your own party to come on in and join the team. "You can still trust me. The check's in the mail." We're smarter than that, Phil.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Rock, you may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Brookins, until 5:30 last night I didn't see your amendment either, and nobody talked to me about it either. All I'm saying to you is that my understanding of Amendment No. 2, at least as I understood it from you, is that you and Senator Keats had drawn up this master plan, and all I'm saying, as a Democrat, you can accomplish your purpose. District 1A, which is the one you were vitally concerned about, which Senator Keats represents under this configuration is 68.7 percent minority. That's fine. Amendment No. 3 doesn't touch that...doesn't touch that. What I'm saying is you don't have to make a deal with Senator Keats and give away suburban Cook County. As a Democratic Committeeman of Oak Park, that offends me. We don't have to do that. I've got a lot of Democrats who live in Oak Park that are vitally interested in the operation of the Supreme Court and the Appellate Court and

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the Circuit Court, and you have literally stampeded all over my constituency. For what? To get District 1A sixty-eight percent minority. That's exactly what it is under Amendment No. 3. Just exactly what it is. Hasn't been changed. And all I'm asking for, as a Democrat, is support Amendment No. 3, because this represents the best interest of the Democratic Party, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LUFT)

All right. Senator Rock moves for the adoption of Amendment No. 3 to House Bill 2758. Those in favor, signify by saying Aye. Nay. Senator Rock moves for the adoption of Amendment No. 3 to House Bill 2758. 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, Madam Secretary. On that question, the Ayes are 23, the Nays 33, 2 voting Present. Amendment No. 3 fails.

PRESIDING OFFICER: (SENATOR LUFT)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd Reading. On the Order of 2nd Reading is House Bill 2780. Senator Schaffer. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 2780.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer, on Committee Amendment No. 1. We're going...(machine cutoff)

SENATOR SCHAFFER:

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Mr. President, the committee amendment becomes the Wetlands Bill.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? If not, Senator Schaffer moves for the adoption of Committee Amendment No. 1 to House Bill 2780. Those in favor will signify by saying Aye. Opposed, Nay. The Ayes have it. And the amendment's adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Floor amendments?

SECRETARY HAWKER:

Senator Rea offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Rea, on Amendment No. 2.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. The -- this amendment further clarifies and broadens the purpose and intent of House Bill 2780 by including, in the language of the bill, the need for incentives for the creation of wetlands in the agency's regulation of activities, for which wetland compensation plans are not required by this Act. This will serve, especially, as an incentive for private industry. This is supported by the Illinois Coal Association, Department of Mines and Minerals, and the Department of Conservation. I would move for adoption.

PRESIDENT ROCK:

All right. Senator Rea has moved the adoption of Amendment No. 2 to House Bill 2780. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDENT ROCK:

3rd Reading. 27...I'm sorry.

SECRETARY HAWKER:

Pardon me, I have Amendment No. 3 offered by Senator Schaffer.

PRESIDENT ROCK:

Senator Schaffer, on Amendment No. 3. The bill is recalled to 2nd Reading for that purpose.

SENATOR SCHAFFER:

Mr. President, this amendment clarifies the situation on conservation districts. And it just simply says that if a conservation district decides to sell, or otherwise dispose of any portion of a piece of property they have interest in, they must hold a public hearing.

PRESIDENT ROCK:

Senator Schaffer has moved the adoption of Amendment No. 3 to House Bill 2780. 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. We skipped over 2702 while Senator Demuzio was in the Chair, Madam Secretary. On the Order of House Bills 2nd Reading is House Bill 2702. Read the bill, please.

SECRETARY HAWKER:

House Bill 2702.

(Secretary reads title of the Bill)

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

PRESIDENT ROCK:

Senator Demuzio, on Committee Amendment No. 1.

SENATOR DEMUZIO:

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Committee -- Committee Amendment No. 1, Mr. President and Ladies and Gentlemen of the Senate, is a amendment that deleted the mandating of deputy registrars of Public Aid offices and driver's license exams and deleted other -- other language. I would move the adoption of Committee Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Demuzio has moved the adoption of Committee Amendment No. 1 to House Bill 2702. 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 Demuzio offers Amendment No. 2.

PRESIDENT ROCK:

Senator Demuzio, on Amendment No. 2.

SENATOR DEMUZIO:

This is a agreed-to amendment, I am told, between both parties in -- in the Senate. It delays the effective date of certain provisions to July 1st of 1990. It is an amendment that was agreed to by the Elections Committee. It incorporates other changes, as was suggested by the Board of Elections and other election authorities. I know of no opposition. I would move adoption of Amendment No. 2.

PRESIDENT ROCK:

Senator Demuzio has moved the adoption of Amendment No. 2 to House Bill 2702. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

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Amendment No. 3 offered by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio, on Amendment No. 3.

SENATOR DEMUZIO:

Thank you, Mr. President. Senate Amendment No. 3 is also an amendment that was suggested in committee. It incorporates ten Senate bills that were passed by this Body and sent over to the House and somehow or other they either didn't get called or something like that, so I would move the adoption of Amendment No. 3, so we can send it over again.

PRESIDENT ROCK:

All right. Senator Demuzio's moved the adoption of Amendment No. 3 to House Bill 2702. 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, we have concluded 2nd Reading, at least for the moment. We'll now go back to the Order of Recalls. A number of Members -- Senator Marovitz. 489. Do you wish that recalled? No. All right. 602. Senator Philip, are you ready on that one? All right. 788. Senator Jones, are you ready on 788? 1072. Senator Netsch, are you ready on 1072? All right. Ladies and Gentlemen, on the Order of House Bills 3rd Reading is House Bill 1072. Senator Netsch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, Madam Secretary, is House Bill 1072. Read the -- Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Collins, Newhouse,

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Brookins, del Valle, Alexander and Smith.

PRESIDENT ROCK:

Senator Collins. I'm sorry, Senator Netsch. Hold it. Hold it. Hold it. Senator Netsch, for what purpose do you arise?.

SENATOR NETSCH:

Thank you. Just to explain. I'm not sure everyone is aware of the fact that this is a bill that will be made available for amendments that might be offered by any of the Members, having to do with the subject of an income tax increase. We -- you had made that commitment. I had concurred in that commitment last week, and this is the bill for that purpose. Just so that there is no mistake about what we are about. Thank you.

PRESIDENT ROCK:

Senator Collins, on Amendment No. 1.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. Amendment No. 1 is an attempt by the minority caucus -- Democratic Caucus on this side, to address some of our concerns with the tax bill. While each of us recognize the need for additional revenue - and I would like to also echo that we have supported continuously a -- a income tax increase - but we recognize that this tax needs to be a permanent tax, that we cannot afford to give the school systems and - and particularly a trouble-ridden system like the City of Chicago - a shot in the arm of money for two years and take it away with no visible possible means to replace that shortfall in the budget. That is crazy and totally fiscal irresponsible on our part, because we do care about education of those children in the City of Chicago. We are offering what we consider a very viable alternative to the tax proposal filed -- sponsored by Senator -- Representative Madigan and Senator Rock. The first amendment attempts to make a compromise with that bill. It is identical - identical - and let me just say, identical. To

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those of you who feel that you should vote for that bill for whatever reason, you can vote for this amendment. May I have some order, please? I can't hear myself.

PRESIDING OFFICER: (SENATOR D'ARCO)

I can't hear myself either. Can we have some order, please? Thank you.

SENATOR COLLINS:

Amendment No. 1 - the LRB number for Senator Demuzio is -- is LRB8603508 and it ends in 04, is Amendment No. 1. What that amendment does, it leaves the Madigan tax plan intact for the two years. It extends the tax thereafter, but it redistributes the funds, so that fifty percent of the -- the tax would go for education continuously, and twenty-five percent of the tax would go for local units of government, and twenty-five percent would go for State-supported human service programs. I think this bill offers a very viable -- amendment offers a very viable alternative, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR D'ARCO)

WCIA-TV Channel 3 requests permission to videotape. Any objection? If not, permission is granted. All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will yield.

SENATOR SCHUNEMAN:

Senator, I have a brief synopsis of what your bill does, and - and to some extent it follows, I think, the basic concept of what I was trying to do on 490, but you have a little different allocation of money, I think. The twenty-five percent that would be attributable to the Human Services Assistance Fund. I don't think I understand exactly how that money is going to be used.

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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins.

SENATOR COLLINS:

What the -- what the bill specifically states that the money would be used - and it gives example - we would be for human services, such as programs for women and children, drug abuse and any other programs deemed necessary and the money's appropriated by the General Assembly. So that could be mental health, that can be any other kind of human service programs which I think are in -- in -- in -- seriously need additional monies for us to provide adequate service.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, okay. So -- and it seems to be unspecified as to which particular human services, and I guess that would cause me a problem with the amendment. The other thing is that our approach earlier was that some of the new tax money would be used for tax relief. There seems to be no tax relief in here. The other major item that I certainly am concerned about, and I know Senator Netsch, is and apparently the entire Senate is concerned about, is the funding of pensions, and there -- there's none of this money to be used for that purpose. If I'm wrong on any of those issues, I hope you'll correct me, but in a quick reading of the amendment, I don't find those issues addressed.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. A couple of questions of the sponsor, because number one, there's several -- Senator Collins, there's several amendments with your name on them, and I think everyone just needs to be clear about the -- which one this is and

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the content thereof. It is 04. Okay. 04. Now, a couple of other things. I think you said some of these points, but I'm not sure everyone was listening at the beginning. Under this proposal, it would be the Madigan approach or -- strike that. House Bill 490 for two years, the -- which is fifty percent for the Education Assistance Fund, and fifty percent into the Local Government Distributive Fund. At the end of two years then, under this amendment of yours, that would self-destruct, I suppose is the expression, and there would begin a permanent not quite one half percent increase. That is an increase at the same level as the Madigan proposal, which is about eighteen plus percent. At that point the distribution would be -- what, one half to Education Assistance Fund, one quarter to the Local Government Distributive Fund, and one quarter to the new Human Services Assistance Fund. Number one, am I -- am I accurately portraying it up to that point?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins.

SENATOR COLLINS:

You are correct, Senator Netsch.

PRESIDING OFFICER: (SENATOR D'ARCO)

Well. Senator Netsch.

SENATOR NETSCH:

Now, do you have any breakout on what that would mean in terms of revenue, net dollars to those various purposes for a -- the - I assume the first two years would be identical to the figures that we had under the Madigan proposal. Do you have any breakout of what it would do from that point forward?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins.

SENATOR COLLINS:

Senator -- Senator, because of the lateness of development of

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these amendments, we did not, but I can assure you that the breakout would be the same. If, in fact -- whatever the breakout is now, that's going to local government, half of that would go -- of that figure - the figure that we have now - fifty percent of that would go to the Local Government share, twenty-five percent of that would go to -- I mean, fifty percent of that would go to the Human Service Fund. So the same figures that we have now would only be cut in half. So that local government would only receive fifty percent of what they would be receiving today.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. I rise in support of this amendment, and I'd like to just make a couple of allusions, particularly to Senator Schuneman. The Human Service Assistance Fund, I would suggest to you, is not enough money, but -- but it's a start. And let me give you an idea of some experiences that we've had. Last week I met with a group of school social workers. Their complaints were and their plaints were that we're looking at a group of demoralized workers in that field. The demoralization comes from the fact that they see an overwhelming amount of damage done to the children in the school system, and that they're really playing catch-up with an insufficient amount of reserves. The question being then, if you're looking at the burnout rate among social workers in the school system, looking at the burnout rate and the discouragement of the teachers themselves, what kind of support systems need to be built then, in order to let them do the job that they need to do? Now what we're talking about here with twenty-five percent - you're right, it's not enough money, but it's a start. And if we don't begin to build in some element of hope in a school system that is -- that is extremely depressed, in social service systems that are bifurcated, that are not really

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talking to each other, who are not sharing information, who are not intervening early enough on to prevent some of the tragedy that we see within our school system, then we're asking for long-range problems that are already upon us. They're upon us in the form of the incarceration rate. They're on us in the form of -- of dollars for security for police, for jail construction and for jail maintenance. All those costs are costs which we ought not have to bear. They can be prevented if we intervene early enough. They can be prevented if we look to a system that isn't a curative system. That is, goes after a problem after it has arisen, rather than going after a problem before it arises, anticipating the problem. I would agree with you there's not enough money. It's a start, and I think we all ought to flash our green light on this amendment.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will.

SENATOR JONES:

Senator Collins, did you indicate that the current proposal that's incorporated in Senate Bill 490 remains intact as relate to the use of funds?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins.

SENATOR COLLINS:

Yes, Senator Jones. Personally, I would have liked to increase the tax to one -- one cent rather than that one half, and that is the reason why we are not adding any property tax relief, because this is just enough -- not enough money as proposed by the Madigan plan to allow for the property tax or any other kind of relief. I

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think we ought to deal with that later. Next year, or later on this year in the Session, and let the bill go the way it is, with the amount of increase as proposed in the Madigan plan.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Jones.

SENATOR JONES:

Well, in addressing the amendment, if you recall, Senator Collins, last week there was an amendment to the -- to Senator Rock's bill, 490, and which would have made the tax permanent. It would have given to the State coffers that twenty-five percent which is needed now, or that -- or that one-third percent which is needed now to deal with the many programs that you alluded to, such as increased welfare benefits, increased programs for the drug addicted, increased mental health benefits. All those -- all those programs that you are alluding to in this amendment. But -- but I have been taught in my -- in fifteen -- sixteen years here that everything should ride on the same boat if you want to be successful. Now putting this on this bill, as far as the permanent tax, and not on the bill that it should have gone on, is really folly, because you're not really accomplishing anything. For you to have voted against the permanent tax, for you to have voted against programs that that amendment would have addressed, doesn't make sense. I don't understand your rationale for proposing this amendment when you jumped on the Floor to defeat the amendment that I put forward to do what you are attempting to do, at the same time give those programs the money that they need now.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. News-25 Peoria requests permission to videotape Senate proceedings. -- Any objection? If not, permission is granted. Senator Collins, to close.

SENATOR COLLINS:

Yes, thank you. I guess I should first answer my colleague's

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question. Senator Jones. Senator Jones, I'm one of those people who believe in - notwithstanding anything else here - of treating people the way I wish to be treated. I think that we owed - and I think the voted showed - Senator Rock and any other sponsor here, the courtesy and the respect of having his or her bill in the form that they wish that bill to be in, and let it go up or down based on the way that sponsor wishes. If you want to do something, you introduce a bill or you get yourself another vehicle and do it on that, and that's just fair and that is right. And that's what I think we fight about down here - at least most of us - about fairness. We cannot be hypocritical if we expect to get fairness. I think this is a good bill. It would, in fact, as has been said, provide the opportunity for those who wish to support the Madigan plan in this bill and extending the taxes, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Collins has moved that adoption of Amendment No. 1 to House Bill 1072. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 9 Ayes, 44 Nays, 1 voting Present, and Amendment No. 1 fails. Any further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Collins, Newhouse, Brookins, del Valle...

PRESIDING OFFICER: (SENATOR D'ARCO)

Go ahead, I'm sorry.

SECRETARY HAWKER:

...and others.

PRESIDING OFFICER: (SENATOR D'ARCO)

Amendment No. 2. Senator Collins.

SENATOR COLLINS:

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I can withdraw the -- the other amendments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins withdraws Amendment No. 2. Any further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Collins, et al.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. You wish to withdraw that one as well? Withdraw that amendment. Any further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Thomas Dunn. Amendment No. 2.

SENATOR T. DUNN:

Thank you, Mr. President. This leaves the money that goes to education in 490 exactly as it does in 490. What it changes is that the money that would go through the Local Government Distributive Fund will now go entirely - one hundred percent - towards property tax relief, and it will be done in the form of a ten-percent tax credit that goes directly to the property taxpayers -- real estate property taxpayers.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Dunn has moved the adoption of Amendment No. 2. Any discussion? Senator Rigney.

SENATOR RIGNEY:

Senator Dunn, do you say ten percent of any money that's paid on property tax, you would get that in the form of a credit. Now, are we talking about all property?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

Senator Rigney, it -- the ten percent is the number that

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equals the money that would have gone through the Local Distributive Fund. So it's not just any ten percent. The ten percent has been figured to equal that fifty percent that would go to the Local Government Distributive Fund.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

Well, I'm trying to work out the mathematics on this. If we collect about somewhere between six and seven billion dollars of property tax, we can't give ten-percent relief on all property tax bills.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

Senator Rigney, it's residential only.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Rigney.

SENATOR RIGNEY:

Well now, here I was all geared up, ready to support your amendment, and it's not all bad. What I was hoping you were going to tell me was it probably includes some of the farmland, which I think probably is, you know, in relationship to income, is suffering more maybe than some residential property.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Dunn.

SENATOR T. DUNN:

Farm residences are included, Senator.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

Yeah, I recognize that. I -- I was hoping maybe we were going to go a step further and also recognize the amount of taxes that

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are paid by the land, but I'm still going to support your amendment.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. And I -- I -- I rise with interest to this amendment as well. I -- I still don't understand what the ten percent is based on. Is it ten percent of a particular rate? Is it an education rate? Is it, you know, what ten percent are we talking about here? This -- this thing could be all over the place.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

Senator, it -- it merely equates to fifty percent of the money raised by the tax. If -- if in order to arrive at that -- it just happened to come to ten percent. It could have been 9.5. It could have been eleven. But as it happens mathematically, it comes out to ten percent.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

Ten percent of all property taxes raised in Illinois?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

What it says is that, "Of Section 201 in an amount equal to ten percent of the amount of real property taxes imposed and paid during the taxable years, which taxes are also deducted under Section 201."

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Schuneman.

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SENATOR SCHUNEMAN:

I think, Mr. President, I think the previous speaker was not finished.

PRESIDING OFFICER: (SENATOR D'ARCO)

Oh, I'm sorry. His light was off. Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I'm sorry. I think we are still confused here. You know, -- does -- is this applicable to a rate? Is this a ten-percent reduction in a specific rate? Education rate, for example.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

I'm not sure that I can answer your question to your satisfaction, but let me state for the record what my intent is. My -- my intent is of the monies raised by 490, that fifty percent of them go to education, as the bill calls for, and under my amendment, that fifty percent of that money raised by taxes, goes to real estate property taxpayers and no one else. That's the intent of -- of the ten percent and the ten percent equals that amount. Mathematically.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Maitland.

SENATOR MAITLAND:

Well, it has to be -- it has to be tied to something. You just don't -- you just don't -- is it per capita?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

What it's tied to is -- is the ten percent equals the amount that's raised by the new tax in 490. That's what it's tied to. That's what it equals. As a tax credit.

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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

So -- so you're not tied to any tax rate. It just simply -- you're paying back that money to taxpayers on a per capita basis?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

Well it wouldn't be based on per capita. It'd be -- it would be based on the individuals who paid real estate taxes.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, I -- you know, there's some interest in your amendment, but I'm not sure we understand the amendment, and that's -- that's part of what we're going through here. Do I understand that -- that what this would do is give each residential property taxpayer a credit of ten percent on the next property tax bill?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn. Wait, Senator Netsch is -- is conferring with Senator Dunn. We're going to figure this out in a minute. Senator Dunn.

SENATOR T. DUNN:

Yes. It -- it would -- it would do as you explained it. It would be a ten-percent credit on the amount of -- paid. So if you paid a three-thousand-dollar real estate tax, it'd be three hundred dollars. If you paid a thousand dollars, it would be the corresponding amount.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

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Well, as I understand the bill, the bill purports to raise about seven hundred and twenty million dollars in new revenue. And fifty percent of it would go to GRF for the purposes -- for the purpose of paying this ten-percent tax credit. Will three hundred and sixty million dollars pay ten percent of all residential property taxes in this State?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

My handler tells me yes, and there's a slight cushion built in.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. So if we vote for your property tax or we vote for your amendment, then this bill will be in the posture of adopting a one-half-of-one-percent permanent income tax increase. No?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

It -- it's identical to 490. It doesn't become permanent.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

It's -- it's the surcharge then. Madigan's surcharge. But give half of that money, instead of to Local Government Fund, give it to GRF and that that would be enough to create a ten-percent property tax credit for every residential property tax in this State. Whoopie. That sounds pretty good to me.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn has moved the adoption of Amendment No. 2 to House Bill 1072. All in favor, vote Aye. Opposed, Nay. The Ayes

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have it. Any further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is getting a little bit confusing. Let me just -- a brief word of explanation. The amendment that I filed is one possible option for a permanent tax increase. And I emphasize permanent. It does a couple of things. One, it takes the tax increase to a full half percentage point. That is two and a half percent in the 4.8. I never understood why we played around with the eighteen percent. It would take exactly the same amount of money that education gets and put it into education, again into the Education Assistance Fund. It would change the Local Government Distributive Fund from one-twelfth to one-eighth, which means that the local governments would get about eighty-two percent of what they would get under House Bill 490, and it would -- free up approximately for this year a hundred and ninety-seven million dollars to change the form of property tax relief and increase it to a residential property tax credit with a cap of two hundred dollars. That's what it does. It is an option. It is one of several possible options. Given in part what just happened with respect to Senator Dunn's proposal, and given a deeper concern I have, I'm going to withdraw the amendment and not ask for a vote on it, and I -- let me briefly explain why. My concern is that we get more money to the schools this year. I think -- I believe also we need to get more money to local governments this year, but most particularly to the schools. I admit I don't know whether if we have some option floating out there, it helps or hurts House Bill 490. Right now, House Bill 490 is the only game in town that seems to have a live -- a life of

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its own. Given that, I do not want to do anything to jeopardize its future, because that is money that may well be in hand. I'm going to just leave this option on the table. If something happens to 490 and we do not have that money available for schools, for next year, then it seems to me this is something that we can return to and look at that has a lot of very attractive features to it. So with that convoluted long explanation, I would withdraw Amendment No. -- whatever it is -- 3.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Netsch withdraws Amendment No. 3. Senator Schuneman, for what purpose do you rise?

SENATOR SCHUNEMAN:

Well, a point of inquiry, Mr. President. Senator Netsch, I listened to that explanation. Did you just say you might not call this bill?

PRESIDING OFFICER: (SENATOR D'ARCO)

Well, Senator Schuneman. All right. Senator Netsch.

SENATOR NETSCH:

I didn't say one way or the other. I just said I'm withdrawing my amendment.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

I -- a question of that sponsor on that issue, because if the sponsor...

PRESIDING OFFICER: (SENATOR D'ARCO)

She's withdrawing the amendment.

SENATOR COLLINS:

...is not going to call the bill, there's no point of us trying to run amendments on it. I think -- it is, and I -- you know, I'm -- I'm a little disturbed to hear the sponsor even making some explanation as to...

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PRESIDING OFFICER: (SENATOR D'ARCO)

Well, why don't -- why don't you discuss it with her in your -- in your spare time? Next bill. House Bill 2310. Read the bill, Madam Secretary. Maitland. Whose -- whose bill is it? Senator Maitland on the Floor? House Bill 2491. Senator Brookins. 2491. All right. Do we have leave to return to House Bill 788 for purposes of an amendment? Hearing no objection, leave is granted. House Bill 788. Senator Jones. Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I move to reconsider the vote by which Amendment No. 6 was adopted. It was drafted in error.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Jones moves to reconsider the vote by which Amendment No. 6 is -- was adopted. All in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the amendment is reconsidered. Senator Jones. Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

Well, I -- I don't remember what that amendment was. Who sponsored the amendment and what did it do?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

I sponsored the amendment and the amendment was adopted in error. That's the reason why I'm moving to reconsider the vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Jones moves to Table Amendment No. 6. All in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment No. 6 is Tabled. Any further amendments?

SECRETARY HAWKER:

Amendment No. 7 offered by Senator Jones.

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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I also have a similar motion. Having voted on the prevailing side on Amendment No. 3, I would move to reconsider the vote by which Amendment No. 3 was adopted. Amendment No. 3 was a motion by Senator Schaffer, and what it did was it kept money in counties based on the amount of money raised in those counties. I'm also co-sponsoring an amendment with Senator Barkhausen which would take the money that we wanted to keep for OSLAD - Open Space Land Acquisition Development grants. We're going to change that to a two-year program, and in order to change that to a two-year program, Senator Jones has consented to support that. But the Schaffer amendment ends up gumming up the works, basically. So I would move to reconsider the vote by which Amendment No. 3 was adopted.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Schaffer's not on the Floor. We've called for him to come back. Can we just slow down the process just a little bit, so he has a chance to defend his amendment?

PRESIDING OFFICER: (SENATOR D'ARCO)

Take it out of the record. All right. Gentlemen and Ladies, we will -- let's just take it out of the record, and we will proceed when Senator Schaffer returns. All right. At this point, we will proceed to the Order of 3rd Reading, Page 10, and we will begin with Senate -- House Bill 910. Senator Collins. House Bill 910. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 910.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. Senate <sic> Bill 910 is a bill brought to Senator -- I mean Representative Bob LeFlore out of concern from -- for some of the -- and people in the area, although the bus drivers who transport children to school are -- and offering seniors and handicapped people. What the bill does, it -- it requires the local unit to establish some uniform rules for -- for drug testing of -- of these people periodically, and basically that's all the bill does. And it also requires annual testing and then some provisions by which they will be tested in case some infractions or some accident or something occur - that the person was suspected of using -- was under the influence of drugs or alcohol.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will yield.

SENATOR DAVIDSON:

Senator Collins, I asked a couple questions in Transportation at this bill - one which you was kind enough to never answer. Why, if the employee is tested and found positive using drugs, why can't that person be fired?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins.

SENATOR COLLINS:

What -- what -- what the bill does, it's basically like most

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of the other programs where you're not in the business of trying to terminate or take people's jobs, but it's to get them into a rehabilitation program, but this bill does not prohibit one from getting fired. They must have some kind of policies, written policies and procedures, and if that is negotiated or if that is a part of the policy and procedure, that -- that firing can take place. This bill does not dictate what is going to happen; it just requires them to set up uniform standards, rules and regulations and policies by which they will proceed in that case.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator, I've got to beg to differ with you. What your interpretation of the bill and what my interpret is. But let me ask you two other questions. First and foremost, who's going to pay for the cost of this testing, the employer or the employee? Secondly, if the person tests positive, how long -- how long does the employer have to keep that position open while that person is going through a rehabilitation as you said, because most drug abuse programs, if they're going to be successful, call for a minimum of two years rehabilitation before they'll certify that person as drug-free. Now, tell me -- two answers. No long dissertation. One, who's going to pay for the testing? Two, how long does the employer have to hold the position open?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins.

SENATOR COLLINS:

Senator, you know, I'm looking at this bill and I do not see in this bill that the person have to be employed for any determined time. It just says that the person, if, in fact, that it is negotiated or agreed upon, that it would be six weeks or four weeks or five weeks, then that is left up to that -- that

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business to -- to negotiate that out with their employees, and if that is the way the policies are, then that's what it would be.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

Well then, how about an answer to the question. Who's going to pay, employer or employee?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins.

SENATOR COLLINS:

The -- the -- the employer, I'm sure.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate. I urge all of you to take a long look at this bill before you put an Aye vote. Two things - you're calling on what's already required in many instances under school bus drivers; they got to be tested anyway. You're going to make an employer pay for the test whether the person is an employee or prospective employee, which is going to put a tremendous financial load on those private people or public transportation that employs such people. And last, if you're going to have such things as she's talking about, most instances these are under union-operated transportation drivers. It'd be in the collective bargaining procedure. Were getting in collective bargaining procedure, where we don't belong. You're saying to a person, and I don't know how many of you had anything to do with drug rehabilitation, but as one of the founding fathers of the Gateway Program, which is for drug abuse program, and they have a ninety-two percent cure rate of those who go through the two-year program. It's a minimum of two years to be able to certify a person will no longer abuse drugs. Now that's idiotic to call for

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an employer to hold a job open. This is absolutely the wrong approach to something. You already have in the law that school bus drivers can be tested. You got somebody tests positive, he or she, you sure as heck don't want them be driving a bus for whatever reason. I'm an ex-truckdriver and I wouldn't want someone driving down a highway in a motorcycle or a motorscooter or an automobile that's been abusing drugs, 'cause they're not capable of making a rational decision, much less driving a vehicle that's transporting. I urge all of you to vote No.

PRESIDING OFFICER: (SENATOR D'ARCO)

...(machine cutoff)...All right. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah. Thank you, Mr. President. Senator Collins, I rise in opposition to your bill for three reasons. One, it is unnecessary. We just passed in the last week a bill - 572 and you're creating some paranoia on my part, 'cause you seem to be lately having the same kind of bills I am. So we passed a bill out that does everything this bill does and more, because your bill does two things that I stand in opposition. One, it exempts those schools...

END OF TAPE

TAPE 4

SENATOR DeANGELIS:

...who alter all bus lines, and I'm not so certain that we have to turn around and discriminate among bus drivers and say, "and those bus drivers that work directly for schools don't do drugs, but those bus drivers that drive for private companies do drugs." A bus driver is a bus driver is a bus driver, and if

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there's a problem, we ought to address it across the board and not discriminate. The third thing, as Senator Davidson pointed out, is you are going to incur an expense, and that expense will be passed down to the schools. Senate -- House Bill 572, which I sponsored in the Senate, requires that as a condition of employment, any person wishing to be a driver or who is a driver, before they can get their permit, must be tested for drugs. And I think that's the way it ought to be done, and therefore I would urge the Body to closely look at this bill, and not vote for it.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Watson.

SENATOR WATSON:

Thank you. I've got a question myself of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will yield.

SENATOR WATSON:

Does this affect school districts - primarily in my area, own their own buses, so as a result they don't contract out and there's not a contractor involved. How would -- how would those schools districts be affected by your legislation, and how would those bus drivers be affected?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Collins.

SENATOR COLLINS:

The bill says specifically that only those on contract - only. It -- it says that.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Watson.

SENATOR WATSON:

Well, okay. That -- that's fine. I think most of us agree with your intent here, and that's the -- if you'll - the Republicans will at least - look at the analysis, you'll see in

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committee that most of us voted Present, because of some of the unanswered questions and concerns that had been previously addressed. We've -- we understand that the contractor can't discharge or discipline the individual. We have a lot of concerns about some of the language in the legislation, and I don't know that it's necessarily been addressed in any amendment. Obviously the bill hasn't been amended, so it still has some concerns, and I think that probably the bill should go down.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Collins, to close.

SENATOR COLLINS:

Yeah. I don't know what's so different and complicated about this bill. It -- it -- the bill is very clear as amended. It deals with those persons on private contract. It simply says that before these people are hired to -- to take such sensitive jobs, that they ought to be tested. We're talking about private contracts, because in the public school they already, as you said, they already probably have to be tested anyway. It also says that if a person is suspected of being accused of driving under the influence, that they have to be tested in order to continue their job. It also says that if you are involved in an accident or something, hurting yourself or injuring somebody else, you ought to be tested. That's nothing different from CTA, what the CTA does in the City of Chicago. And I'm sure many of the other metro and -- and suburban bus companies, so it's -- we're talking about people transporting children. This is not my bill, this is a bill sponsored by Senator <sic> Bob LaFlore in the House. I think it's a good concept. Maybe it could be refined, maybe not, but we've passed other things out of here without dotting all the I's and crossing every T. The Governor can, in fact, use his amendatory veto power to clarify whatever need to be clarified, and I just ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall House Bill 910 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 24 Ayes, 27 Nays, 3 voting Present, and House Bill 910, having failed to receive the constitutional majority, is hereby declared lost. House Bill 913. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 913.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill was requested by the Illinois Podiatric Medical Association, the podiatrists, and all that the bill does is to provide that where services are to be rendered under insurance policies providing for medical coverage, that in addition to those people licensed under the Medical Practice Act, those persons licensed under the Illinois Podiatric Medical Practice Act will also be allowed to render those services. Be glad to answer any questions and solicit an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, this is the bill that the podiatrists have worked so hard to get adopted this year and the insurance people have opposed. Some of the people representing the podiatrists say that this is not a mandate and not a mandated

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coverage, but I assure you they wouldn't work so hard to get it passed if it weren't a mandate to provide coverage to pay the bills of podiatrists. Now if that's what you want, okay. I -- but understand that if you're voting for the bill, you're voting to require insurance companies to pay the bills of podiatrists. Even though the buyer of the insurance may not have wanted to buy that coverage at all. So this is a mandated coverage. It would add some to the cost of health insurance, and let you conscience be your guide.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman, to close.

SENATOR BERMAN:

Thank you. In -- in rebuttal, let me say that this is not a mandated service. If you need treatment for some foot ailment, you will have the choice of who renders the treatment - whether it be an M.D. or chiropractor or a podiatrist. So the services available are not increased. Who can deliver them is expanded, and in fact, this may very well result in less cost for insurance coverages, because many times the podiatrists are less expensive than the M.D.s. So I solicit your Aye vote on House Bill 913.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 913 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam -- Mr. Secretary. On that question, there are 49 Ayes, 8 Nays, none voting Present. House Bill 913, having received the constitutional majority, is declared passed. Senate <sic> Bill 961. Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 961.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR COLLINS)

For what purpose does Senator Barkhausen rise?

SENATOR BARKHAUSEN:

Madam President, in -- in the order of the Calendar there was House Bill 929. It's my understanding that there was a motion filed to reconsider an amendment that was adopted yesterday, but I don't see that as a reason to -- to remove the bill from the -- from the natural order of the call. I believe I have the right to call the bill and have the motion dealt with and then to have...

PRESIDING OFFICER: (SENATOR COLLINS)

Senator, can we just get back to it then after -- we'll go back after this.

SENATOR BARKHAUSEN:

Please, if we could -- if we could do so immediately. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR COLLINS)

Thank you. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President -- I mean, Madam President, Ladies and Gentlemen of the Senate. This bill amends the AIDS Confidentiality Act to allow the EMT paramedics to request the testing of an individual for AIDS, without that person's consent, if the paramedic came in contact with the bodily fluids of that person, and I certainly urge a favorable consideration, because a paramedic is out there to save somebody's life who's bleeding all over the place, and I think we have to protect the protector. I urge favorable consideration.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Further discussion? If not, the question is, shall House Bill 961 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

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record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 961, having received the constitutional majority, is declared passed. Now Senator Barkhausen, we'll go back to Senate -- House Bill 929. Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 929.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Madam President and Members, House Bill 929, as amended yesterday with Amendment No. 2, allows victims of sex offenses to pursue a civil cause of action against a manufacturer, producer or wholesale distributor of pornography which can be shown to be the proximate cause of the attack of the victim in situations where the defendant that -- that manufacturer, producer or wholesaler, knew, or had reason to know, that such manufacture, production or wholesale distribution was likely to cause a violation of an offense of -- of this type. We believe that this is a tightly drafted bill that was carefully worked on by the House sponsor to answer most of the objections to it. I emphasize that the civil cause of action while it's provided would be -- would be very difficult to prove, but we feel that there are situations that -- where obscene materials or the manufacture, production of obscene materials and the exposure of defendants to them prior to the commission of these offenses, contributes substantially and proximately causes many -- many of these injuries, and that is the reason for the bill. I'd be glad to answer your questions, and would otherwise seek a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

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Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I rise in opposition of this bill. First of all, I would point out that this House Bill 929, as amended, is exactly the same, or virtually the same, as House Bill 1858, sponsored by the same sponsor, which was assigned to subcommittee in the Judiciary Committee after a full and extensive hearing. People came down from -- from throughout the State in -- to testify on this bill. A hearing was held, and it was voted overwhelmingly in the committee to set this into a subcommittee, because of the constitutional issues that are raised by this subject. And I -- I take exception to this approach of a method of torpedoing the -- the committee system. This has nothing to do with the dispute that existed in the early weeks of this Session. This bill was presented after everything was settled. Witnesses came down. They testified and that -- it was determined by the committee that the bill ought to be studied. Now we are presented with that bill on 3rd Reading on June 21, and I think that -- I'm embarrassed by this approach, because it subverts the entire committee system. Now that's on the process. On the merits, the bill deserves to go down the tubes. I don't see my friend Senator Keats here, but if there was ever a good lawyers' bill, this is it. Because every time somebody has any type of sexual crime involved, they will hire a lawyer to bring a lawsuit against whoever sells magazines or books that the assailant may have even walked by the -- the newsstand on. And that's exactly what this is. So I probably, as a trial lawyer, ought to sit down and just anticipate the kind of money that this bill will generate. But I will not do that, because it's a terrible bill. It will -- all it will do is generate the law fees that -- that will be required to declare that this is unconstitutional, because obscenity is in the eyes of the Supreme Court, and they don't even know what it means.

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So I urge a No vote, for all those reasons, on House Bill 929.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate. Unless you've handled some rape cases, which I have, as a former assistant State's Attorney, you become oblivious to the need of a bill like this. Let me tell you, Ladies and Gentlemen, what this bill says simply that a victim of a sexual offense has a cause of action. It's a civil cause "for damage against any person or entity who, by the manufacture, production or wholesale distribution of any obscene material which was possessed or viewed by the person convicted of the offense, proximately cause such person, through his or her reading or viewing the obscene material, to commit the violation," and the victim cannot recover unless the perpetrator knew or had reason to know. Now what's wrong in trying to protect victims of sexual crimes? For heaven sakes, are we going to go back to the Middle Ages and say a woman doesn't count? 'Cause that's what you're saying, in effect. I think it's a very good bill. I think it's a good amendment that I put on myself yesterday, and I think I've had some experience in handling these cases, and believe me, what is beautiful in the eyes of the beholder is not beautiful to a victim of a sex offense, and I urge favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. As Senator Berman said, not only did witnesses come from all over the State, but on this bill, which received a full hearing in Judiciary, witnesses came from all over the country to testify against this bill, and Senator Philip - who I know has some

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concerns about lawyers - boy, I want to tell you something. If you want to do the lawyers a favor, Senator Philip, vote Yes, and maybe that's how you will do, because you want to equalize your voting record. The fact is, if the publisher or the individual who distributes this is, in fact, the proximate cause of the conduct, there's a cause of action today. You don't need this bill. If you can prove that that person is -- is the proximate cause of the sexual conduct or the -- the criminal sexual assault, there's a cause of action today. You don't need this bill. This bill's been declared unconstitutional all over the country, and what's going to happen is - if it passes - the State's going to pay for the challenge. The State's going to pay for the attorney's fees of the challenge. That's what's going to happen. How is somebody who prints something -- who prints a magazine, supposed to know that some crazed person goes and commits a criminal sexual assault. The theory of crime, in this State and around the country, is criminal responsibility. The person that commits the crime, the criminal sexual assault, should be responsible for his or her act, should go to prison for his or her act. Mandatory prison sentences, as a matter of fact, and long, extended prison sentences. Let's hold that person criminally responsible, but not somebody who may be a book seller or has a newspaper stand and has something on their newspaper stand. Let's not say that they're the ones that are criminally responsible or responsible for this particular act. Let's hold the person that commits the act responsible. You can do that today and if that person who is the -- the publisher or somebody who takes the pictures, if they can be shown to be the proximate cause of the -- of the criminal action, then they can be held liable today, criminally and civilly, today, without passing this unconstitutional law. Let's vote No, and I -- I hate to think that the House will be smarter than us, 'cause I believe that when this bill goes over to the House, they're not going to

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concur with this amendment. Let's not let them be the bright ones that find this unconstitutional. Let's kill this right now.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen, to close.

SENATOR BARKHAUSEN:

Madam President and Members, the -- the House, in an unusual fit of wisdom, already passed this bill, so I think they're very likely to concur in it. If this is a bill in which trial lawyers have an interest, maybe I better look for a new sponsor. This will be the first time for me. I don't think, quite honestly, that there are that many lawyers that would be interested in taking on this type of case, because as I emphasized in my opening remarks, the various burdens that would have to be proved here will be -- will be very difficult to establish. It is not the type of lawsuit that we're going to see in great numbers. But I want to emphasize that -- that for the -- for the individuals, particularly the women who are most often the victims of violent abuse and the degradation that's involved in these type of crimes, we are seeking to afford some additional civil protection in addition to that which is already made available through the deterrent provided by our criminal laws and penalties. This is a -- this is a victim's rights bill and I -- and I simply emphasize that in -- in closing, in addition to -- to emphasizing that -- its -- its tightly drafted nature and its constitutionality, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 929 pass. Those in favor will vote Aye. Opposed vote, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 41 Ayes, 16 Nays, none voting Present. Having received the constitutional majority, House Bill 929 is declared passed. House

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Bill -- 972. Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 972.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. -- Madam President. Thank you. This is -- legislation was brought to us by the Illinois County Treasurers Association, and this would simply amend the Revenue Act to allow a county collector to refuse to accept a personal check within thirty days before a tax sale. The reason for the legislation is that some of the delinquent taxes were -- were being paid by personal checks and those checks were bouncing. This simply would say that the county treasurer could refuse to take a check if they so desire. I know of no opposition. Would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussions? If not, the question is, shall House Bill 977 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, 1 voting Nay, none voting Present. Having received the constitutional majority, House Bill 972 is declared passed. House Bill 977. Senator Welch. Out of the record. Senate <sic> Bill 985. Senator Daley. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 985.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Daley.

SENATOR DALEY:

Thank you, Madam President and Members of the Senate. House Bill 985 would amend the Criminal Code to create the offense of an unlawful sale of a ticket to a minor. Prohibits the sale of a ticket on travel to a minor under the age of -- under seventeen years of age without the consent of the parents age <sic> or guardian. The penalty is a Class C misdemeanor. I'd be happy to answer an questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? If not, the -- Senator -- Kelly.

SENATOR KELLY:

Thank you, Madam President. I just wanted to ask the sponsor - the -- I noticed that his name's listed as the House sponsor and the Senate sponsor. Is this true that this is your bill, that you've guided from the beginning to the end?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicate he got it from the beginning to the end. The question is -- Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HAWKINSON:

Senator, in committee we -- we talked about enforceability, and there were some questions about college students and -- and the like, and perhaps kids who wanted to go and visit noncustodial parents out of State and the like. How -- how would a - say a high school student who's attending a private academy in Illinois buy a ticket under this bill to get back to another state for the

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holidays?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Daley.

SENATOR DALEY:

They would get -- have to get consent of the parent, or maybe charge the ticket to a -- to the parent's American Express card or whatever. This -- this is an attempt to deal with some of the runaway problems.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hawkinson.

SENATOR HAWKINSON:

I understand what your intent is, but I want to make sure that we're not making it difficult for non-runaways to board our public transportation systems in the country, and are you saying that a ticket agent or a travel agent could accept a credit card that's in the name of someone other than the -- the minor who's presenting it, and that would be sufficient?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Daley.

SENATOR DALEY:

We -- it would be an ID or possibly a credit card, yes, Senator.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hawkinson.

SENATOR HAWKINSON:

Would the credit card in the parents name be sufficient without some other form of identification showing that that is the parent's credit card?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Daley.

SENATOR DALEY:

For them to use it, or if that's -- if it's charged on the

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parent's credit card, then the, you know, then the ticket agent has fulfilled the -- the responsibility.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Daley, to close.

SENATOR DALEY:

Yeah. I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 985 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 985, having received the constitutional majority, is declared passed. House Bill 1000. Senator Severns. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1000.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President -- Madam President and Members of the Senate. House Bill 1000 establishes a program to provide home buyers with the opportunity to make monthly installment payments to provide them with an adequate down payment for a home. This plan is modeled after the very successful Michigan plan and is a responsible plan, I believe, that has been worked out with the cooperation and direction of both Speaker Madigan and Treasurer Cosentino, the Illinois Bankers Association, the Community Bankers Association, the S & Ls and the Realtors Association of Illinois. It -- it is a plan that tries to simply address the fact that down payments have become the tough hurdle for so many of our young

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couples, in particular, to clear in terms of trying to purchase their first - in most cases - their first home. In fact the report that was released last year, the State of the Nation's Housing, indicated that this was the toughest hurdle for home buyers to clear to be able to purchase their own home, and we've had a steady decline of home ownership since 1980, primarily because of the down payment and other housing costs. Most recent survey said that a number of Americans who worry about making their monthly mortgage payment, worry most about being able to secure that initial down payment. I know of no opposition to this bill. It passed out of the House without a -- without a single opposing vote. I would urge adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? If not, the question is, shall House Bill 1000 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1000, having received the constitutional majority, is declared passed. Senator Newhouse, your light is on, for what purpose -- okay. House Bill -- House Bill -- 1010. Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1010.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Channel 20 has asked leave to -- permission to tape. Leave is granted. Senator -- Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I don't think it's on this bill that they're asking permission to

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tape, but that's beside the point. House Bill 1010 deals with a unique and interesting situation in criminal law in the bail bond area. That if a person other than the defendant and other than the defendant's lawyer happens to post the bail, the court did not have the power to return the funds - should the defendant satisfy the conditions of going to court and there was a refund called for - to the person who had actually posted the money. They could only give it to the attorney or to the defendant themselves. This would allow the court to order that the person who actually put up the money, who will be shown then on these forms, could get the refund back. Interestingly, a former colleague of ours, Senator Egan, was sitting on the bench when this case came up, and did try to so order that the funds be returned to the person who had actually placed the money up. Senator Egan -- Judge Egan then resigned from the bench, and the case was caused to be reheard. He then went in and testified on behalf of the person who he had ordered the money to go to, but they said that it needed a statutory change, and I would answer any questions and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam Speaker. Will the sponsor yield for a change -- question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HAWKINSON:

Senator, you answered these questions in committee, but I think they ought to be part of the record. This -- this change in the law in no way affects the power of the court to order or assess against the bail, court costs, fines, restitution or assignment of attorney's fees.

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Carroll.

SENATOR CARROLL:

Yes, that is correct. For the record, this would now affect any order of court. It would merely say that, if there's anything left after all those, that it can be returned to the person who put it up, even if that person were not the defendant nor his attorney.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 1010 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1010, having received the constitutional majority, is declared passed. House Bill 1027. Senator Savickas. I'm sorry. Senator Alexander, for what purpose do you rise?

SENATOR ALEXANDER:

Thank you, Madam President. I pressed my Aye button, but it didn't show, so I would like to be recorded as shown voting Aye on the last bill, please.

PRESIDING OFFICER: (SENATOR COLLINS)

The record will so show. Senator -- Savickas. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1027.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Madam President and Members of the Senate. House Bill 1027 does two things. The original portion of the bill would

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require that notice of hearing regarding revocation of a certificate of registration be given within ninety days of the violation of the Act. This bill was introduced with the Department of Revenue, and has been amended to meet their concerns. The second portion was a amendment that I had put on to accommodate our public health district in Stickney, and it would allow them, through a frontdoor referendum, to raise their tax levy to service that public health district. I would appreciate your favorable support.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 1027 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, 4 Nays, none voting Present. Having received the constitutional majority, House Bill 1027 is declared passed. House Bill 1057. Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1057.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. -- Madam President and Members of the Senate. House Bill 1057, as amended, amends the Liquor Control Act and removes the twenty-gallon limit on the amount of wine a first-class winemaker may store or sell. It also authorizes second-class winemakers to manufacture up to fifty gallons, which is currently only forty gallons per year, and it allows a winemaker to -- to -- the winemaker's retail license to sell up to

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fifty thousand now and ten thousand gallons of wine per year. This is a proposal that -- amendment was brought to me by Representative Wojcik to solve a problem in her district, and I know of no opposition. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

I just -- it just caught me -- what we're doing here is we're removing the twenty-thousand gallon limit on the amount of wine a first-class winemaker may sell and store. Does that have anything to do with an individual? This is a private individual, not in the retail or wholesale level?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Well, whomever it is, it would have to be one who is licensed as such.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio.

SENATOR DEMUZIO:

I didn't hear him.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Well whomever it is, they would have to be licensed as such.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- you have in this bill as I see by definition, by virtue of Amendment No. 1, you're defining a winemaker "means a person engaged in making of less than fifty thousand gallons of wine annually." Now if Mom and Pop are out there and they've got a

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little -- they've got some grapes on the -- on the vine, what does this bill do to them?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

It doesn't do anything to them as I indicated to you. This amendment was brought to me by Representative Wojcik to solve a problem as relate to this little winemaker in her district. But staff informed that it doesn't do anything to that Ma and Pa person that you're talking about.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Madam President.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR WEAVER:

Senator Jones, are there any revenue implications in increasing this?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

I'm informed that there are no revenue increases involved whatsoever.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Weaver.

SENATOR WEAVER:

Are there any revenue losses?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

No, the bill is revenue neutral.

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PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. I stand in support of this bill. This bill -- I mean this winemaker that this bill is intended to help is in Senator Philip's district and Representative Wojcik's, but it happens to be in my home town, just across the street from my district, and I think what he wants to be able to do is -- right now you can't sell -- be a winemaker and sell wine -- anything other than what you make, and I think what he wants to do with this bill is to be able to sell other wines other than those that he makes. What he has there is a winery. He makes wine. He has a beautiful shop and a place where you can come in and taste wine and buy wine and I think he probably just wants to sell additional wine other than that that he just makes. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, -- Madam President. I think, Senator Demuzio, in response to your concern as I understand this bill, it affects commercial winemakers and your concern I think has to do with winemaking for personal consumption, and I don't believe this bill has anything to do with that.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I want to thank everybody for their explanation now, and I'm thoroughly confused. Thank you very much.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones, to close. The question is, shall House Bill 1057 pass. All in favor will vote Aye. Opposed, vote Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, none voting Nay, none voting Present. Having received the constitutional majority, House Bill 1057 is declared passed. House Bill 1072 is on Recall, so we'll move to 1075. Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1075.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Madam President. This bill was requested by Winnebago County, and simply permits the question of adopting the county executive form of government at the general election during even-number years rather than what is now law, which is the general primary.

PRESIDING OFFICER: (SENATOR COLLINS)

Any -- further discussion? If not, the question is, shall House Bill 1075 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1075, having received the constitutional majority, is declared passed. House Bill 1080. Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Kustra.

SENATOR KUSTRA:

Thank you, Madam President and Members of the Senate. This bill is the product of a task force which was created after the passage of the Mandatory Automobile Insurance Law last year. It's a cleanup bill. It does a number of things that are designed to make the bill more workable as it goes into operation later this year. There is a committee amendment which was agreed to by all parties concerned. The bill is agreed to, and I would ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? If not, the question is, shall House Bill 1080 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 1080 is declared passed. House Bill 1083. Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1083.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. What this bill does is prohibit the retail sale of plastic cans unless there's a demonstration to the Environmental Protection Agency that those cans will not interfere with processing of scrap aluminum cans, and can be processed to secondary markets while affording reasonable profits to recyclers. The idea is not to bring in a new group of -- of

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cans that cannot be recycled, basically. I'd be glad to answer any questions about the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR MACDONALD:

Senator Welch, there was an amendment put on this bill. Can you tell me what the amendment was? I don't have it with me.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Certainly, Senator. The original bill had in it that the appeal was to be made from the decision of the EPA as to whether the can was recyclable to the appellate court, and that's not the way the Administrative Code works. You appeal from the agency to the next higher review, which would be the Pollution Control Board. So all the amendment did was change the appeal being from the appellate court to appeal from the Environmental Protection Agency ruling to the Pollution Control Board. That's all it did. It was a short amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald.

SENATOR MACDONALD:

Yes, thank you, Senator Welch. I stand in support of your bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 1083 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, none voting -- 1 voting Present. Having received the constitutional majority, House Bill 1083 is declared passed. House Bill 1085. Senator Welch. Out of the record. House Bill 1091. Senator del Valle. Read the bill, Mr. -- Madam Secretary.

SECRETARY HAWKER:

House Bill 1091.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This bill got out of committee on the Agreed Bill List. It's House Bill 1091, which creates the Prenatal and Newborn Care Act. This bill codifies DPH services to low-income young parent women. And it augments existing prenatal and infant care programs administered by DPH to reduce infant mortality. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? If not, the question is, shall House Bill 1091 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 1091 is declared passed. House Bill 1092. Senator Smith. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1092.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Smith.

SENATOR SMITH:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1092 is the school district receiving grants for truant in the dropout program alternative and optional educational programs which provides day care services to children of students who are eligible or enrolled in such programs only if such day care is necessary to enable students to attend and participate in the program or courses. This is a volunteer program and the funding is already in the State Board of Education for Fiscal '90, and I would like your favorable vote. If I can answer any questions, I'd be delighted to do so.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussions? Discussions? If not, the question is, shall House Bill 1092 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 43 Ayes, 11 Nays, 1 voting Present. Having received the constitutional majority, House Bill 1092 is declared passed. House Bill 1100. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1100.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is the Taxpayer Bill of Rights Act. It has been worked on with the Department of Revenue and with the House

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sponsors. It creates the Office of Ombudsman within the Department of Revenue, which is appointed by the Governor with the advise and consent of the Senate, and requires certain notices and representation of the taxpayers' rights be included in certain communications between the Department and the taxpayers. I'd be glad to respond to any questions, and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? If not, the question is, shall House Bill 1100 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 1100 is declared passed. House Bill 1111. Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1111.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President -- Madam President and Members of the Senate. House Bill 1111 would require the establishment of multidisciplinary teams for abuse and neglect cases. This -- the use of these multidisciplinary teams was proposed by the now-defunct Legislative -- Investigating Commission to insure the most effective way of dealing with serious cases of child abuse and child neglect. Three teams are in effect in Springfield and Rockford and East St. Louis and they've been very, very effective. The intent of the bill is to provide more careful scrutiny of these cases, to allow more cases to be monitored and reviewed, and to encourage a more expeditious

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handling of cases, and also there's an amendment to allow those individuals who have demonstrated a current expertise and knowledge of custodial investigations to the Department to -- to assist in this effort, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yeah. If I may, Madam President and Ladies and Gentlemen of the Senate. In -- in concept, I suppose, this is kind of a good idea, even though we can't afford the five hundred thousand dollars to implement it, you know - that's the first problem. But another major problem is we're talking about teams of volunteers. There really is no established methodology or network to be able to monitor volunteers. I mean, will they show up? Will they be there on the appointed day? What if you don't have any volunteer and now you need the team? I think it has some basic flaws in it because it is -- it is of a volunteer nature, and although volunteers are always to be sought and encouraged, I think we have found out, just through our campaigns, you sometimes can't enforce what you're attempting to seek. Now should you have such a volunteer team and you really have a hot problem and no one to send out, would you be promising something very serious that you cannot deliver? So on that basis, I think the bill is flawed. Nice idea; won't work.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Marovitz, to close.

SENATOR MAROVITZ:

Well, thank you very much. I must say that these -- these multidisciplinary teams already exist in the Department. If it was a bad idea then, I don't know -- the Department's been doing just fine with it. All this requires is a few additional teams to provide greater scrutiny to be able to get to these cases faster

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and prevent abuse and child neglect. This already exists in Department and this is not a new system. We're providing a few more teams so that we can better monitor child abuse and child neglect. That's what this bill's all about.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 1111 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 38 Ayes, 20 Nays, 1 voting Present. Having received the constitutional majority, House Bill 1111 is declared passed. House Bill 1123. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1123.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. What this bill will do is include, within the Carnival and Amusement Ride Safety Act, alpine and toboggan slides, water amusement devices and tram rides. The idea behind this is that there is no regulation of these events. Some of these have been causing serious injury, and it's felt that the same board that current reviews carnival and amusement park safety rides also wants to look at these particular items to make them more safe. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 1123 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary.

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On that question, there are 57 Ayes, 1 voting Nay, none voting Present. Having received the constitutional majority, House Bill 1123 is declared passed. House Bill 1128. Senator Carroll. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1128.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Madam President, excuse me, Ladies and Gentlemen of the Senate. House Bill 1128, as amended, basically does two things, and they relate to the issue of getting in-home health care for people in need of rehabilitation and for those who are disabled and in need of other types of in-home health care. One is to say that we are raising, from ten thousand to fifteen thousand, the value of that person's properties, cash and otherwise, before they need to copay, so that they can actually have up to fifteen thousand dollars, and secondly is to say that the copayment rules will be based on the new federal standard of what is an amount of monthly income that is considered the poverty level. The last time we changed this was in 1982. It was four hundred and twenty-six dollars a month. That level has now gone up into about the four-hundred-and-eighty-dollar-a-month category. Still not a lot of money. This would say, "use the most current federal standard and allow these people to opt into the system of in-home health care for senior citizens and disableds." I would urge your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Topinka.

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SENATOR TOPINKA:

Yes, Madam President and Ladies and Gentlemen of the Senate. The Department on Aging, you know, feels that the intent of this legislation is very good, but it just gets right down to, do we have the 6.7 million to implement it? They'd have no problem implementing it if they had the money. I don't know that we budgeted this for them, and on that basis alone I think we ought to oppose the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll, to close.

SENATOR CARROLL:

Thank you, Madam President. To Senator Topinka and others, there is a minimal cost to this. That is without question. And the Department provided us with the numbers, which is slightly over one million dollars. That money has already been amended into the Department of Public Aid's budget within existing revenues. So while there is a minimal cost, we have already accounted for that cost, and I guess the question is, do you want these people who are senior citizens or severely disabled to have the availability of some in-home health care and still have some dignity and some ability to buy food and rent their apartments. I don't believe four hundred and eighty dollars a month of self-earnings is too much, nor does the fact that they could have within their assets, cash, homes, whatever, up to fifteen thousand dollars. I think it's a very modest approach which we have already accounted for in the budget. I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 1128 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 35 Ayes, 23 Nays, none voting Present. Having received the

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constitutional majority, House Bill 1128 is declared passed. House Bill 1131. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1131.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam -- thank you, Madam President. House Bill 1131 moves up by one year the requirement for the filing of the financial report and audit by the Chicago Board of Education. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 1131 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 1131 is declared passed. House Bill 1137. Senator Karpziel. Senator Karpziel. 1131 <sic>. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1137.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. House Bill 1137 does three things, as amended, and all the amendments are rather disparate, but the original bill provided that in all counties except Cook that the

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Board of Review is required to furnish notice of any petition seeking a change of a hundred thousand dollars or more in the assessed valuation of real property to all the affected taxing districts at least fourteen days prior to the hearing on the petition. Another one of the amendments had to do with the Certified Illinois Assessing Officer certificate. It says that a certificate -- or an officer with a minimum of three hundred hours of successfully completed courses approved by the Department of Revenue, if at least a hundred and fifty of those hours are -- requires a written examination, and with additional training as follows: successful completion of a minimum of fifteen class hours which does not require a written examination within the four years immediately preceding the election. Basically what they're trying to do say is that the fifteen hours that the CIAOs have to get every four years can be taken from community colleges, and can include such courses as computer courses, assessment law change course, et cetera. What we've found is that there are many assessors in the State who have completed all the courses that are now available, and have to continue taking these fifteen hours and there are no more courses available for them to take. The third amendment on this bill we just passed as a bill by Senator Watson having to do with the bad checks, and that's what the bill does. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? Discussion? If not, the question is, shall House Bill 1137 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1137, having received the constitutional majority, is declared passed. House Bill 1147. Senator DeAngelis. Read the bill, Madam Secretary.

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SECRETARY HAWKER:

House Bill 1147.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. House Bill 1147 creates the Retirement Savings Act. It's similar to the College Savings Act. It's strictly permissive. It allows the Bureau of the Budget to make the decision in a consultation with the Governor. It will be General Obligation Bonds. Will also have in there warnings to senior citizens that some of these instruments may not be suitable for their investments. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 1147 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 1147 is declared passed. House Bill 1152. Senator Smith. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1152.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Smith.

SENATOR SMITH:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 1152 incorporates legislative recommendations

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of the House Human Services Subcommittee on Public Aid concerning Medicaid providers. House Bill 1152 was originally introduced as a recommendation of the Illinois Primary Health Care Association and the United Community Health Centers of Illinois. There are sixty community health centers serving forty-eight counties in Illinois. Clients of these centers generally do not have private insurance. They don't have any private insurance and they rely totally on Medicaid and Medicare assistance. Some of the items that the Department of Public Aid is going to help with, is that they shall reimburse the community health centers at cost. Two, they -- the Department of Public Aid shall use the federal law definition in establishing criteria for its utilization review of general hospital care and the Department shall use postpayment review in evaluating the medical necessity of inpatient hospital care. This is with our health homes. A Department shall develop new grouping of nursing homes for the purpose of Medicaid payments to be effective no later than January 1, '90. The Department shall provide that the professional dispensing fees for pharmacists shall equal ten percent of the acquisition cost for prescriptions over thirty-five dollars. The dispensing fee shall be no less than fifteen dollars. And the Department shall field audit nursing homes participating in the Medicaid Program as the Director of the Department determines to be necessary to insure that the proper Medicaid payments are made. And lastly, the Department is mandated to reimburse nursing homes, based on facility cost reports from the previous fiscal year. I'd be happy to answer any question...
PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Madam President and Ladies and Gentlemen of the Senate. This is kind of an interesting bill, because it incorporates seven legislative proposals, all of which went down in the House Health

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Committee. All of them were voted against -- went down, so I suppose if you can't pass them on their merits individually, then the option of the exercise is to pull them all together into one big, big omnibus type of a bill, and that's what we have here now. Now -- although, you know, this is a nice idea in the perfect world, it does run 40.4 million dollars. Now that's a significant chunk of change, and I also would point out for those of you who may have seen this original bill that had the various children's hospitals in Chicago as part of this bill. They have been amended out.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator let -- let me try. Can...

SENATOR TOPINKA:

Pardon me?

PRESIDING OFFICER: (SENATOR COLLINS)

Can we have some order, please? Can we please have some order?

SENATOR TOPINKA:

All right. For those of us who are watching for those children's hospitals in Chicago so that we could indeed fund them, they were a part of this bill, they have been amended out, and even with them being amended out, again it's 40.4 million dollars for seven programs that have individually been -- been lost in the House and just brought back here for one shot. So I think one big No would probably take care of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Smith, to close.

SENATOR SMITH:

Thank you, Madam President. And to answer my colleague, number one, these were not done collectively, they were each individually done, and of course as you said, we did take the ICARE Hospital Contracting Program out of the bill, and as you might -- as you said about the forty million, that is federally matching funds.

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The State would only be obligated to 27. million dollars, and so it's quite a difference there -- out of there. I merely ask for a favorable vote...

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 1152 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 24 Ayes, 30 Nays, none voting Present. Having failed to receive the constitutional majority -- Senator Smith.

SENATOR SMITH:

May I -- may I postpone this bill?

PRESIDING OFFICER: (SENATOR COLLINS)

The sponsor has request Postponed Consideration. House Bill -- House Bill 1171. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1171.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Thank you. The annual award that we passed down here in Springfield as a stipend payable by the State to elected county officers, under this bill would not be affected by other compensation payable to those officers. The bill will prohibit a county board from reducing or otherwise impairing compensation payable by the county to the officer, if the reduction impairment is the result of his receiving the stipend which we approved here in Springfield. Several counties have already reduced or refused to raise salaries in certain cases, due to the annual thirty-five-hundred-dollar -- thirty-five-hundred-dollar stipend

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that we added to their salary, and this bill is an attempt to rectify that situation. I'll be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? Any discussion? If not, the question is, shall House Bill 1171 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, 1 voting Nay, none voting Present. Having received the constitutional majority, House Bill 1171 is declared passed. House Bill 1174. Senator Woodyard. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1174.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President and Members of the Senate. House Bill 1174 was suggested by the Eastern Illinois Special Education Region, which is actually -- their facility is located in Mattoon, Illinois, and it's a co-op of special education with about thirty-three schools as feeder schools to this special education facility. I've been personally in that facility, and it is going to have to be replaced. They're -- have no more room left, and the facility itself does not meet the criteria whether it's State Fire Marshal's Office or whatever. Thus this bill seeks to address their problem in being able to establish funding to build this new facility that they would like to build. The language in the bill was not my language; it was suggested by Chapman & Cutler. It would allow the thirty-three school districts to enter into

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resolutions and agreements with the Special Education Region and provide funding -- guaranteed funding for up to a period of five years. It -- actually a loan to the Special Education District that would then be able to mortgage the new facility as collateralization on that loan to build a facility. And that's basically what it does. It allows those school districts to enter into those agreements, and I'd be happy to answer any questions or move for its passage.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HAWKINSON:

Senator, our analysis doesn't indicate how they're going to pay for the bonds. Could you tell us that?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Woodyard.

SENATOR WOODYARD:

Yes. Yes. Thank you, Madam President. They would use existing levies. It is not specified in the bill actually which one it would be. We think that most of the schools, at least in this consortium, would use possibly life safety or something like that, but we're not increasing any levies anywhere in this. They would have to use their present existing levies.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? The question is, shall House Bill 1174 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that

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question, there are 58 Ayes, no Nays, 1 voting Present. Having received the constitutional majority, House Bill 1174 is declared passed. House Bill 1180. Senator Jones. Read the bill, Madam Secretary. 8

SECRETARY HAWKER:

House Bill 1180.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the -- Madam President and Members of the Senate. House Bill 1180 includes as a -- aggregating factor for the death penalty that the defendant killed another person while the defendant was engaged in the violation of certain drug offenses. A person would be eligible for the death penalty if -- if while in the commission, solicitation or conspiracy to commit sale of a controlled substance, controlled substance trafficking, calculated drug conspiracy, sale near schools or a park, or selling to a person under eighteen, he intentionally killed another person or counseled, commanded, induced, procured or caused the intention of killing. This legislation is patterned after the federal -- recently enacted federal legislation for the death penalty. This bill should have been on the Agreed Bill List. I know of no major opposition, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 1180 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, no Nays, 3 voting Present.

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Having received the constitutional majority, House Bill 1180 is declared passed. House Bill 1202. Senator Daley. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Daley.

SENATOR DALEY:

Thank you, Madam President and Members of the Senate. House Bill 1202 would amend the Narcotics Profit Forfeiture Act to provide for post-indictment forfeiture of property obtained from profits from narcotics racketeering. House Bill 1202, as amended, would permit the State to institute forfeituring <sic> proceedings following the indictment of a drug dealer. It should be noted that the existing law requires two predicated charges of felony of narcotics -- trafficking to -- to trigger a forfeiture action. House Bill 1202 does not change this requirement. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? Discussions? If not, the question is, shall House Bill 1202 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 1202 is declared passed. House Bill 1203. Senator Jacobs. Out of the record. House Bill 1203. 1217. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1217.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Thank you, Madam President. House Bill 1217 is the vehicle bill which we used to set the bond debt at the end of each Session, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 1217 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the constitutional majority, House Bill 1217 is declared passed. House Bill 1218. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Thank you, Madam President. House Bill 1218 is the Build Illinois Bond Debt Program, which we set in a conference committee at the end of each year, and I would ask for the passage of House Bill 1218.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 1218 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, 1 voting Present. Having received the constitutional majority, House Bill 1218 is declared passed. House Bill 1227. Senator Donahue. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1227.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1227 is a bill that allows the State Board of Education to operate and establish pilot programs that utilize an interactive satellite technology. There is a federal program that -- established through the State Board of Education - the Illinois State Board of Education - a very exciting program at Western Illinois University, and this is just going to allow us to expand the program within the State of Illinois. I think it's a great bill and I would move for its favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1227 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1227, having received the required constitutional majority, is declared passed. House Bill 1249, Madam Secretary, on the Order of House Bills 3rd Reading, read the bill.

SECRETARY HAWKER:

House Bill 1249.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President and Members of the Senate. House Bill 1249 changes the name of the Operations, Building and Maintenance Fund to the Operations and Maintenance Fund. This does some clarification as far as taking "Building" out and particularly important whenever there is a referendum and support of a tax increase or -- of any nature. I would -- I ask for your approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Does this happen to have wheels on it, or is this just a straight bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

This is a straight and forward bill, because voters would be even more likely to support a worthy project that -- with referendum if you do not have the "Building" included in there. Rather than -- this would provide for rather than construction of or rather maintenance and repairs, instead of construction of new buildings.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, I think that was rhetorical question. The question is, shall House Bill 1249 pass. Those in favor will vote Aye.

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Those opposed, No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1-2-4-9, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 1-2-5-1, Mr. Secretary. Read the bill, please.

END OF TAPE

TAPE 3

ACTING SECRETARY: (MR. HARRY)

House Bill 1251.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, the bill does two things. The initial bill as supported by the Sheriffs' Association makes it clear that the four-dollar surcharge on each forty-dollar fine also applies in situations where a defendant pleads guilty, stipulates the facts or there's a finding of guilt resulting in a conviction or an order of supervision. In addition, by means of Senate Amendment No. 1, the bill also prohibits and makes a petty offense the unsolicited sending of a FAX transmission relating to fund-raising or advertising material, except in situations where the recipient consents, or where the sender reasonably believes that the recipient would have consented to such transmission, and I ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1-2-5-1 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1-2-5-1, having received the required constitutional majority, is declared passed. 1-2-5-2. On the Order of House Bills 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1252.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1252 does two things. One, in the original form, it removed an unnecessary provision for assessors in terms of additional hours of training. The second part includes in it two exemptions for properties who have been taxed unjustly, and who need the clarifying language to remain nontaxed from property tax, and that is the Girl Scouts and Cantigny Museum. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1252 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1-2-5-2, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 1266, Mr. Secretary, please.

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ACTING SECRETARY: (MR. HARRY)

House Bill 1266.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. This bill is sponsored by Senator Macdonald and me, and it is a recommendation of the General Assembly's Citizens Council on Women. It simply provides a statutory basis for the Department of Commerce and Community Affairs Small Business Division current practice of designating special female and minority business advocates. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Question is -- House Bill 1266 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1-2-6-6, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 1-2-7-8. Senator Barkhausen. Do you wish it called? All right, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1278.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, this bill also does a couple of

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things. In its original form, it provides that municipalities in the process of annexing shall, in counties where there is a county forest preserve district, provide notice to the forest preserve district of such annexation. In addition, it -- the bill also contains the provisions of Senate Bill 209 of Senator Geo-Karis, relating to the requirement of a two-thirds vote by forest preserve district members in situations where they are condemning land.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill -- I beg your pardon. Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Well, once again this -- this is another instance where you are legislating things in other districts that are not yours, and you're coming into my county, and you're trying to suggest to me that we radically change the method in which we have done things in the past, and I rise in opposition to this. If we -- in all due respect, if we need help, we'll call you. But right now the system's working just fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen may close.

SENATOR BARKHAUSEN:

I thought that -- I'm sorry, Senator Dunn, I thought that you would -- support of this, because I know there was some sentiment in favor of this change in -- in Will County, but I'd -- I had -- frankly I had opposed some of the other bills --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Barkhausen.

SENATOR BARKHAUSEN:

-- on this subject, but I --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

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SENATOR BARKHAUSEN:

-- ask for your support for this particular measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Barkhausen, since you wouldn't let me interrupt to tell you that -- that you were closing, apparently you were not. Senator Thomas Dunn, for what purpose do you arise?

SENATOR T. DUNN:

Well, you know, now -- now you've alluded to the fact that, you know, you have a pipeline into my county apparently to -- to -- to gauge how people think I ought to vote or maybe you ought to vote, and -- and what this really does -- what you're really asking to do is to impose a voting requirement that's -- that's higher than every -- any other governmental body that condemns land in this State, and what you are radically changing is the vote necessary in county boards when this issue comes up, and what you're totally forgetting is that every one of those people that is on the county board of the forest preserve district is elected. In my district, every member of the county board is a member of the forest preserve district. If there is dissatisfaction in my county with the way the forest preserve handles something, there's a remedy, and the remedy is to vote them out of office. If there is a problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Now, is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate. Contrary to what my colleague said, I've had calls and letters from members from Will County who are opposed to the unconscionable taking of property condemning homesteads and what have you on a simple majority vote. When you have a two-thirds vote in the county board which consists of the same members that

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the county forest preserve district consists, they're going to think twice before they condemn, and be more reasonable and conscientious about it, and I certainly support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? No. Senator Barkhausen, you may close for the second time. Question is, shall House Bill 1-2-7-8 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 26, 2 voting Present. House Bill 1-2-7-8, having failed to receive the required constitutional majority, is declared lost. Senator Barkhausen requests Postponed Consideration. 1300. Senator Newhouse. House Bills 3rd Reading, House Bill 1-3-0-0, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. -- Mr. President. Mr. President, Senators, this bill is exactly what it purports to be. It -- it takes that unusual situation where there are adjoining properties and there is need of repair on one property and the -- and it requires entry onto the property adjacent in order to make that repair. This bill makes it possible to bring a lawsuit for the purpose of -- of being able to enter the adjoining land in order to make the repair. It's as simple as that. It would -- it doesn't come up too often, but it does come up. When it does come up, it's very

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painful to those involved. I would ask a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator -- Senator Topinka.

SENATOR TOPINKA:

Yes, if I may. What constitutes repair and maintenance of the next door neighbor's home. I mean, how bad does it have to be, or is this defined anywhere in the bill, so that people are just not trying to gain entry into a private residence when they perceive that it's not quite to their liking.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

That's left to the courts to...(inaudible)...Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

You mean, you're just opening the door here for -- for any type of little neighborhood spats to just go to court -- you're -- it's -- it's not defined anywhere and tightened down as to how bad this has to be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, what we've -- what we've done is make available the courts for determination. So it isn't as if -- you got to spend some money in order to get your relief, so I would think that would overcome the -- the objection, which is fair, that you do have. On the other hand, if -- if you have a suggestion, we certainly want to put it into the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, does the petitioning party have to pay the attorney's fees of the neighbor who's required to come into court and defend this kind of action?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I would assume that -- that -- that the -- that if there were a verdict rendered against the plaintiff, of course he would have to pay the fees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, Senator, that's not normally the course in -- in our civil courts, as opposed to the British system of law. Normally each party, win or lose, in our system of justice, has to pay his or her own fees, and unless you have specific language in the bill that requires the petitioner to pick up those fees, I would assume that the neighbor would have to hire an attorney and pay those fees himself or herself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse may close.

SENATOR NEWHOUSE:

I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1300 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?

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Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 8, 2 voting Present. House Bill 1300, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 1300. Mr. Secretary, read the bill. 1303. I beg your pardon. 1303.

ACTING SECRETARY: (MR. HARRY)

House Bill 1303.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel, on House Bill 1303.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 1303 amends the School Code and authorizes an increase in special education tax rates from .02 percent to .125 percent for dual districts, and from .04 percent to .25 percent for unit districts, and it's subject to a frontdoor referendum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? The question is, shall House Bill 1303 pass. Those in favor, 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 48, the Nays are 7, 2 voting Present. House Bill 1303, having received the required constitutional majority, is declared passed. 1313. Senator Jacobs. On the Order of House Bills 3rd Reading is House Bill 1313, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1313.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill increases the permissible tax for the fire -- foreign fire insurance from two to three percent, and allows for the firefighters to use that funds as they feel is in the best interest of the department. I ask for your support, and be willing to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. The City of Rockford has called about this particular piece of legislation, and I would like to ask the sponsor for some clarification before I vote for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Holmberg.

SENATOR HOLMBERG:

They aren't able to tell from the language whether or not the firefighters and the fire department in the city would be able to use the money for any purpose. Like, could it be used for a frivolous purpose? Like a pool table in every fire station, or is it to be used for fire equipment? Can you clarify that for us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Yes, Senator Holmberg. The law is fairly explicit. It says it's for the benefit -- must be spent for the benefit of the department. The one problem that -- that does exist - it will put the onus back onto the cities if -- if they feel that there is a frivolous activity going on, the council would then have to come back and put an -- a ordinance in effect that says -- establishes some parameters, but at this point it is to be used only for the

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benefit of the firefighters. Usually - and I know in a case of East Moline where we used it, it was used for the -- the masks -- new masks for air tanks and items such as that, which are for the safety of the -- of the firefighters.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question, I guess, of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I assume that this increase in the tax for insurance companies, that you expected that insurance companies would pay that tax, did you not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

That is what the bill requests. It does state that it is the permissible tax from two to three. I know there has been some argument and some discussion as to whether that -- there may be a court case from this or not, but we see nothing which would indicate that that might happen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, I assumed that that was what you were -- were doing, but -- and this just now came to my attention. I didn't even know this bill was out there until a few minutes ago. But there may be something that I -- I don't know that you're aware of, and that is that the tax on insurance companies in this State -- there are a number of taxes and the State taxes that are levied, are levied in such a way that insurance companies can

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exempt from the State taxes amounts that they're paying in local taxes like this. So that the result of this is going to be that this is going to be a tax on the State of Illinois, rather than on the insurance companies. The Department of Insurance tells me that this is going to take about four and a half million dollars away from the State, and I realize it will give to local governments, and maybe that's what we ought to be doing, but that's news to me, and I assume maybe it's news to you, because I don't think the Department of Revenue put in an appearance or brought up this issue before now. But clearly, your bill raises the tax on insurance companies and clearly, under Chapter 73 in the Insurance Code, it allows the insurance companies to deduct from the State taxes whatever they pay in this kind of a tax. So the result is that the State will pay this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Well, a couple of things. I -- I would like -- I think, Senator Jacobs, you were about to say something regarding that matter, and that is something that I was also going to bring up. I wonder if you could speak to that matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator, and Senator Schuneman, if that is in fact correct, I would think that someone really has dropped the ball and I am -- I am due an apology, because I've been carrying this bill and no one has said a word to me, but let me just state for -- on that issue, that this is a State tax. It is not a local municipality tax. This is a State tax. The State gives that to the municipality for the use in this particular area. That's my understanding of the -- the tax.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Schuneman.

SENATOR SCHUNEMAN:

Well, in -- in that regard, Senator, the bill went to Local Government and it probably should have gone to Revenue, where they are familiar with such things, but in the Insurance Code it says, "there shall be deducted from the tax thus computed" - and that's the tax that the State levies on insurance companies - an amount for the benefit -- that is raised for the benefit of the organized fire departments to cities, villages, incorporated towns and fire protection districts, and this is the tax they're talking about there. So I really think that it is a valid point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Rather than to -- to fight this battle here, without me not even having any information as to what we're talking about, I would ask to have this pulled from the record, if we can get back to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes. Take it out of the record. 1315. Senator Jacobs. 1315. 1339. 1343. Senator Zito. 1358. Senator Berman. All right. House Bills 3rd Reading is House Bill 1358, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This bill creates the Advisory Task Force on

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Degradable Plastics in the -- in the Department of Energy and -- and Natural Resources. It would sunset after their report to the Governor and General Assembly by January 1 of 1991. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall House Bill 1358 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, none voting Present. House Bill 1358, having received the required constitutional majority, is declared passed. 1359's on the Recall List for tomorrow. 1384. Senator Jones. On the Order of House Bills 3rd Reading is House Bill 1384, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1384.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. House Bill 1384, as amended, makes several administrative changes in the General Assembly and Judges and the State Employees Retirement System. This bill will be used to handle other pension -- measures, and I move for a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill -- Senator Schuneman.

SENATOR SCHUNEMAN:

Well, only to say that this is a pension omnibus bill, Mr. President, and probably won't be in this posture finally, but -

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simply to make that comment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 1384 pass. All in favor, vote Aye. All opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, zero Nays, none recorded as Present. This bill, having received the constitutional majority, is declared passed. Top of Page 14, House Bill 1389. Senator Marovitz. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1389.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This bill amends the Revenue Act to protect bona fide purchasers of real estate against back taxes for prior years, in the event of omission of the levy for a taxing body. It would extend protection only to bona fide purchasers of real estate who purchased after the error or omission, and prior to the issuance of the assessment for back taxes. Continuous owners or those conveyances not reflecting bona fide purchases would still be subject to the back taxes. A purchaser of a parcel of real estate should be able to rely on the integrity of the public records as they provide evidence of the payment of real estate taxes. Whether an error or omission is made by the assessor, the levying district or the county clerk in computing the tax bill, persons subsequently purchasing real estate shouldn't be penalized for tax obligations for which they had no notice, none at all, and which were based on information contained in public records that they believed were

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previously paid. They're bona fide purchasers, and I know of no one who objects to this, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1389 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1393. Senator Brookins. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1393.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Senator from Cook, Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This is the motorcycle helmet bill, and what this bill does is amend the operators -- requires the operators of -- motorcycle vehicles and their passengers under eighteen to wear helmets. We've heard quite a bit of argument on this. We've heard that it will impair their visions. Ladies and Gentlemen, I have documented information that it is not true. It is absolutely not true. We have also heard that it'll -- impair their hearing. That too is not true. I ask for a passage -- Aye vote on this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Edgar, Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

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SENATOR WOODYARD:

Senator Brookins, I apologize - my book is kind of fouled up here. I don't have the analysis or the bill. Does this bill carry the provision -- a different provision than what your Senate Bill 7 carried, as far as it relates to liability or exemption of liability on a private citizen. I thought as the bill left the House it carried this on the exemption of liability from a private citizen reporting a person who does not wear a motorcycle helmet, to the police.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins.

SENATOR BROOKINS:

No, this is not on the bill. It has nothing to do with the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson. Your light's on.

SENATOR WATSON:

Yes. thank you. I'd like to voice my opposition once again to -- to this concept. We beat this down several weeks ago, and I think with, I don't know if it got 24 or 26 votes. Anyway, we beat the very same bill that we're seeing here now. The sponsor made a remark that the -- the safety concern about a helmet was -- has been addressed. Now, we had in committee the President of the American Motorcycle Association, and I specifically asked the question - 'cause I brought this up last time on the Floor - about the safety of helmets and the possibility of -- of a helmet being really a safety problem, and asked him about vision. I asked him about hearing and he said yes, that the helmet will impair - could possibly impair vision and could possible impair hearing. But the issue really is -- goes further than that. It's a matter of choice. I mean, we can't be protecting everybody from the cradle to the grave. And that seems to be what we want to do around

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here, and we've got to let the people decide for themselves once in a while, and I think this is a concept in which that decision should be made by the individual. And I think we ought to defeat this bill as we have done once before. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Will, Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Well, I would just say to Senator Watson, that I -- I rode a motorcycle for many years, including living on one in Mexico for six months, and I -- I -- I'm a proponent of helmets for people under eighteen, and to say that people's vision is impaired or their hearing's impaired, I'm sorry, that's not my personal experience, and I would suggest to you that those individuals that are running around Indianapolis a couple of weeks ago at two hundred plus mile an hour, they seem to see alright. They don't have a problem in seeing. If there's anybody -- if there's -- if there's anybody that's going to go down on a motorcycle, it's a young driver. Just like a young driver in an automobile is the highest risk there is in the insurance industry. The same is true of a motorcycle rider who gets on a motorcycle. The first thing he ought to say to him or herself is, "I'm going to go down on this machine some day soon," and he ought to have a helmet on if he's under eighteen.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman for LaSalle, Senator Welch.

SENATOR WELCH:

Thank you. My experience owning motorcycles has been exactly the opposite. I had a helmet on and I -- I had trouble seeing and I had trouble hearing. In fact, I felt less safe with a helmet on because of the traffic going -- coming from the left and right than I did otherwise. So I think that the testimony that Senator Brookins referred to is erroneous. I think it does impair your

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hearing and it does impair your vision. So I would urge a No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins, to close.

SENATOR BROOKINS:

Thank you, Mr. President. Let me first state that forty-three states in this union require a law such as this, either helmets or et cetera. Secondly, from the fact sheet, let me just read this. "Warning: a helmet does limit hearing, sight, but far from the point of being hazardous." And we're not saying that there would not be some vision impaired, but we're saying that it is far from the point of being hazardous, and that's a fact from a fact sheet written. Also, in the schools around this State, we require or teach motorcycle motorists to wear helmets. If that was not true, why would we teach it and advise them to do so? I ask for a favorable vote in this matter.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 1393 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? Clerk will take the record. On this question, there are 27 Ayes, 31 Nays, none recorded as Present. This bill, having failed to received the constitutional majority, is hereby declared lost. Senator Brookins. Gentleman asks for a Postponed Consideration. Postponed Consideration. 1394. Senator Marovitz. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1394.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

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

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This has to do with certain federally subsidized housing units that already exist, and would allow a group of the majority of the tenants to offer to buy the building if the owner intends to dispose of the property. This happens after the tax benefits have already been used up. The purpose of this is to preserve and retain to the maximum extent possible, as housing affordable to low- and moderate-income families or persons, those privately owned dwelling units that were provided for such purpose with federal assistance. And it's also to protect the tenants in these units from displacement resulting from the loss of the use restrictions which occurs after several years, which -- which were originally attached to these units, and to address the overall lack of affordable housing for low- and moderate-income families or persons in Illinois. This has nothing to do with new units. There's no dollars involved in this whatsoever. It just -- it has to do with existing federal -- federally subsidized units. If those units are going to be put on the market, it allows the building to be bought by the tenants at market rate, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1394 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 52 Ayes, 6 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1395. Senator Jacobs. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill that was on the Agreed Bill List in regards to handicapped children in regular classroom settings shall be provided supplementary services. We brought it off the Agreed Bill List to add that -- that the clinical psychologist license pursuant to the Clinical Psychologist Licensing Act be added to the list of the education. I ask for your support, and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Knox, Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR HAWKINSON:

Senator, does this bill still limit the number of students that can be mainstreamed per classroom?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs.

SENATOR JACOBS:

No, it does not.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 1395 pass. All in favor, vote Aye. All opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1400. Senator Kelly. Read the bill, please.

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ACTING SECRETARY: (MR. HARRY)

House Bill 1400.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. This -- this bill was amended to delete the original language. The bill now adds language which creates a seniority list of educational support personnel, which are to be distributed prior to February 1 of each year. Two years ago the General Assembly passed and the Governor signed into law, that ESPs shall be dismissed by seniority within their category of employment. That law did not include the provisions which this bill addresses. House Bill 1400 simply requires that the school district make their seniority list available through the collective bargaining agent to the employees. I'd solicit your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

Senator, this is just elementary and secondary education, isn't it? I mean, we're not talking about the community colleges?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly.

SENATOR KELLY:

Yes, it would apply to elementary and secondary education, and that's - as far as I know, that's where it is.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The question is, shall House Bill 1400 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question, there are 43 Ayes, 14 Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1423 is on the Recall List. 1453. Senator Netsch. Senator Netsch. Out of the record. 1463. Senator Barkhausen. Out of the record. 1469. Senator Welch. Out of the record. 1471. Senator Zito. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1471.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and Members. House Bill 1471 does exactly what the Calendar says it does. It will increase the bid limit for public improvement contracts for municipalities. We have done this for libraries. The Senate overwhelmingly passed that. This raises the rate from five thousand to ten thousand. Would move for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1471 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 54 Ayes, 2 Nays, 2 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1472. Senator Zito. Read the bill, please.

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ACTING SECRETARY: (MR. HARRY)

House Bill 1472.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and Members. House Bill 1472, as you recall, was amended yesterday by Senator Schaffer. This bill has to do with the disposition of leaves with municipalities. As you know, phase one was supposed to be completed and this task was supposed to begin work by September the 1st of this year. What we've done is to postpone that date, or asked to postpone that date, with House Bill 1472, and have asked for a 1990 date. With Senator Schaffer's amendments, it makes it permissive. I know of no opposition, and would ask for its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1472 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1473. Senator Carroll. 1480 was on the Recall. 1484. Senator Jacobs. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1484.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Presidents -- Mr. President and Ladies and

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Gentlemen of the Senate. This is similar to a bill that we passed out earlier. This gives the backdoor referendum to go with the Statewide average for some of the junior colleges throughout the State, and it's an amount that will exceed no more than three million two hundred and fifty-three thousand for all of the colleges involved, and it is permissive. It doesn't mean that it has to happen, but it does give them that authority. I'd be glad to answer any questions, and ask for your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, -- is House Bill 1484 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On this question, there are 37 Ayes, 19 Noes, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. On top of Page 15 is House Bill 1494. Senator Rea. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1494.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Franklin, Senator Rea.

SENATOR REA:

Thank you, Mr. President and Members of the Senate. This was on the Agreed Bill List and had taken it off -- had planned for an amendment, and so it's -- it goes as it was, which provides a loan repayment plan which would be established within the Department of Public Health to fund a doctor's medical training on the condition that he or she would agree to practice for at least two years in areas of the State determined by the Department which are shortage areas. This is also recommended by the Department of Public

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Health. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1494 pass. All in favor, vote Aye. All opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1497. Senator Schaffer. Schaffer. Okay. 1503. Senator Barkhausen. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1503.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, House Bill 1503, the original bill, is identical to Senate Bill 1179 which we passed unanimously. Yesterday there were two amendments offered, one by Senator Davidson, the other by Senator Geo-Karis. Senator Davidson's Amendment No. 1 amended the Aeronautics Act to bring Illinois law into conformity with federal law relating to procedures and penalties for operating an aircraft under the influence of alcohol. Senator Geo-Karis's Amendment No. 2 contained the provisions of her earlier Senate Bill 464, requiring persons convicted of DUI under appropriate circumstances, to reimburse public agencies for police, fire or ambulance costs incurred during an emergency response caused by such a DUI defendant, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1503 pass. All

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in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 55 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1505. Senator Holmberg. Please read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1505.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Winnebago, Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This bill insures that any employee of the regional superintendent's office working in the capacity of a certificated teacher, shall have the necessary qualifications. The Association of Regional Superintendents has no objection to this bill. This bill does one other thing, in that it takes care of a teacher constituent in Senator Hall's district and Senator Watson's district, who is exempted from the teacher test because no test was available upon graduation in her subject, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1505 pass. All in favor, vote Aye. All opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1508. Senator Kelly. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1508.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. House Bill 1508, as amended, is a compromised agreement which was reached between the Senate sponsors, the House sponsors, and the Department of Mental Health and Developmental Disabilities. I mentioned previously, during the 2nd Reading, some of the agreed aspects included incorporating Senate Bill 1021, which passed on the Agreed Bill List previously. Senator Kustra's bill 1508, which is incorporated in here now. It also requires interpreters for those facilities that have Hispanic patients. Deletes the requirement for the Department to reimburse county governments for mental health services. Prevents placing CILA - Community Integrated Living Arrangement patients with -- without agency approval. It also changes the OBRA '87 mandate to a status report, and it allows the Department to self-certify their computer records. Besides this, there are a number of other provisions which are noncontroversial which were recommended by the Department by various groups: The Illinois Collaboration of Youth, the Illinois -- the Citizens Assembly, Council on Mental Health and Developmental Disabilities and the Governor's Commission to Revise the Mental Health Code. I do not know of any opposition. I know Senator Schaffer, Senator Daley and myself would be very appreciative of your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Knox, Senator Hawkinson.

SENATOR HAWKINSON:

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

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR HAWKINSON:

Senator, as this bill came out of the House, it's my understanding that the community mental health agencies were in opposition. Has there opposition now been removed?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly.

SENATOR KELLY:

Well, that's what I've been advised, that -- that we don't have the opposition. So I believe there was some, maybe Senator Schaffer, can you touch that one?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McHenry, Senator Schaffer.

SENATOR SCHAFFER:

To be honest with you, they -- they have not conveyed a thought one way or the other. I have -- just reading our analysis was the first time I was aware they had any problems. I suspect that a couple of the provisions that have been changed by our amendments were their problems. I -- again, I've talked to their lobbyists several times in the last several days, and they've -- been no expression of opposition. I was simply rising to indicate that I thought the bill had been cleaned up and that the areas of controversy had been resolved, and recommend an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly, to close.

SENATOR KELLY:

I would ask you to -- for your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 1508 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

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this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1523. Senator Maitland. 1548. Senator Berman. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill requires that the training of special education hearing officers and reviewing officers shall include instructions by persons outside of the employ of the State Board of Education. This is in -- this is a bill that in order to provide the broadest possible resources to the people that will be hearing these -- these procedures under the special education provisions of our Statute.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1548 pass. All in favor, vote Aye. All opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, 3 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1549. Senator Carroll. 1555. Senator Holmberg. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1555.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Winnebago, Senator Holmberg.

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SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 1555 provides that five of the eleven-member board governing these educational service centers shall be public school teachers nominated by the local bargaining representatives and appointed by the regional superintendent. The remaining six members of the board will also continue to be appointed by the regional superintendent, and may include, but are certainly not limited to, superintendents, regional superintendents, school board members and representatives of higher education institutions. The bill does not alter the fact that regional superintendents will make all of these appointments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1555 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 38 Ayes, 16 Nays, 2 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1559. Senator Hall. You want to hold it? 1569. Senator Smith. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1569.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1569 is the Illinois Housing Development Authority. They may use its administrative funds for loans or grants to finance the cost of rehabilitating housing units for the homeless mentally ill, and shall develop a plan for making new or rehabilitated housing units available to such persons. It's the

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permissive bill. It's a major problem that's growing in our society every day, and we should be working with this problem. I'll ask for your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill -- Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates she'll yield.

SENATOR DeANGELIS:

Where are these funds coming from, Senator Smith?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith.

SENATOR SMITH:

The administrative have -- and it's been reported that the administrative -- the Authority itself has over sixty million dollars in -- in administrative funds to work with.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Do those funds have any particular purpose, or are they just sitting there --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith.

SENATOR DeANGELIS:

-- in some can or something?

SENATOR SMITH:

These funds are sitting there, but they can be used for this problem.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

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SENATOR DeANGELIS:

Well, if they can be used for this purpose and this is permissive, what's the need for the legislation?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith.

SENATOR SMITH:

It's administrative funds -- the housing -- it is -- this is to help to enhance their bond rating by pledging these funds as a backup in case potential investors express concern that a proposed project may not generate enough revenue to pay the costs. So this is what they have the money there for.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Smith, this will not enhance their bond rating. I think what you're saying is that you need some money additionally, because if they go out and issue bonds for this purposes, probably nobody's going to buy them. And therefore, they're either going to need a vehicle to enhance them, or they're going to have to use their own money. And frankly, to the issue, I don't believe and -- and I have empathy for the homeless, believe me, but I do not believe that the Illinois Housing Development Authority is the vehicle to place that program, because I think what you're going to find is that you're going to put that agency - if enough bonds are put out there - in jeopardy, because that's not what the people that buy those bonds want to hear or see. And if they are going to be put in jeopardy, the fact is they're not going to issue them, and therefore, you won't have a program. So I really think that this legislation, though well-intended, is ill-conceived.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith, to close.

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SENATOR SMITH:

This -- this -- this administration is the Housing Development Authority, and it's within their purview to do this for homeless people. This is a growing situation in our society, and I think that it's a marvelous thing that they - the Housing Development Authority - see the problem and is seeking to do something about it, and we should help them as a Legislative Body, enhancing this program. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 1569 pass. All in favor vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 30 Ayes, 24 Nays, 1 recorded as Present. And Senator DeAngelis asks for a verification. Senator -- Senator DeAngelis.

SENATOR DeANGELIS:

I have to verify. Sorry.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You really don't have to verify, but if you insist. Mr. Secretary, poll the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Would the Membership kindly be in your own seats?

ACTING SECRETARY: (MR. HARRY)

Alexander, Berman, --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me. Senator Demuzio, what purpose do you seek recognition? Demuzio.

SENATOR DEMUZIO:

Yes. It's Senator Demuzio, and I'd like to be recognized for a moment if I might, sir.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

I asked you what purpose you seek recognition, Senator Demuzio.

SENATOR DEMUZIO:

Well the purpose is, is that there are three switches back here that were hit, and none of them recorded green. So if we get into this verification, I want you to know that there's --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Why don't we dump this roll call. We'll start all over again.

SENATOR DEMUZIO:

Yeah, that's a good idea.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Dump the roll call. On this question -- What -- what's the matter? You don't want to do that? Let's be fair. Senator DeAngelis.

SENATOR DeANGELIS:

I -- I think that tactics are becoming somewhat dilatory. I've asked for a verification, and I would -- pleased that you proceed.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Okay. Poll the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Point of -- Excuse me. Point of order. Senator Zito, what's your Point of order?

SENATOR ZITO:

Yes. Mr. President, before the roll call, having voted on the prevailing side, I'd like to move to reconsider the vote by which House Bill 1569 was passed.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

...(inaudible)... he is on the prevailing side. Gentlemen,

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you've heard the motion. All in favor signify by saying Aye. Opposed. The Gentleman has moved to reconsider. Now on the issue -- Senator Weaver, what purpose do you seek recognition?

SENATOR WEAVER:

Well, Mr. President, we were on verification. And I think we should continue with the verification and quit playing games.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Yeah. There's been a Point of Order by Zito and Demuzio. We're going to dump this roll call. We're going to start all over again. Yeah. Dump the roll call. On this -- on House Bill 1559, all in favor, vote Aye. Dump the roll call. Let's go. All in favor, vote Aye. All opposed, vote Nay. Voting is open. And I just want to point out the Motion to Reconsider takes precedence over everything, except the Motion to Adjourn. Have all voted who wish? Have all voted who wish? On this question, there are 31 -- Take the record. On this question, there are 31 Ayes, 27 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senator DeAngelis.

SENATOR DeANGELIS:

A verification, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

A verification is in order. Would you kindly poll the affirmative vote?

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me. For what purpose is Senator Demuzio seeking recognition?

SENATOR DEMUZIO:

Yes. I just wanted to report that the switches are all working back here now. Problem...

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

I noticed that. The Gentleman from Champaign, Senator Weaver.

SENATOR WEAVER:

Mr. President, I've been around this place for twenty years, and this is the first time I've ever seen a roll call dumped and a new roll call called for. You're...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

There was a motion.

SENATOR WEAVER:

...you're moving into dangerous ground here, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Your point's well taken. Poll the -- poll the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

Carroll, Collins, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Rea, Severns, Smith, Topinka, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis, do you -- do you have any questions of the affirmative vote? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz is in the back of the Chamber.

SENATOR DeANGELIS:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jeremiah Joyce is in the back of the Chamber.

SENATOR DeANGELIS:

Senator Daley.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley? He's in the back of the Chamber.

SENATOR DeANGELIS:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You're looking at him. Any other questions, Senator DeAngelis?

SENATOR DeANGELIS:

I -- I...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On that question -- I'm sorry. Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, I -- this bill is not a do-or-die bill, and...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You're right.

SENATOR DeANGELIS:

But I do want to make comment that, Senator Lechowicz, several times you've been in the Chair...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Yeah.

SENATOR DeANGELIS:

...we've ignored your editorial comments, like we need a red light on this, and some of the other things. But I think you've gone beyond what's been the normal procedure in this Chamber, and I would like to indicate to you that I wasn't really that interested in -- in getting a verification. I felt with 30 votes I ought to do it. But I really do believe that those tactics that were used beyond that are really uncalled for, and they do not bring credit to this Chamber.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I want to say when you're in that Chair,

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you've probably been if not equally fair, more fair to the other side of the aisle than you've been to our side of the aisle, and I don't think anybody around here -- so there shouldn't be any complaints by anyone here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Thank you very much. Well let's get back to business. I appreciate everybody's editorial comments. 1571 is on Recall for tomorrow. 1619. Senator Berman. Wait a minute -- House Bill 1619. Please read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1619.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill authorizes the Illinois Development Finance Authority to finance the abatement processes involved in the Asbestos Abatement Act. The -- I have a letter from IDFA indicating their support of this bill. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1619 pass. All in favor, vote Aye. All opposed, vote Nye. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 52 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Top of Page 16 is House Bill 1620. Senator Marovitz. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1620.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President, Members of the Senate. This bill allows Chicago teachers who have met certain criteria to obtain an administrative certificate with a general administrative endorsement. It will qualify them to serve as an assistant principal if they have had at least three years experience as a certified teacher for the Chicago School District before August 1st of '85. If they obtained a Master's degree before August 1st of '85, completed at least twenty hours of graduate credit in education before September of '87, and received a superior rating for the last five years, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR KUSTRA:

Senator Marovitz, it's my understanding that this bill may be for the benefit of no more than one teacher or superintendent. Could you tell us, who is that ghost teacher or superintendent?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

I can't tell you how many people this is for. This bill emanated in the House. It was lll to nothing in the House. I -- I can't tell you who this is for. I will tell you this - I haven't met the person who it's for, and it's not in my district or I would know.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kustra. Any more ghosts? Senator Marovitz, to close.

SENATOR MAROVITZ:

Just solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 1620 pass. All in favor, vote Aye. All opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 43 Ayes, 10 Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1627. Senator Ralph Dunn. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1627.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Perry, Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members. This is a Department of Mines and Minerals bill that deals with the storage and handling of explosives. There's two amendments on it. One of them had to do with an agreement between the EPA, the Coal Association and the United Mine Workers on the disposal of flyash, and then the last amendment, Amendment No. 2, gives clear specifications for qualifications to receive license to handle explosives, and I'll be glad to answer any questions, and move for passage of...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion?

SENATOR R. DUNN:

...House...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 1627 pass. All in favor, vote

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Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1662. Senator Schaffer. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1662.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McHenry, Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, House Bill 1662 is a -- an attempt by the Department of Licensure and Registration to standardize the language of their various licensure Acts. It's a fairly lengthy bill, but it is not controversial. Provides some standard language and attempts to standardize some of the fees. I'm unaware of any opposition, although I haven't talked to the Senator from Galesburg.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Knox, Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR HAWKINSON:

Senator, my analysis indicates there'll be a hundred-dollar fee for a bad check. Does -- does this mean if a check bounces for any reason, that's an overdrawn check that can happen to people from time to time, there's going to be a hundred-dollar fee?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Schaffer.

SENATOR SCHAFFER:

I'm told that that has been standard practice and that this standardizes it through the various types of licensure, and that they've been doing that for some time on most licensures already.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hawkinson. Any other discussion? Senator Schaffer, to close.

SENATOR SCHAFFER:

Well, I think the bill is noncontroversial, and that fee that was just mentioned is very much a part of our life right now. Perhaps that is excessive, but I haven't had any complaints on it, and my guess is that the Department from time to time has to get people's attention. A bad check is a kind of a problem for all of us. I'm unaware of any problems with the bill. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

What purpose does Senator Hall seek recognition?

SENATOR HALL:

Well, I just want to -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman was closing. Senator...

SENATOR HALL:

Well, I just got in on the tail end, but a hundred dollars it's so -- banks make...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 1662 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, 10 Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1665. Senator Jones. Read the bill,

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please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1665.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. The next series of bills, 1665 through 1674, are all JCAR bills and Senate Bill -- House Bill 1665 -- House Bill -- is -- it is the legislation designed to give DCFS the duty to maintain and make available lists of persons who have been approved for adoption of hard-to-place handicapped children. Also it provide for the confidentiality of such information. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1665 pass. All in favor, vote Aye. All opposed, vote No. Voting is open. ... (machine cutoff)... Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, 2 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1666. Senator Woodyard. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1666.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Edgar, Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This is a JCAR bill -- actually identical, the bill itself until amended, of

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one we had last year. It primarily technical. Deals with hearing officers appointed in -- in State banking boards. It was also amended by Senator Topinka with an amendment that would require the Department of Revenue to return a check that is not identical to the proper amount, to the taxpayer within fifteen days.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Woodyard, I have no objection to the contents of this bill. I would just simply point out that everyone ought to take a look at it. It is the strangest amalgam of nonrelated provisions and Acts and everything else that I think I have ever seen in the history of the Illinois General Assembly. No one of which is offensive, however.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 1666 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, 2 Nays, none recorded as Present. This bill, having received the constitutional majority, is here declared passed. House Bill 1670. Senator O'Daniel. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1670.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Jefferson, Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. House Bill 1670 is also a JCAR bill, and it amends the Environmental Protection Act to require the Illinois EPA to promulgate rules

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setting forth standards in relation to grants to local governments for planning and management of nonhazardous solid waste, and it was also amended to include a requirement for a local match of thirty percent of the total project costs for projects funded through such grants. I would move the passage.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Any discussion? Question is, shall -- 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:

According to our analysis, the IEPA is against this. Now -- not as amended?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel.

SENATOR O'DANIEL:

Not to my knowledge now.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. Some of the Members on our side of the aisle may be looking at their analysis with my big No vote. EPA has -- with the amendment, does support this legislation, and I would move for its favorable approval.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel, to close. Question is, shall House Bill 1670 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, 1 Nay, 2 recorded as Present. This bill, having received the

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constitutional majority, is hereby declared passed. 1671. Senator Jones. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1671.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. House Bill 1671 requires the Department of Public Health shall establish by rule the methodology for computing fees and for examining the quality of services of an HMO. Department of Public Health shall also set by rule, precise standards for determining what constitutes certain violations. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1671 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 54 Ayes, 4 Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1673. Senator -- Senator Jones. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1673.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. House Bill 1673 requires State agencies are not required to copy

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or make available to the public, reference, rules, regulations and standards or guidelines which are copyrighted, and the purpose of this -- amendment to the rules is that JCAR feels that State agencies may be liable for infringement on copyright benefits. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1673 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 54 Ayes, 5 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1674. Senator Jones. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1674.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and Members of the Senate. House Bill 1674 gives the authority to JCAR to evaluate State agencies' rules on a periodic basis, rather than every five years. It makes such evaluation permissive rather than mandatory. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1674 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 54 Ayes, 4 Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1680. Senator

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Berman. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1680.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill does two things. First, it permits the State Board of Education to fund the Reading Improvement Program grants for reading specialists at the full minimum salary, rather than two-thirds minimum salary for those instructors. This is only subject to the funding that we provide. The second part is a clarification of the law that will provide that where there is an aggregate shift of two hundred and fifty thousand dollars in assessed valuation in a school district - and that's in the aggregate - and then the State aid will be recomputed. This is -- this second portion has been agreed upon by all of the parties involved. Be glad to respond to any questions. Solicit you Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1680 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1686. Senator Maitland. Out of the record. 1721. Senator Luft. Luft. 1721. Out of the record. Top of Page 17 appears House Bill 1723. Senator Jones. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1723.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. House Bill 1723 provides that the operations of limited health service organizations are to provide health care for -- in specific fields, and it amends various other health service plans to prohibit organizations thereunder after the effective date of this Act. Also it adds -- adds to the Act that ambulance services -- those which may be offered by the limited health service organization, and have removed authorization for the Department of Insurance to determine which services are to be offered. I know of no objections. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1723 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who...

END OF TAPE

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PRESIDING OFFICER: (SENATOR LECHOWICZ):

...wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1724 is on Recall. House Bill 1737 is on Recall. 1746. Senator Daley. Read the bill, please.

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ACTING SECRETARY: (MR. HARRY)

House Bill 1746.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. House Bill 1746 amends the Illinois Controlled Substance Act regarding the manufacture, delivery, possession and intent to deliver or manufacture LSD. Under the current law, drug dealers face a Class X -- Penalty for the manufacture or distributing of fifteen grams. This amount is really unrealistic. The amendment drops the amount down to ten grams or ten or more objects. Since LSD is sold on the street not in a liquid form, but as objects containing this dangerous drug. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1746 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1754 is on Recall. House Bill 1764. Senator Barkhausen. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1764.

(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. This is a simple change

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to the Illinois Power of Attorney Act to provide that a physician may be an agent under this Act, so long as that physician is not involved with the patient's treatment and care. The ISBA and Medical Society both support this, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1764 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, 1 Nay, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1769. Senator Marovitz. Read the bill, please.

SECRETARY HAWKER:

House Bill 1769.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 1769 requires the Department of Insurance to enforce certain provisions of the Act that require notice of cancellation of a patient's insurance policy and govern an insurance company's testing of a patient for AIDS. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1769 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1774. Senator Fawell. Read

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the bill, please.

SECRETARY HAWKER:

House Bill 1774.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the annual IDOT release of easements and restorations of access rights. I'd be glad to answer any questions. If anybody wants to see the list, it is available.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1774 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1782. Senator O'Daniel. Read the bill, please.

SECRETARY HAWKER:

House Bill 1782.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Jefferson, Senator O'Daniel.

SENATOR O'DANIEL:

Thank -- thank you, Mr. President. Senate <sic> Bill 1782 amends the Downstate Public Transportation Act which deals with transit systems in the unorganized areas of the State. It provides that participants who qualify for federal operating assistance shall also receive sufficient funds to pay twenty-five percent of their operating deficit, and the committee amendment says that the

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State may, as a participant of any Federal Matching Grant Program, overmatch any federal grant to any local mass transit district.

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:

You're saying that you want IDOT to pay twenty-five percent of the operating deficit of any downstate public transit operator?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel.

SENATOR O'DANIEL:

It's just the ones that qualify, and -- and IDOT already does that.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Can you tell me approximately what this is going to cost?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel.

SENATOR O'DANIEL:

Would you restate your question, please?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

What's it going to cost? Senator Fawell.

SENATOR FAWELL:

I was just wondering if you have any idea what the cost is going to be.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel.

SENATOR O'DANIEL:

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About -- about a half a million dollars, as it was introduced.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Well, to the bill, according to our analysis, this is not in the Governor's budget. You're talking about a half a million dollars a year. I think maybe we all ought to be looking at this a little bit carefully. At least make sure we know what we're doing.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel, to close.

SENATOR O'DANIEL:

I -- I would just ask for a favorable vote. I think with the amendment, the Department of Transportation doesn't have any problem with it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 1782 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 48 Ayes, 10 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1819. Senator Holmberg. Read the bill, please.

SECRETARY HAWKER:

House Bill 1819.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Winnebago, Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 1819 is a bill that many of you have been spoken to about. It is supported by the counties, the cities and the school districts of Illinois and all of their employee organizations. It comes to you from the House.

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The sponsor is here, Representative Mautino, and has bipartisan support here within the Senate - with Senator Jones, Zito, Raica, D'Arco, Rea, Hawkinson, Berma, Brookins and Smith as my co-sponsors. Basically, what it does is authorizes cities, counties, school districts and other units of local government to have their employees and retirees covered under the State Employees Group Insurance Act. Local governments would have the option to purchase the State Employees' Group Health Plan. There are no State funds involved. The program would be administered by the State Department of Central Management Services, which wrote the bill originally, and it's authorized to pass along any administrative expenses to the units of local government purchasing coverage. This identical bill was sponsored in the Eighty-fifth General Assembly by Senator Philip. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Thank you very much. There are certainly some good points to this bill, but there are some bad effects, too. Obviously, again what we're doing is we're putting government into the business world, and we're cutting out the local insurance man who would normally sell this insurance to our local communities, to our local schools. And I'm not sure that -- that the State of Illinois should be in the insurance business. This isn't the function of government. The function of government is to - as far as the State is concerned - to take care of the State employees. When we extend ourselves beyond that perimeter and enter into the schools, and the local municipalities, and all the other local taxing districts, I think we're invading a territory that rightfully belongs to the small businessman, the man that's our constituent. I would suggest you -- you take a good look at

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this bill, and -- and question what is the function of our State. And if you agree with me, I would suggest a No vote on this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I'd like to state that I have a conflict of interest, and I will vote my conscience on it, and I don't want to have to say it again. But since I'm a mayor, as well as a Senator, I may be voting on other bills where I may have a conflict of interest, but I still will vote my conscience and use my judgment. So I just want to state it for the record.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Whiteside, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Here again, this bill, which deals with the State Insurance Program, went to the Local Government Committee, and I really have not been following it that much. But it occurs to me that if we're going to do this, and there may be some governments that - small governments with small numbers of employees - who, in fact, are unable to buy insurance at a reasonable price. It might make some sense to let them in. I wonder if we really want to let in all the local governments in the State of Illinois, if that, in fact, is going to work to the advantage of -- of the Group Insurance Plan of the State of Illinois. I'm inclined to think not. I -- I would cite for you an example. The community college retirees were unable to put together a group health insurance program, and they came back to us wanting in the State system. Now, who do they -- who are they asking to pay for those benefits? They want the State to pay for it. If we begin putting large groups of State -- of local government employees into the State Insurance Plan, I think the

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next shoe that's going to drop is the one that would have the State paying all the benefit of those health insurance plans. It seems to me that what we ought to do if - if, in fact, this bill is needed - that we ought to limit it to units of government that would, for example, have less than fifty employees. So I -- I think I'm opposed to the bill at this point, and hope that we might reach a compromise in conference.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Winnebago, Senator Holmberg, to close.

SENATOR HOLMBERG:

Thank you, Mr. President. I served on the Insurance Reform Commission during that year of hearings. The one thing we heard the most...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me, ma'am. Thank you very much. Please proceed.

SENATOR HOLMBERG:

...The one thing we heard the most from municipalities, from park districts, from counties, was the skyrocketing cost of insurance; that their rates were going up twenty to sixty percent, that many of them were going uninsured, were closing down their parks, because they could no longer afford to serve the public. At that time, we said to them, "One way that the State might be able to help was to be set up pools where they could get a better rate." The CMS written version of the bill you have before you is one attempt to do that - to allow municipalities and school districts to participate in larger numbers, so that the rates can be better for them. CMS, in a letter to me, has said that, to the extent that we recover our costs in setting the premiums, the bill should not have any significant impact on cost to the State. We can also take into account the age, sex mix, geography, and other demographic factors of the local government group applying for coverage. The bill requires local governments to cover all of

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their workers, so they can't, for example, give the State the bad risks and give the good ones to an HMO. Finally, CMS says we can adjust their premiums in the second year to reflect their claims experience. If they have bad experience, we will get our money back in higher premiums the second year. If they have good experience, the State benefits, because the bill requires that in no instance can the premium be lower than the premium for State employees. Also, I'd like to remind you that this does not affect existing contracts. Collective bargaining would still be necessary in order to decide which insurance carrier they would choose. They would very likely go, in many cases, with their own private carrier. This gives them an alternative and an option. It's certainly a method that we should support. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 1819 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 41 Ayes, 15 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1824. Senator Brookins. Read the bill, please.

SECRETARY HAWKER:

House Bill 1824.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. House Bill 1824 changes the Human Right Act to reflect changes required by the Federal Fair Housing Act, amended 1988. The Department of Human Rights strongly

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supports this amendment, because it would allow the Department of Human Rights to maintain its substantially equivalent status with HUD, and to continue to receive funds from HUD. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1824 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1847. Senator Schaffer. Read the bill, please.

SECRETARY HAWKER:

House Bill 1847.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McHenry, Senator Schaffer.

SENATOR SCHAFFER:

This bill was requested by one of our State's Attorneys, and it would simply provide that a person who's been convicted of a DUI offense, citing the Section 11-501 of this Code, arising from the same arrest, that a hearing shall not be required prior to the restoration, unless requested by the person seeking restoration. The problem was that the law currently provided -- currently provides that even after someone's convicted, you still have to do the hearing, and what they're saying here is that you don't have to give them the hearing unless they want the hearing, 'cause most people, after they're convicted, it's a moot point.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1847 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open.

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Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, 1 Nay, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1859. Senator del Valle. Read the bill, please.

SECRETARY HAWKER:

House Bill 1859.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill increases the penalty for the offense of mob action, and also mandates a prison term for a person convicted of a forcible felony - in this case, a forcible felony - if the offense was related to the activities of an organized gang. The bill also provides a definition for "organized gang." It's a bill for the purpose of getting tough on gangs. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1859 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1871 is on Recall. The top of Page 18 is House Bill 1876. Senator Watson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1876.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Bond, Mr. -- Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. You're -- the Membership's going to have to bear with me. This is one of those -- is one of four AIDS bills that I'm sponsoring, and we have some nine amendments that were adopted, due to the fact that the chairman of the committee did not wish to have all the bills out on the Floor. So all the amendments were originally House Bills that did pass the House and were in committee, but due to the wishes of the sponsor, we've amended House Bill 1876. The first portion of the bill would require that everyone seeking treatment at a sexually transmittable disease clinic be tested for HIV virus, unless that person refuses, and then the individual would be counseled. The next amendment would be -- the Department of Corrections would be required to test for HIV between sixty and fifty -- fifteen days prior to release. Now this is the amendment that the Department of Correction -- Corrections support. Also the -- there would be spousal notification and counseling. Another amendment would clarify that the Department of Children and Family Service -- Services must petition the court for an HIV result in a child abuse case when the child's contact with the perpetrator was in a manner that could possibly result in the transmission of the HIV virus. One -- another amendment was -- was adopted and requested by the Department of Public Health to help limit the size of the monthly reports on HIV. Another amendment would require the public -- Department of Public Health to request monthly reports from the Federal Government, and another one would require the Department of Alcohol and Substance Abuse to provide HIV testing for all purposes excepting treatment for drug abuse, unless the individual refuses and if the individual refuses, then counseling would be provided. Another amendment requires the Department of Children

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and Family Services to petition the court to issue and order for disclosure of any HIV test previously performed on a child abuse perpetrator in cases where the child is likely to have been exposed to blood or any body fluid of that perpetrator. And the last amendment was one that which required the Department of Public Health to publish monthly statistics as to the AIDS incidence here in Illinois, and I'll be glad to answer any questions. Appreciate the support of the Membership.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1876 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 54 Ayes, 3 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1878. Senator Watson. Read the bill, please.

SECRETARY HAWKER:

House Bill 1878.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Bond, Senator Watson.

SENATOR WATSON:

Thank you again, Mr. President and Members. I -- this is another bill that we have several amendments. The first initial legislation was spousal -- spouse notification -- case of a physician -- individual's tested, the physician would counsel with the individual in hopes and encourage the individual to notify their spouse, if not, the physician would do so. We have some protection in here for the doctor, that was advised and asked for by the Illinois Medical Society. We have another amendment which would require the Department of Corrections to test for HIV

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infection of every person committed to the Department's custody. The committed person must be tested both at the time upon custody, and also about thirty to fifteen days prior to release. Also the Department of Corrections would then notify the spouse in case of a positive test. It would require the committed person who tests positively, to every extent possible to segregate that individual from all other committed individuals, and it would prohibit the Department of Corrections from housing an infected inmate in the same cell as a noninfected inmate. Amendment 3 provide that fees charged to private physicians for having a State lab to perform AID test cannot exceed the cost of the State. In other words, we're not here in the State to make money, we're just simply here to provide a service, and we're trying to hold the cost down. Amendment No. 4 required Central Management Service to enter into a contract with one or more testing laboratories to provide testing. What we've found is that the Department of Defense has a program in which their -- they bulk-buy these tests and provide the tests at a very nominal fee, and it's something we'd like to see encouraged here in Illinois. And it also requires the Department of Public Health, Mr. President, to pay for the cost of the HIV testing done under the contract, pursuant to a court order only. Again, I'd like to ask the Membership for support. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from Cook, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Watson, one question in particular. I believe that most of the provisions are perfectly acceptable provisions from any perspective, if I may put it that way, but I think it is important to call attention to one, and that is the one that deals with, I think both testing and segregation of prisoners, and my understanding is that that

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Section, which I think was put on by amendment, is opposed by the Department of Corrections, in part for cost reasons, and in part, I think, because they felt they simply could not accommodate it, and that it also presented some discipline problems for them within the prison context. But my -- my specific question, is there not a provision dealing with the testing and segregation of prisoners that is opposed by the Department of Corrections?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

The answer is yes. The Department of Corrections does not support the provisions of -- most of the provisions of that amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Smith. Oh, I'm sorry. Senator Netsch. Senator Netsch, please.

SENATOR NETSCH:

I'm -- I'm sorry I -- my light was up. Then while I don't have my notes in front of me, my recollection is that the fiscal note that was supplied by the Department suggested a cost of - and correct me, please, if I am wrong - I think it was from nineteen to fifty-nine million dollars. Do you recall, is that correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Well, that may be what the Department has said, and I'm sure there's going to be some cost in regard to testing, but as far as housing, that could be minimal, because there is, of course, cells available now. So I -- I'm not sure where they're coming up with those figures, but there will be some -- other costs in regard to the testing.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Netsch.

SENATOR NETSCH:

Yeah. I just wanted to be clear, because again, I don't think people should vote on this without realizing the cost implications of it, and I am reminded by staff that their estimate was between nineteen and fifty-nine million dollars, and I believe the cost was not just attributable to the fact of the testing, but to the requirement that the prisoners be segregated, and since our prisons are filled to capacity these days anyway, I think that was the part that they felt presented a particular problem in terms of the cost.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson. Senator Smith. The Lady from Cook, Senator Smith.

SENATOR SMITH:

Thank you, Madam President -- Mr. President and Ladies and Gentlemen of the Senate. To my colleague, Senator Watson, I stand against this particular bill. Some of the items that you have listed here in 1878, I think that are really damaging to our society, and I am -- even though I am not for prisoners incarcerated, not only that, but I think that they are entitled to some justices, and I think that the item that you have listed here as far as our prisons are concerned, is against them, and I don't like that very much, and I certainly do not agree with you, and I can't vote for this -- 1878.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson, to close.

SENATOR WATSON:

Well, briefly, Mr. President. I -- I appreciate the opposition and I can understand the concerns for the fiscal impact, but I think that one thing in regard to the Department -- Department of Corrections, is simply to move people around. We're -- we're

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talking about segregating in their cell only. Certainly not on the grounds, so to move people around is not really a major cost. I think the major cost is only in the testing. The thing about AIDS and the thing that we have to understand is that we have two ways to go - we have to educate the people and we have to identify. The attempt of the four pieces of legislation is primarily in the area of identification. We're also trying to go after those areas in which are high risk. That's what the -- the medical people tell us, that's what we find out. The Department of Corrections says four percent of the people are possibly infected with the HIV virus. Those -- that's a high-risk group. Those people should be tested. Drug Abusers should be tested. That's what the -- the intent of this legislation is, and I'd certainly appreciate any support they can give them. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 1878 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, take the record. On this question, there are 39 Ayes, 12 Nays, 3 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. The Gentleman from Franklin, what purpose you seek recognition?

SENATOR REA:

Mr. President, on a point of personal privilege. I would like -- I would like to announce that we have a Page here that has received a distinguished honor to go to Spain as a International Farm Youth Exchange. She will be leaving us today. She will be there for, I believe, about eight weeks, and it's Audra Burlingson. Many -- many of you have met her here. Let's give her a big hand.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let's give her a big hand and wish her well. We wish you

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well, and hurry back. House Bill 1880. That's back on Recall. 1881 is on Recall. 1883. Senator Hawkinson. Please read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1883.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Knox, Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This was one of a series of three bills that are designed to get at criminal activity committed in -- in the course of cult activities. The other two were on the Agreed Bill List that was passed earlier. This one was kept off and there was an amendment that was placed on that was discussed in committee. The amendment was offered by Senator Marovitz. What the bill does is to make it a crime to coerce someone to commit suicide. Originally in the House it was encouraged, but it was felt that -- that that was improper and was changed in the House to mean someone who coerces, such as the Jim Jones situation in Guyana, which would currently not be a crime in Illinois. An amendment was offered by Senator Marovitz, which I accepted, to clarify that this is not intended to apply to counseling situations involved with terminal illness. I'd be happy to try and answer any questions, and otherwise would ask for the passage of House Bill 1883.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1883 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional

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majority, is hereby declared passed. 1966 is on Recall. 1978 is on Recall. 2004 is on Recall. House Bill 2010. Senator Karpziel. 2010. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2010.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me. The Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

Yes. I ask leave to Table 2010.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Good. Ask leave -- the Lady Tables 2010. Any objection? Hearing none, House Bill 2010 is Tabled. 2020. Senator Netsch. Please read the bill.

SECRETARY HAWKER:

House Bill 2020.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 2020, as amended on the Floor the other day, is similar but not identical to House Bill 1507. It deals with hospital wastes and the incineration thereof, and basically requires that both on-site incinerators that will be built in the future and regional incinerators that will be built in the future, meet air -- toxic air emission standards that would be promulgated by the Environmental Protection Association. The standards would be similar to those that are already applied to municipal incinerators. The problem is that hospitals have very toxic -- first place, large amounts of waste, and secondly, very toxic wastes, in part because of the high use of plastics and

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other things. So that no one is suggesting that they should not build their on-site incinerators, rather than dumping the things on the beach, but they obviously should meet quality standards for toxicity. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Macdonald. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise to oppose this particular piece of legislation. Many years ago, I was the original sponsor of the Infectious Hospital Waste Bill. At that time we went through many, many months of establishing criteria of what was necessary for the hospitals to conform to, in order to dispose of this waste. The particular bill that we're dealing with now, I think, basically is -- is really confusing. If the hospitals that are currently under the surveillance of the Illinois Environmental Protection Agency are qualified to burn their -- and incinerate and agreed they are highly infectious and highly toxic waste, but if they are not meeting those standards now, then they should not be in operation, and I think to say that -- that new -- that we are requiring newly built hospitals to have the same standard as municipal incinerators is unrealistic, and I think that it will of course increase the cost of construction of new hospitals, and certainly be a great expense. Plus you have to realize, if the hospitals cannot burn this waste, they're going to be shipping it or transporting it in some way all over this State. I think we should look very carefully at this bill to see what we are doing in -- with these particular requirements. So I am opposing this particular piece of legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Netsch, to close.

SENATOR NETSCH:

Thank you. Just to respond to Senator Macdonald's points.

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First of all, we felt it necessary -- and I think this was a compromise to, in effect, grandfather in the existing on-site incinerators, because we can't -- we felt it was not reasonable to go back and ask every one of them to redo its entire operation, so that it does apply not to new hospitals - to new incinerators. I think it is extremely important that we pick up the new ones however, because with the concern about dumping hospital wastes on beaches and other places and its infectious quality, there undoubtedly is going to be a large number of on-site and regional incinerators for hospital waste material, and it is important that at least they not contribute further to the toxic air quality. The second point is that it does not require, Senator Macdonald, the same standards as municipal incinerators. Both within the text of the bill and in the amendment -- second amendment that I offered, it makes it absolutely clear that the EPA may impose different requirements for different categories of -- of hospital incineration facilities. We recognize that there are different standards to be applied, depending on location costs and other factors. So that is fully recognized in the bill. And finally, I would just point out that this is one of the major areas of -- of contribution to toxic air contaminants, and it is extremely important that we keep as much of a cap on this as possible and not allow it to be added to. I think for that reason, the bill is a very important one in terms of the purity and quality of our air, and therefore the health of our citizens, because remember, the hospital facilities tend to be in highly populated areas, so that it's not something that's sitting out in the -- the middle of nowhere where it will not affect anyone. So it's extremely important that we have this protection.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 2020 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who

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wish? Have all voted who wish? Madam Secretary, take the record. On this question, there are 34 Ayes, 23 Nays, 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senator Schaffer, what purpose you seek recognition?

SENATOR SCHAFFER:

Mr. President, on a point of personal privilege. We're honored today to have Senator Dick Luft in the gallery, gracing us with his presence.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Say, Dick, welcome to Springfield. Let's give him a big Senate welcome. House Bill 2025. Senator Joyce. J.J. Out of the record. 2031. Senator Schuneman. Read the bill, please.

SECRETARY HAWKER:

House Bill 2031.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 2031 is a bill that originated with the Legislative Audit Commission, and seeks to modernize the State's Internal Audit Statute and -- establishes a fiscal control law which is based on the Federal Fiscal Integrity Act. The thrust of this bill is -- is to try to modernize and improve the auditing processes in the various agencies of State government. I'd be happy to try to respond to any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 2031 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 55 Ayes, no Nays, none

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recorded as -- 1 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 2038. Senator DeAngelis. Senator Dunn. Senator DeAngelis. Please read the bill.

SECRETARY HAWKER:

House Bill 2038.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 2038, unamended, simply makes two changes. Currently under law, the hospitals that receive ten percent of their payments on a Medical Assistance Plan have to file audited statements with the Auditor General's Office. This bill eliminates that requirement, but does give the Auditor General's Office the option of auditing any of those hospital's that meet that ten-percent threshold. Currently the Auditor General audits about five out of the hundred and seventy hospitals in this category a year, and since there's been little uncovered in the audits, there's really no need to continue doing this. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 2038 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 2040. Senator DeAngelis. Read the bill.

SECRETARY HAWKER:

House Bill 2040.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this does -- it -- since we lost the battle for the Super Collider, we have now disbanded the Super Collider Fund, but it was determined that if we did that, we do have a couple other groups who have continued on from the research and education we have learned in that battle to get that Super Collider, and this simply asks ENR to work together with the Illinois Coalition, which is the group that the Governor's designated as the technology leaders, and does abolish the SSC Fund.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 2-0-4-0 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 2-0-4-5. Senator Keats. Okay. Top of Page 19 appears House Bill 2-0-4-8. Senator Rock. House Bill 2-0-5-9 is on Recall. 2-0-6-0. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2060.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Tazewell, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2060 allows for a county

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to dissolve a tuberculosis sanitarium district, discontinue the tax, and/or use a portion of that tax to pay for the tuberculosis patients at a county health program. I would try to answer any questions. If not, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 2-0-6-0 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 2-0-6-2 is on Recall. 2-0-7-6. Senator Topinka. Read the bill, please.

SECRETARY HAWKER:

House Bill 2076.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. This amends the School Code, and it provides that courses or proficiency in American sign language would be -- jeepers -- would be used in terms of getting credit in high school for graduation requirements. To my knowledge, at this point, it has no opposition.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2-0-7-6 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 2-0-9-7.

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Senator Carroll. Read the bill, please.

SECRETARY HAWKER:

House Bill 2-0-9-7.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As amended, this legislation would provide that no domestic insurance company may, in the future, make any investments and obligations or guarantees by the International Bank for Reconstruction and Development, commonly known as the World Bank. This is in response to the blacklisting or boycotting that has taken place out of certain Arab and other Third World nations as to Israel and South Africa, and this would -- would not allow insurance companies to invest in the future in World Bank guarantees that were for loans to those who blacklist other countries, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 2-0-9-7 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 56 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 2117. Senator Savickas. 2123 is on the Recall. 2129. Senator Berman. Read the bill, please.

SECRETARY HAWKER:

House Bill 2129.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you. This bill, as amended, requires every individual or group health insurance policy and HMO policy to -- providing coverage for females age thirty-five and over, to include coverage for annual screening by low-dose mammography for the presence of occult breast cancer. This is an important measure to address the concern regarding potential breast cancer in females. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill -- 2-1-2-9 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 44 Ayes, 8 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 2130. Senator Etheredge. Read the bill, please. Excuse me, what purpose do -- does Senator Berman seek recognition?

SENATOR BERMAN:

I meant to ask for leave to add Senator DeAngelis as a co-sponsor on that last bill. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman asks leave - be so recorded - to put Senator DeAngelis as a co-sponsor on House Bill 2129. Senator. I'm sorry. Madam Secretary, read the bill. Senator Hawkinson, for what purpose do you seek recognition?

SENATOR HAWKINSON:

Thank you, Mr. President. I was in the telephone booth talking with the Lieutenant Governor when the last bill was called. I'm a co-sponsor of House Bill 2129, and had I been at my desk, I would have voted in the affirmative.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

The record will so reflect. 2130. Read the bill, please.

SECRETARY HAWKER:

House Bill 2130.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you very much, Ladies and Gentlemen of the Senate. What this bill does, it is -- establishes the Youth Alcohol and Substance Abuse Prevention Fund, and it -- the funds to be deposited in this fund would be derived from a fifty-dollar increase in the retailer's license fee for those who sell alcoholic beverages. The fund would be used to support and establish community-based alcohol and substance abuse prevention programs directed at youth. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall House Bill 2130 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, the Ayes are 56, Nays 3, none voting Present. House Bill 2130, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 2160. Senator Marovitz. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 2160.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LUFT)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 2160 would authorize the issuance of forty million dollars in bonds for the Chicago Park District for the purpose on environmental quality work. Specifically, the amendment would allow the park district to issue bonds up to an amount which would not exceed a quarter of one percent of the assessed valuation of all taxable property, for work which would protect the public and employees from environmental standards -- environmental hazards, excuse me, throughout the park district. The park district has many historically and architecturally significant structures and landscape which haven't been maintained. There's a lot of property which needs to be shored up along the waterways in the harbors, and that's what this is intended to do, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, Senator -- Marovitz -- Senator Marovitz -- the question is, shall House Bill 2160 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 26, the Nays are 31, 1 voting Present. House Bill 2160, having not received the required constitutional majority, is declared passed. Senator Marovitz asks for House Bill 2160 to be on Postponed. Did I say lost? Passed? The bill lost, and it will now be put on the Order of Postponed Consideration. If I could have your attention, back here in this corner, if everybody will look, the -- Bill Houlihan, who is on our staff, and his wife and their three little triplets. On the Order of 3rd Reading is House Bill 2174. Senator Zito. Read the bill, please, Madam Secretary.

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SECRETARY HAWKER:

House Bill 2174.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and Members. House Bill 2174 is a bill that will require licensure for nurse agencies, referred nurses -- referring nurses and nurse's aides to health care facilities. When the bill was heard in Insurance Committee, it was understood at that time that there were to be continued negotiations, and there have been. We adopted an amendment that -- yesterday, which in fact reflected the seventh attempt at a compromise of the issue. Let me tell you what House Bill 2174 now does, as amended. Would require that nurse agencies would have to be licensed due to the flexibility they offer employees and the wages they offer. There has been an experience of a nurses' shortage in Illinois. As a result, these agencies have come together and would refer nurse -- nurses and nurse's aides to health care facilities. We've experienced some problems with the agencies. Not all of the agencies are bad, but we feel that they should be licensed. This bill would attempt to license those -- to bring those into some conformity, make sure that the State of Illinois knows exactly where they're at. I would strongly ask for approval of this bill. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LUFT)

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He indicates he will yield.

SENATOR RAICA:

Senator Zito, I have a, I guess a position paper or whatever, regarding House Bill 2174, and I just have a couple of questions for you, if I may. It says -- under this requirement, it says that not only would the nurses be licensed, but nurse's aides would be licensed. Are they licensed now?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Zito.

SENATOR ZITO:

Yes, they are certified by the Department of Public Health.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Raica.

SENATOR ZITO:

Currently, Senator Raica.

SENATOR RAICA:

Certified is not licensed. Are they licensed now? This says they are licensed under this new one, 2174. Are they licensed now?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Zito.

SENATOR ZITO:

Well, we're playing semantics. Licensed and certified, according to my definition, is similar. They are certified. Are they licensed? They are certified.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Raica.

SENATOR RAICA:

I would have to assume that the answer would be no, that they are not licensed now, and this would make nurse's aides licensed. That's -- okay, I'm hearing a no. Let's hear...

PRESIDING OFFICER: (SENATOR LUFT)

Senator Zito.

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SENATOR ZITO:

Senator, that's not true. The bill -- would require a license for a nurse agency, not its employees. I'm assuming - and rightly so, I believe, as you should assume - that nurses and nurse's aides in the State of Illinois are already certified. This has nothing to do with the employees. This would license the nurse agency.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Raica.

SENATOR RAICA:

It also states on House Bill 74 <sic>, it's necessary to insure that health care facilities using nurse agencies receive trained, competent and qualified nurses and nurse's aides. Nurses are -- are licensed now. Are we saying that nurses that come from agencies now are not qualified? And if they are not qualified, why are they licensed?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Zito.

SENATOR ZITO:

Well, Senator Raica, I don't have to explain to you that even though somebody holds a license means that they are able to do their job. I know that you're a paramedic. There are some paramedics that do a much better job than others, even though all of them are licensed. We have had experiences in the State of Illinois in nursing homes, where people are wrongly attended to. Wrongly attended to because nurse agencies have sent far less sufficient nonadequate individuals into those nursing homes because of the shortage. Nursing homes -- there's a big pay differentiation between nursing homes, for example, and hospitals. Much more difficult to get somebody to go to a nursing home. We have experienced in the State of Illinois, some serious, serious problems with inadequate help. Even though they may in fact be

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licensed as nurses by the State of Illinois, we've experienced some -- some serious problems, yes.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Raica.

SENATOR RAICA:

Currently now these nurses' agencies that you are speaking about, do they have a charter, do they file anything with anyone stating that they are a -- nurse agency? 'Cause it states here there's approximately two hundred and fifty to five hundred nurse agencies currently operating in Illinois. Do they file anything at the present time, as far as a nurse agency - like a business, I would assume - but can you answer that?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Zito.

SENATOR ZITO:

Nothing officially, and that's exactly why I feel we need House Bill 2174. There is no certification. There isn't even a list that we know of, on an official capacity as the State of Illinois, to know where these agencies are, who they are and where they are. No.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Raica.

SENATOR RAICA:

This also states that -- according to the Department, that it would go in, it says, "at various times both the Departments of Public Health and Professional Regulations were considered candidates, because this Act regulates entities rather than individuals. The Public Health already regulates health providers, such as home health agencies, hospitals and -- and nursing homes. It's determined that Public Health was the logical licensing entity." Why would we not go with the Department of Professional Regulation if we are talking licensing here. Why are we going with

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the Department of Public Health? These are questions that -- I have constituents that have written to me, and I guess the concern is that a lot of the hospitals within Chicagoland - and I'm not going to say a lot - there are some hospitals that go with an agency because, as you stated, there may be a nursing shortage and nurses -- they have to get nurses from somewhere, and I just want to make a point here. That nurses under a nurse agency -- sometimes a licensed nurse that goes into a hospital, RN or an LPN, may receive anywhere between fourteen to maybe eighteen dollars, depending on their pay differential with the shift that they work. But a lot of the nurses that belong to a registry, because they don't have to pay for health insurance or benefit costs, receive anywhere from eighteen dollars to maybe twenty-eight dollars an hour. And -- and I don't know if -- if what we're trying to do is fair or not. I'm just -- I'm looking for some direction, obviously, with -- with this thing. I don't know right now if it's that good, but I don't want to put nurses that are working and receiving a good wage, out of work because of something that we may be trying to do here, either.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Zito.

SENATOR ZITO:

Senator Raica, I can appreciate your concern. I can tell you emphatically that the Illinois Nurses Association in the State of Illinois does, in fact, wholeheartedly endorse House Bill 2174. They recognize the need to have qualified health care professionals do qualified work. I'm not saying that nurse agencies right now are doing a bad job. The vast majority, I would suspect, are doing a good job, an adequate job. There are several agencies that have developed because of this crunch, because of the need to have additional nurses go into health care facilities, especially nursing homes, and that's why they have asked, as -- as

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a profession, for some type of regulation, some time <sic> of licensing, so we can eliminate the exact problems that you're talking about. I want to get back to an earlier question, though. You had asked about what department was going to be disposed with -- with this. At various times, the Department of Public Health, the Department of Labor and Professional Regulation would consider candidates. Because this Act regulates entities rather than individuals - entities rather than the individual nurses and nurse's aides. Department of Labor already regulates nurse registries. It was determined that Labor was the logical licensing entity, so at various times all these agencies will in fact be involved. I can also tell you that Senator <sic> Steczo from the House had worked on this, and this was a reflection of some efforts and negotiations in the amendment that we adopted yesterday. Prior to that, it was the only the Department of -- the old Department of Registration and Education, which is now Professional Regulation. But now it can encompass all three or four of those departments.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Raica.

SENATOR RAICA:

Greg, if I may, just one final comment. I -- you know, we -- I guess the only reservation I have - I don't know if it's that bad of a thing, but you know, you mentioned that because of the nurse shortage and -- and that was -- that was mentioned. I don't know by -- by licensing a -- a nurse agency, whether that's going to cause an increase of nurses, and the reason I'm saying that is the only thing I think that you may cause are nurses that are receiving a very good wage now, a better wage than those that are actually working in hospitals, rather than going from hospital to hospital, receive a lesser wage, and -- and that's what my concern is. Like I says, we're going maybe from fourteen to eighteen or

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from eighteen to maybe twenty-seven dollars down to fourteen to eighteen dollars, and -- and that's the only question that I'm raising here. Is it that imperative that we move this now?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Zito.

SENATOR ZITO:

Bob, I can assure you that I appreciate your concern. I can assure you that if there was going to be this differentiation, the Illinois Nurses Association would not be in support of this legislation. I have sponsored a number of their bills prior in the Senate, you have been co-sponsors on a number of those pieces of legislation. I assure you that the Illinois Nurses Association would not stand in strong support of House Bill 2174 if in fact that was the case. I appreciate your concern. I just don't think it's going to happen. What we need to do in the State of Illinois again, and this bill addresses, not the individuals, not the individuals, the agencies that are in fact making those referrals.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I just want to clear up the record as far as what happened here yesterday. I guess a lot of people got the idea that I'd put out some kind of a hit order on this bill, and that -- that's not true at all. What I was objecting to was that when this bill was before committee, both Senator Jones and I agreed to let the bill out, with the understanding that it was only going to move if the parties came to an agreement, and what has been reported back to me is that the more they meet, the less they are in agreement. Now that doesn't necessarily mean that Representative Steczo and Senator Zito and his group are wrong. I -- I don't know that that's the case, but there is apparently not agreement within the industry on this bill, and that was the point

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I was trying to make yesterday, that probably we shouldn't move it at that time, but I want to clear up any misunderstanding that might have created.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes. Thank you, Mr. President. Couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

The sponsor indicates he will yield.

SENATOR DeANGELIS:

Senator Zito, following up on what Senator Schuneman said, what happens if a nurse or a nurse's aide is referred to a hospital or a nursing home and turns out to be someone who either is abusive or has some excessive habits. What responsibility do they have, to report back to the agency what this person has done? And what happens if they don't?

PRESIDING OFFICER: (SENATOR LUFT)

Senator -- Senator Zito.

SENATOR ZITO:

I'm sorry. Senator DeAngelis, the agency in fact that would issue the license would be in charge of disposition of the corrective measures. That agency.

PRESIDING OFFICER: (SENATOR LUFT)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I -- maybe I didn't make my question clear, but what you're asking is somebody to regulate the activities of a licensed group to weed out those people who might have some bad habits, who might be engaging in drugs, but basically the people who are observing them at work, what responsibility do they have to report back to the agency that they've seen this person performing that

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kind of activity? Let me -- let me just give you an example. I have been an employer, and occasionally I've had a bad employee who got the word that that person wasn't going to be around, they go out to find another job, and I get a call to -- a reference on that, and because I'm so anxious to get rid of this person, I don't give this person a bad reference. Now what obligation does the person that you send this person to, have to report to you that this person is unsatisfactory, because essentially you're asking the agency to accept the responsibility of that person's performance, and yet the person who's observing him or her, doesn't have any responsibility to tell you anything.

PRESIDENT ROCK:

Senator Zito.

SENATOR ZITO:

Senator, I -- I don't mean to -- to appear dense on this subject, but I don't understand your question. You know, you've used -- you tried to give me an example, and we've got more complicated than -- than the original question. Can you ask it in simpler terms, please?

SENATOR DeANGELIS:

Yes. If I, as a receiver of a person at my facility from an agency, find that this person they sent me is not doing his or her job right, what obligation do I have to report that back to the agency that sent that person to me?

PRESIDENT ROCK:

Senator Zito. There are nine -- nine additional Members who wish to be heard on this, by the way.

SENATOR ZITO:

Could do one or two things - reject the employee that was sent, or report that employee to the agency.

PRESIDENT ROCK:

Senator DeAngelis.

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SENATOR DeANGELIS:

Well, I -- you know, I think that's one of the problems we run into with expectation levels on regulation. Frankly, I have never seen a regulation do anything in terms of improving the performance of an individual. If the person who is the one who requests the service has no obligation to report back to the person that provides the service that the person is inadequate, how in God's green earth is that agency going to find out that it's got a bad employee? Or a bad reference? Well, let's get off it. I got a second question. Is there any intent at all to put caps on these rates at some future date, because the last date that passed this legislation followed it with a cap law thereafter. In fact, every state who's passed this legislation has put a cap on afterwards.

PRESIDENT ROCK:

Is that a question?

SENATOR DeANGELIS:

Yeah, I asked him, is there any attempt to put caps on?

PRESIDENT ROCK:

Senator Zito.

SENATOR ZITO:

No. From the outset of the negotiations, Nurses Association was vehemently opposed to any caps. There are no caps, will be no caps. That was part of the agreement.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I want that for the record, because I don't want to see us come back next year and do what every state that's put this bill on the books has done. I want us to be the exception when that happens. Now the other thing is, I'm going to support the bill, 'cause I do think there's some need for this, but I want to

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tell you, this discussion that we had right now absolutely points out for why the negotiations weren't successful. Because the basic issue of regulation hasn't been answered. Regulation is supposed to improve quality of service, and you have nothing in here at all that does that, except put a burden on an agency to find out if that employee doesn't have a nurse's license. Big deal. The fact is, you've got to do a lot more than that if you're going to be a licensed activity. I know there are some people out there that need - they should not be sent out - and that's why I'm going to support the bill, but you better keep talking, Greg, 'cause I'll tell you, this bill's got a long way to go.

PRESIDENT ROCK:

Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I've discussed this issue with the sponsor of the bill, and as you can see during the course of debate, there -- there are many, many problems and there's a situation where you have many, many of these -- nurse service agencies out here, nurses who are licensed by the Department of Professional Regulation, and now all of the sudden you're going to have the Department of Labor determine the quality of a -- a nurse who is already licensed as such. To make the statement that this had the support of the Illinois Nurses Association - let's be clear about that. The Illinois Nurses Association only represent approximately ten percent of the registered nurses in the State, and most of those that whom they represent are already working in hospitals and institutions as such, so they do not represent this particular nurse who is registered under the Department of Professional Regulation. Number two, the Department does regulate entities. If you look at detective agencies and licensed private detectives under the Department of Professional Regulation. You follow me? So how can

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you have the Department of Labor determining what the qualifications is of a licensed nurse that is already licensed under the Department of Professional Regulation? The bill has many, many problems. I've been inundated with calls from many nurse agencies in my district, and they have grave concerns. I know the House sponsor had indicated that he's talked to many groups, but the ones I've talked to didn't even know about it till they heard about this particular bill. They were not included. And I suggested to the sponsor - and I strongly suggest now - that you rerefer the bill back to committee. We'll work on it on the summer, so we can come out with a workable piece of legislation that's going to do what you intend to do. But let's not send out a bill that as -- as you can see, has many, many problems and is not going to solve any problems. It's just going to create more problems.

PRESIDENT ROCK:

Further discussion? Senator Karpriel.

SENATOR KARPIEL:

Well. Thank you, Mr. President. Senator, very frankly, I'm confused about what exactly you're hoping to achieve with this bill. In the -- I have this sheet that was given out by, I guess, the Nurses Association or someone, and on here it says that House Bill 2174 is necessary to insure that health care facilities using nurse agencies receive trained, competent and qualified nurses and nurse's aides. On the other side of this sheet, it also says that these businesses employ thousands of registered nurses, licensed practical nurses and certified nurse's aides. If these people that they are going to be registering or whatever that are going to apply or be with their agency and then be referring to health care facilities, are already licensed practical nurses, registered nurses and certified nurse's aides, what is this agency, by being licensed, as opposed to unlicensed -- what are they going to do to

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increase the -- the competence and -- and -- of all of these people that are going to be in their agency? I mean, what are they going to do different? Are they going to give them more training, are they going to - what?

PRESIDENT ROCK:

Senator Zito.

SENATOR ZITO:

Senator Karpiel, once again, the purpose of the legislation is aimed at identifying and licensing the nurse agency. As to the question of their employees, yes, they are certified and licensed already by the State of Illinois. But we have experienced problems in the State of Illinois, where some individual employees that have been referred to by these agencies have maybe had a situation where their license has been revoked, because of drugs, because of alcohol abuse, substance abuse, because they have let them lapse, 'cause they have not gone back for training. We think, Representative Steczo and myself believe, very strongly, that if we can identify the nurse agency as the employer, it would greatly help send the best qualified employees, even though they're already licensed by the State of Illinois, to those individual homes, nursing homes and health care facilities.

PRESIDENT ROCK:

Senator Karpiel.

SENATOR KARPIEL:

Well, I'm going to vote for the legislation only because I have gotten calls from several of my nursing homes and nursing home owners that I know and respect. But I agree with Senator Jones and Senator DeAngelis and others. I think this is a very confusing bill. I truly don't think it's necessary, and I -- I believe it needs more work.

PRESIDENT ROCK:

Senator Zito, you wish to close?

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SENATOR ZITO:

Well, just briefly, Mr. President. I don't me to belabor this, but there has been mass confusion about House Bill 2174. Mass confusion. There are some agencies in this State that don't want to be licensed. Would like to send any type of health care employee to any kind of nursing home, because nursing homes in this State are struggling, struggling to find employees. That's wrong. If one instance in home care, health care, nursing home - one instance of a person being neglected or wrongly treated because we have not identified agencies on behalf of the State of Illinois, I think that's wrong. This bill has spent hours and hours of negotiations. Ninety-five percent of the concerns that were addressed through the negotiation process have been addressed as a final result of House Bill 2174. If it needs more work, that's what we're here for. This is what we're trying to do now. We need to protect those homes. I would ask for a favorable vote.

PRESIDENT ROCK:

Question is, shall House Bill 2174 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? Have all voted who wish? Senator Topinka, try that again. That was pretty good. Take the record. On that question, there are 41 Ayes, 13 Nays, 1 voting Present. House Bill 2174, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, as I indicated earlier today, we are attempting to accommodate the Members who have made requests to have their bills heard. There are Members who have filed Motions in Writing to discharge a committee and ask that their bills be placed on 2nd Reading. We are confronted, obviously, with the Friday deadlines. We will deal with those motions...

END OF TAPE

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TAPE 7

PRESIDENT ROCK:

Senator Philip has requested that a Republican Caucus as soon as we adjourn, hopefully not too late. So what we will do is we will attempt to accommodate earlier today on House Bills 2nd Reading. We will go back, with leave of the Body, to the Order of House Bills 2nd Reading to accommodate House Bill 2266. Then we will go to the Order of Motions in Writing for the Motions to Discharge. Then we will read the House Bills on 3rd Reading with respect to appropriations, and then we will adjourn. And then the Republicans can have a Caucus, to which Senator Keats tells me I'm cordially invited. I guess Senator Brookins is always invited, but I'm not. But there are a number of other events going on this evening, so I'm sure everybody wants to get out of here. So let's attempt to move with some dispatch. On the Order of House Bills 2nd Reading is House Bill 2266. Madam Secretary.

SECRETARY HAWKER:

House Bill 2266.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary offers one committee amendment.

PRESIDENT ROCK:

Senator Marovitz, on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you very much, Mr. President. I would -- would withdraw Amendment No. 1.

PRESIDENT ROCK:

Motion is to Table Committee Amendment No. 1 on House Bill 2266. All in favor, indicate by saying Aye. All opposed. The Ayes

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have it. The amendment's Tabled. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Marovitz and J.J. Joyce offer Amendment No. 1. 2, pardon me.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Fine. Thank you very much, Mr. President and Members of the Senate. In recent days there's been a lot of conversation about assault weapons and semiautomatic weapons. The Senate has had an opportunity to go out to the range and see these weapons in their most dastardly evidence. The Lieutenant Governor of our State has taken a very up-front position on a very -- this very important issue. Yesterday, the American Medical Association passed a resolution which I would read. "The American Medical Association supports appropriate legislation that would restrict the sale and private ownership of large-clip, high-rate-of-fire, automatic and semiautomatic firearms, or any weapon that is modified or redesigned to operate as a large-clip, high-rate-of-fire, automatic or semiautomatic weapon." So we have the Medical Association nationally. The National Conference of Mayors. This is not a partisan issue. When the Lieutenant Governor came out-front on this issue, it showed that it's not a Democrat or Republican issue. It's not an upstate, downstate issue. It's not an issue of a -- a conservative or -- or -- or liberal, or progressive, a gun owner or someone who doesn't own any guns. It's an issue of the people. Of protection of the people. Were not infringing upon anybody's rights here. Let me explain what this amendment does, as

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co-sponsored by Senator Jerome Joyce and myself. It does what the last one did, partly. And that is, it defines assault weapons as those which are combined with a clip of over ten rounds. But in the case of semiautomatic handguns, that was changed at the suggestion of the Lieutenant Governor, and I concur in that change, so that the capacity would be over fifteen rounds for semiautomatic handguns. Then, we named specific weapons, similar to what was done in California, which are banned in the State of Illinois, but banned from manufacture, purchase, sale or import. The possession of those weapons are not banned in the State of Illinois, so that somebody who owns these weapons, now, is not a felon, and we are not making him a felon by the passage of this important legislation. The word "possession" is not in that portion of the legislation. Possession only comes in when you have the weapon in conjunction with a clip, a magazine of over ten rounds, in the case of the long barrels, and fifteen in the case of semiautomatic handguns. There are those who said, "Let's have committee hearings," again and again. "Let's convene a conference." In the interim, how many more people have to die from drive-by killings on the playgrounds of the State of Illinois or in the United States? How many more people have to die while we study this issue? Make no mistake about it, and I will be very clear, the National Rifle Association has a large mailing list, large resources, and they'll make hundreds, if not thousands, of phone calls into your district. We all know that. And we know that it's orchestrated. Well orchestrated. The vast majority of those people, and I've spoken to the NRA members that've called me, don't even know what this amendment says. Have no idea of what it does. But they're acting in a knee-jerk fashion, because they're NRA members. Well, I think we ought to be more frightened about what those dozen of us saw out on the target range the other day, than we are of calls from an orchestrated special interest group.

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And I can't tell you how many people on this Floor, who probably have voted No before and may vote No again, came up to me, came up to the Lieutenant Governor, came up to Jerome Joyce, and said, "You're on the right track on this legislation. We think it's a good idea. We don't think anybody should have these guns. But we're afraid of the National Rifle Association." Shame on us. Shame on us. Ladies and Gentlemen, this is really a compromise piece of legislation, and I solicit your Aye vote.

PRESIDENT ROCK:

Question is, the adoption of Amendment No. 2 to House Bill 2266. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT ROCK:

Indicates he'll yield, Senator Davidson.

SENATOR DAVIDSON:

On Page 5, you got -- exemptions that shall not prohibit, or apply, or et cetera. Let me ask you a hypothetical question. Person who's a gun collector and his son's a gun collector, but they're in the name or ownership of the father, who passes away, and the son inherits this collection. Is he in violation under this Act as you propose it?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

There is also a part of this legislation which deals with -- with collectors. And there is exemption for collectors in this legislation. So if he is a bona fide collector, the fact is, he is allowed to have that weapon by this legislation, which was put in at the request of the Lieutenant Governor and the Governor.

PRESIDENT ROCK:

Senator Davidson.

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SENATOR DAVIDSON:

Yes. To the amendment, Mr. President. I was out there for that demonstration yesterday, as was some other members of the Senate and the House. And I got to tell you, most of the weapons they demonstrated to us, you can't buy. You cannot buy, as a civilian. You can only buy an AK-15 and et cetera that's manufactured to fire semiautomatic. You can only make it full automatic if you take it to a gunsmith, whether he's legal or illegal, who's willing and can, by a few tricks of the trade, make it full automatic. And I don't support a person having a full automatic unless you're in the law enforcement, or the armed services, et cetera. Really, I think, armed service. I have never seen, and I've been around guns all my life, I've never seen the so-called shotgun they call the street-sweeper, till yesterday. But I did notice one thing. And that's the one that has the drum. I did notice one thing. It was terribly inaccurate. The man missed the plastic -- gallon plastic jug at ten or fifteen yards. But the most important thing, only illegal people are probably going to use it, but I want to tell you, if that illegal person watching the man who demonstrated who came up who had glasses on and complaining to the people, said, "If I hadn't had these glasses on, I'd have been blind," because apparently the looseness of the construction allows powder to explode and hit him in the face. Now let's get realistic. We ought to do something about illegal guns, and I'm against illegal guns, and illegal use, I should say. Let's make the penalty for use. Let's not lay it on those people who are legitimate gun owners. I happen to be the owner, which -- by inheritance, that I can switch to a full automatic. But being a trained aviation ordinance man, I converted it so it can't be done by a selector switch to full automatic. Now if you want to get to the problem, let's make the penalty and don't allow plea bargaining, when a gun is used in the committing of a crime. Let's

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put the penalty where it is. Let's not try to make illegal people or lawbreakers out of legitimate citizens. Ninety-nine percent or ninety-eight percent of the people are legitimate owners, users of -- of weapons. City of Chicago and New York City have had some of the toughest gun control laws in existence. And it hasn't done a darn thing, because you haven't done anything about your criminal that's using it. And I would recommend all of you to vote No on this amendment.

PRESIDENT ROCK:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A question of the sponsor, please.

PRESIDENT ROCK:

Indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Marovitz, I think you mentioned in your opening remarks, and I know Senator Davidson addressed this somewhat too, that -- that you are attempting to provide an exemption for -- that would permit the continuing possession for those who presently own these weapons. Is -- is that a correct representation of your earlier statement?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

That is -- that is correct. It's not an exemption, but those people who currently possess them, this law in regards to naming the weapons on Pages 3 and 4 of the amendment, does not deal with possession. That portion does not -- it only deals with manufacture, purchase, sale or import. Does not deal with possession.

PRESIDENT ROCK:

Senator Barkhausen.

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SENATOR BARKHAUSEN:

But with regard to -- to possession, you're continuing not with regard to the -- the guns that are enumerated on Pages 3 and 4, but with regard in general to semiautomatic firearms. Is that last section intended to allow those who possess semiautomatic firearms, other than those that may be included on Pages 3 and 4, to continue to possess them?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Yes. They -- they make...

PRESIDENT ROCK:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I -- I wonder, then, why that -- why the language, which permits continued possession, is qualified by the words "bona fide collector of antique or surplus military ordinance"...

PRESIDENT ROCK:

Senator Marovitz.

SENATOR BARKHAUSEN:

...I wonder what one has to do in order to establish that one is a bona fide collector.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

That's -- that is a different section, which is already in -- exists in another section of the law. The Governor and the Lieutenant Governor felt that we needed to make some provisions for the legitimate collector. That is what that provision does, so that the legitimate collector can continue his collection and continue to possess those guns that he has been using.

PRESIDENT ROCK:

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Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, this is another gun control bill. I still feel that law-abiding citizens have the right to have a gun in their home for their protection. Chicago, which has a strong anti-gun bill, has more crime, and far more since they passed that darn ordinance. And I think we're spinning our wheels. Much as I respect my Lieutenant Governor and my Governor, I don't agree with them. I will not support a bill that prevents a law-abiding citizen from having his guns. And this is what it's destined to be, when it goes to the other side. They're going to fix it up real nice. And I'm telling you, it's a bad one, and I feel we should enforce the laws that we have on the books. Let's do that. If we make the -- the penalty stiffer, fine, let's do that too. But I will not...

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT ROCK:

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

Thank you. Senator Marovitz, on 1st Page, lines 15 thru 20 there, you -- it -- it states that it's unlawful for a person to knowingly sell, possess, and so on, and then it goes on and says, "...if a magazine or ammunition belt of a capacity of more than ten rounds is in the possession...or control of the same person." My question is, what's an ammunition belt?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much. It is defined on Page 2, line 13, as a

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belt or strap which holds ammunition to be fed continuously into a semiautomatic firearm. Defined on the next page.

PRESIDENT ROCK:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I've got a couple of questions of the sponsor.

PRESIDENT ROCK:

Indicates he'll yield. Senator Kelly.

SENATOR KELLY:

Your -- your legislative intent is not in any way to take away guns from good people, who want to hunt and defend their homes and property. Is that right?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

That is correct. That's not my legislative intent.

PRESIDENT ROCK:

Senator Kelly.

SENATOR KELLY:

All right. I'd like to use an example, but maybe it's not included. 22 rifles - is that a -- are they subject to this bill? It's a -- the reason is, someone brought to my attention that they've got a -- a weapon with some eighteen rounds in it. What I want to know is, if you do have a weapon, whether it's a 22 or something else, if, in fact, you -- you use a clip that's less than -- in other words meets your provisions, would that weapon be legal, or would you take away that weapon because it can contain a -- a larger clip?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

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The mere fact that the weapon can contain a larger clip doesn't mean that the weapon is banned or illegal. It is only banned or illegal when it is combined, actually combined, with that clip.

PRESIDENT ROCK:

Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. I think we know what this issue is. It is a very, very important issue. We'll debate it again tomorrow on 3rd Reading. And I would solicit your Aye vote for adoption of this amendment.

PRESIDENT ROCK:

Question is, the adoption of Amendment No. 2 to House Bill 2266. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Barkhausen.

PRESIDENT ROCK:

Senator Barkhausen, on Amendment No. 3. Withdraw the amendment, Madam Secretary. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Marovitz.

PRESIDENT ROCK:

Withdraw the amendment, Madam Secretary. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Ladies and Gentlemen, if I can turn you attention to Page 38 on the Calendar. A printout has been distributed from the Legislative Information Service of the bills which appear on today's Calendar under the Order of Motions in Writing. We will not deal with resolutions. Senator Joyce, the

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Chairman of Executive, indicates that there will probably be a meeting next week of the Executive Committee to handle resolutions. So we will deal only with bills. We will try to deal with these, and I would urge the Members to deal with these with some dispatch, because then we will go to the Order of 3rd Reading to read and vote on the appropriation bills, and then Senator Philip has indicated the Republicans will gather in Caucus. And Senator Philip is buying dinner and breakfast. Page 38 on the Calendar. Motion in Writing with respect to House Bill 187. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to suspend Senate Rule 5C, and that the Committee on Executive be discharged from further consideration of House Bill 187, and that it be placed on the -- Senator Calendar on the Order of 2nd Reading.

Filed by Senator Geo-Karis.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. I've cleared this with the Chairman of the Executive Committee, Senator Jerome Joyce, and with the Minority Spokesman, Senator Karpel, and I ask that this -- that this bill be discharged from the Executive and placed on 2nd Reading.

PRESIDENT ROCK:

Senator Geo-Karis has moved to discharge the Committee on Executive from further consideration of House Bill 187, and asks that the bill be placed on 2nd Reading. 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 44 Ayes, 4 Nays, and the motion prevails, and it's so ordered. Motion in Writing with

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respect to House Bill 273. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move that the Senate Committee on Local Government be discharged from further consideration of House Bill 2-7-3, and that it be placed on the Order of 2nd Reading.

Filed by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

That's supposed to have been taken out of the record, Mr. President.

PRESIDENT ROCK:

Withdraw the motion, Madam Secretary. On the Order of Motions in Writing, a Motion in Writing with respect to House Bill 304. Read the motion.

SECRETARY HAWKER:

I move to discharge the Committee on Public Health, Welfare and Corrections from further consideration of House Bill 304, and that it be advanced to 2nd Reading.

Filed by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. -- Mr. President and Ladies and Gentlemen of the Senate. I would move to discharge House Bill 304 from the Public Health Committee. This amends the Abused and Neglected Child Reporting Act. Provides a definition of "neglected child," and it also notes that a newborn infant whose blood or urine contains any amount of a controlled substance, unless that's a result of medical treatment, would be considered as neglected.

PRESIDENT ROCK:

Discussion? Senator Smith.

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SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill was adopted, Senate Amendment No. 1 to House Bill 2590, on 6-15-89, which is currently on 3rd Reading.

PRESIDENT ROCK:

All right. Senator Topinka has moved to discharge the Committee on Public Health from further consideration of House Bill 304, and asks that the bill be placed on 2nd Reading. Those in favor will vote Aye. Opposed will vote Nay, and the voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 22 Nays, and the motion prevails. So ordered. 683. Senator Joyce. 1125. Senator Kustra. 1447. Senator Dudycz. 1567. Senator Macdonald. On the Order of Motions in Writing, there's a Motion in Writing with respect to House Bill 1567. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that the Committee on Executive be discharged from further consideration of House Bill 1567, and that the bill be placed on the Order of 2nd Reading.

Filed by Senator Macdonald.

PRESIDENT ROCK:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I move to discharge House Bill 1567 from Executive. I picked this bill up very late while they were still on the Calendar, while we were in committee during the last days, and by the time I picked it up it was, I guess, the last day of Executive Committee, and by the time I got there the committee had adjourned, and so I was not able to have the bill heard in committee, so I move to discharge this 1567, and have it placed on 2nd Reading.

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PRESIDENT ROCK:

All right. Senator Macdonald has moved to discharge the Committee on Executive from further consideration of House Bill 1567, and asks that the bill be placed on 2nd Reading. Those in favor will vote Aye. Those opposed, vote Nay. The voting's open. ... (machine cutoff) ...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. House Bill 1567 is discharged from the Committee on Executive, and will be placed on the Order of 2nd Reading. 1927. Senator Collins. On the Order of Motions in Writing is House Bill 1927. House Bill. Senator Collins. Beg you pardon. Senator Collins. Madam Secretary.

SECRETARY HAWKER:

I move to discharge the Committee on Public Health, Welfare and Corrections from further consideration of House Bill 1927, and that the bill be placed on the Calendar on the Order of 2nd Reading.

Filed by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes. Thank you. I filed this discharge motion at the request of the House sponsor, because the House sponsor was not given an opportunity for a hearing on this particular bill. But also, I -- I stand to -- to pursue this motion, because it is another blatant example of inconsistency and policy and double standards as it relates to the sanctity -- or protecting the sanctity of the so-called Democratic party. This bill of course was not given a hearing on the same subject matter, whereas another bill and three other bills were not given a hearing, when a Republican bill was

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allowed identical to go out -- out of the committee. The Democratic sponsor wishes to have had a hearing, so I filed the motion. I had two bills myself. A Senate Bill identical to this bill that did not get out of committee and was placed in the subcommittee. So you can do whatever you want on the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. I appreciate the comments of the sponsor of the motion. I would just say that we've defeated this concept three times, and I would just stand in opposition to the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The -- Senator Collins may close. The question is, shall the Committee on Public Health be discharged from further consideration of House Bill 1-9-2-7. 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 11, the Nays are 31, none voting Present. The Motion to Discharge fails. 2-0-7-9. Senator Jones. All right. House Bill 2079. Beg your pardon. House -- the motion with respect to House Bill 2079, Madam Secretary.

SECRETARY HAWKER:

I move to discharge the Judiciary Committee from further consideration of House Bill 2079, and that the bill be placed on the Order -- on the Calendar on the Order of 2nd Reading.

Filed by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I filed this Motion to Discharge simply because when I appeared

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before the committee with this bill and other bills, I was informed that this bill was on the Agreed Bill List, only to find out later that the bill was never even voted out of committee. So I ask for affirmative vote on this discharge motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

I stand in support of Senator Jones' motion. I have no distinct recollection of whether this was or was not supposed to be on the Agreed Bill List, but it sounds like a good bill to me, and I think we should consider it on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved to discharge the Committee on Judiciary from -- from further consideration of House Bill 2079. Those in favor, indicate -- 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 52, the Nays are 1, none voting Present. The -- House Bill 2079 is discharged from the Committee on Judiciary, and it will be placed on the Order of 2nd Reading. 2081. No? 2262. Senator Topinka. On the Order -- all right. On the Order of Motions, House Bill 2262, Madam Secretary.

SECRETARY HAWKER:

I move to discharge the Committee on Public Health, Welfare and Corrections from further consideration of House Bill 2262, and that it be advanced to 2nd Reading.

Filed by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate. House Bill 2-2-6-2 is basically the companion bill that goes with

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the one that just discharged. It talked about babies being born with a drug dependence. In the first bill it was abuse. This one defines them in terms of neglect, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman, Ladies and Gentlemen. I oppose the -- to discharge this bill. This bill was adopted to House Bill 2590 and Senate Bill No. 3 on 6-15-89, which is now currently on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved to discharge the Committee on Public Health from further consideration of House Bill 2262. 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 34, the Nays are 18, none voting Present. The motion carries. The -- House Bill 2262 is discharged from the Committee on Public Health, and will be placed on the Order of 2nd Reading. House Bill 2423. Senator Luft. House Bill 2423, Madam Secretary.

SECRETARY HAWKER:

I move that all appropriate Senate rules be waived, and the Committee on Finance and Credit Regulations be discharged from further consideration of House Bill 2423, and that the bill be placed on the Calendar on the Order of 2nd Reading.

Filed by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to discharge House Bill

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2423 from the Committee on Finance and Credit Regulations. I've spoken with Senator Zito, the Chairman; Senator Keats, the Minority Spokesman. It is the Disposition of Unclaimed Property Act, which I intentionally left in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion?

SENATOR LUFT:

Unintentionally left in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I think you were right the first time. Senator Luft has moved to discharge the Committee on Finance and Credit Regulations from further consideration of House Bill 2423. 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 49, the Nays are 6, none voting Present. House Bill 2429 is -- House Bill 2423 is discharged from the Committee on Finance and Credit Regulations, and will be placed on the Order of 2nd Reading. 2579. Let's see, we're not doing resolutions. All right. There is one additional motion that had been filed with respect to House Bill 2576. Madam Secretary, would you read that motion, please?

SECRETARY HAWKER:

House Bill -- I move to suspend Senate Rule 5C, and that the Committee on Transportation be discharged from further consideration of House Bill 2576, and that it be placed on the Senate Calendar on the Order of 2nd Reading.

Filed by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Move the adoption of the motion, Mr. President. All this does

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is, if agreement is worked out, it could become the vehicle for the Motor Fuel Tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved to discharge the Committee on Transportation from further consideration of House Bill 2576. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. House Bill 2576 is discharged from the Committee on Transportation, and will be placed on the Order of 2nd Reading. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I was just agreeing with Senator Davidson. I wanted to let everybody know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we are now, I suspect, at the time of the day to -- we will hear from Senator Brookins. Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Now, Mr. President, you're welcome to the Republican Caucus.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Howard, it's not that late in the day yet. Relax. Page 26. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. Just to remind the Republicans that we do have a Republican Caucus when we finish, and Mr. Brookins, you can stop in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well. Let's not everybody get crazy here. We're not -- we're not finished. We are now on Page 26. With leave of the Body, we will move to the House Bills 3rd Reading, the appropriations bills, for the purpose of having the Secretary read in all of the bills, and I suspect that at the end of that period of time, there will be one roll call that will be taken, and I assume -- Mr.

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Secretary, you have any idea when that will be? Maybe fifteen minutes? Ten minutes? Five minutes. Mr. Secretary, read the bills. Let's go.

ACTING SECRETARY: (MR. HARRY)

House Bill 238.

(Secretary reads title of bill)

House Bill 239.

(Secretary reads title of bill)

House Bill 545.

(Secretary reads title of bill)

House Bill 551.

(Secretary reads title of bill)

House Bill 582.

(Secretary reads title of bill)

House Bill 583.

(Secretary reads title of bill)

House Bill 584.

(Secretary reads title of bill)

House Bill 592.

(Secretary reads title of bill)

House Bill 593.

(Secretary reads title of bill)

House Bill 595.

(Secretary reads title of bill)

House Bill 659.

(Secretary reads title of bill)

House Bill 830.

(Secretary reads title of bill)

House Bill 831.

(Secretary reads title of bill)

House Bill 832.

(Secretary reads title of bill)

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House Bill 833.

(Secretary reads title of bill)

House Bill 834.

(Secretary reads title of bill)

House Bill 835.

(Secretary reads title of bill)

House Bill 836.

(Secretary reads title of bill)

House Bill 837.

(Secretary reads title of bill)

House Bill 838.

(Secretary reads title of bill)

House Bill 839.

(Secretary reads title of bill)

House Bill 840.

(Secretary reads title of bill)

House Bill 841.

(Secretary reads title of bill)

House Bill 842.

(Secretary reads title of bill)

House Bill 843.

(Secretary reads title of bill)

House Bill 844.

(Secretary reads title of bill)

House Bill 845.

(Secretary reads title of bill)

House Bill 846.

(Secretary reads title of bill)

House Bill 847.

(Secretary reads title of bill)

House Bill 848.

(Secretary reads title of bill)

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House Bill 849.

(Secretary reads title of bill)

House Bill 850.

(Secretary reads title of bill)

House Bill 851.

(Secretary reads title of bill)

House Bill 859.

(Secretary reads title of bill)

House Bill 860.

(Secretary reads title of bill)

House Bill 861.

(Secretary reads title of bill)

House Bill 863.

(Secretary reads title of bill)

House Bill 864.

(Secretary reads title of bill)

House Bill 865.

(Secretary reads title of bill)

House Bill 942.

(Secretary reads title of bill)

House Bill 994.

(Secretary reads title of bill)

House Bill 1211.

(Secretary reads title of bill)

House Bill 1212.

(Secretary reads title of bill)

3rd Reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)... Alexander, for what purpose do you arise?

SENATOR ALEXANDER:

Thank you, Mr. President. Each and every legislator in this

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room and wherever you are in your offices, you're cordially invited to be our guests tonight at the Ramada, the Renaissance Ballroom, for the Black Caucus Fund-raiser. Please come. Complimentary of the Black Caucus. We're going to have a wonderful time. Dancing and bands. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The next roll call will be on final passage of the bills just read by the Secretary. The question is, shall this series of bill pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. ...(machine cutoff)... Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. This series of bills, having received the -- the constitutional majority by record vote, is declared passed. A record vote for each bill passed shall be entered into the Journal. All right. Further business to come before the Senate? Senator Geo-Karis wants to remind Members that there is a Republican Caucus, and if there is no further business, Senator Rock moves that the Senate stand adjourned till tomorrow morning at the hour of ten o'clock. Ten o'clock tomorrow. Senate stands adjourned till tomorrow morning.

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