

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
REGULAR SESSION  
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66th Legislative Day

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PRESIDENT ROCK:

The hour of two o'clock having arrived, Senate will please come to order. Prayer this afternoon by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield, Illinois. Will our Members be at their places and will our guests in the gallery please rise. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend W. P. Witkop)

PRESIDENT ROCK:

Reverend, thank you very much. Reading of the Journal, Madam Secretary. Senator Kelly.

SENATOR KELLY:

Mr. President. I -- I move that the reading and approval of the Journal of Monday, October 30th, in the year 1989, be postponed, pending arrival of the printed Journal.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Kelly. 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. Ladies and Gentlemen, if I can have your attention and the attention of those in the gallery, we have with us some very special guests. They are guests of the Senate, and they are most particularly guests of the Minority Leader of the Senate and the Minority Leader of the House, and I would obviously introduce to you a man who needs no introduction, that is Representative Lee Daniels.

REPRESENTATIVE LEE DANIELS:

Thank you, Senator Rock, and on behalf of Senator Philip and Senator Zito, it's our pleasure to present to you a very special group, the Ray Graham Singers from the Ray Graham Association for the Handicapped. The Ray Graham Association was formed in 1951 by concerned parents of disabled. It has served seventeen hundred

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disabled infants, children, adolescents and adults, and has fourteen program sites throughout Illinois. It is one of the largest service-oriented groups of its kind in the country, and its largest facility is in Addison, Illinois, the home district of Senator Philip and myself. The largest facility being in Addison is named Iona Glos Specialized Living Center, which is the home of the Ray Graham Singers, the people that are here with you today. They have performed for local civic clubs, religious groups, United Way presentations, Ray Graham functions and Easter Seals Telethon. Perhaps one of the highlights of their careers has been a special invitation from President Reagan, in 1987, to perform at the White House for the annual Press and Congressional Christmas Family Tour. President Reagan said, after the performance, that the performance added a special measure to his family's enjoyment of the Christmas Season. Members of the group selected by a facilitywide audition throughout the fourteen sites in Illinois, and their repertoire includes songs from the Beatles, show tunes, country music, Andrew Sisters routine. The singers are Mike Ebster, MerryLou Funk, Dennis Grabowski, Jimmy Ludeman, Liz Marynowski, Doug Moore, Donna Packer, Richard Polchaire, Bryan Prest, Joan Price, Debbie Sebert, Melody VanMeter. The Director is Roger Anderson, and the Executive Director of Ray Graham Association for the Handicapped is John Voit. Would you please, as we had this special privilege in the House, join me in welcoming to the Illinois Senate - and thanks to President Rock - the Ray Graham Association for the Handicapped.

(PERFORMANCE BY RAY GRAHAM SINGERS)

PRESIDENT ROCK:

Ladies and Gentlemen, thank you very much. We -- we do, indeed, have a Senate Resolution, soon as the Secretary arrives back. Senator Zito has prepared -- Madam Secretary, Senate Resolution 6 -- if you please, 6-6-1. Can our guests -- can our

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guests just wait for just a moment while the resolution is read?  
SECRETARY HAWKER:

Senate Resolution 6-6-1 offered by Senator Zito, President Rock, Senator Philip and all Members.

(Secretary reads SR 661)

PRESIDENT ROCK:

Senator Zito.

SENATOR ZITO:

Yes. Thank you, Mr. President and Members. I would ask leave of the Body for immediate consideration of this resolution. I think the resolution, in fact, says it all. We were delighted to hear the Singers today, and know of the good work that they do back in Addison, and I would ask for immediate consideration of this resolution.

PRESIDENT ROCK:

All right. The Gentleman has moved for the suspension of the rules and the immediate consideration and adoption of Senate Resolution 6-6-1. I would ask all in favor to please rise and give our friends some applause. The resolution is adopted, and I thank Senator Philip and Representative Daniels, and Senator Zito will present the resolution, and the resolution is adopted. Thank you so very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, the Senate will come to order. With leave of the Body, we will go to the -- the Calendar that has been passed out for today on your -- Page 16. We will begin with Motions in Writing to Accept the Specific Recommendations for Change. Senators Karpziel, Hall, Welch, Philip, Etheredge, Hawkinson, Rea, you're -- you're first up, so -- Page 16 of your regular Calendar is House Bill 98, Madam Secretary.

SECRETARY HAWKER:

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I move to accept the specific recommendations of the Governor as to House Bill 98, in manner and form as follows:

Amendment to House Bill 98

in Acceptance of Governor's Recommendations

Filed by Senator Karpziel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I move to accept the specific recommendations of the Governor on House Bill 98.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 98, in the manner and form as just stated by Senator Karpziel. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 98, having received the required majority vote of Senators elected, are declared accepted. House Bill 1-6-4. Senator Hall. House Bill 164, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1-6-4, in manner and form as follows:

Amendment to House Bill 1-6-4

in Acceptance of Governor's Recommendations

Filed by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

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

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Senate. This creates a new income tax refund check-off to support and assist to the homeless fund. It changes the bill to make it technically consistent with House Bill 2784, Public Act 86-78, which revise a check-off procedure. Now the Governor's rationale was that House Bill 2784 deletes the ten-dollar minimum contribution, and allows taxpayers to add a contribution to their tax payment if they are not receiving a refund. This House Bill 164 would conflict with those provisions. The Governor's changes are technical nature and do not alter the intent of House Bill 64 <sic>. The House accepted this amendatory veto 111 to 7. I move for the most favorable...(machine cutoff)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 164, in the manner and form as just stated by Senator Hall. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 164, having received the required majority vote of Senators elected, are declared accepted. House Bill 224. Senator Welch. Is Senator Welch on the Floor? 312. Senator Philip. On the Order -- on the Order of Specific -- Accepting the Specific Recommendations to Change is House Bill 3-1-2, Madam Secretary.

SECRETARY HAWKER:

House Bill -- House Bill 3-1-2. I move to accept the specific recommendations of the Governor as to House Bill 3-1-2, in manner and form as follows:

Amendment to House Bill 3-1-2

in Acceptance of Governor's Recommendations

Filed by Senator Philip.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the -- of the Senate. It deals with the salaries for State's Attorneys for the recommendation of the Governor's Office, and I move we do accept his recommendations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 312, in the manner and form as just -- as just stated by Senator Philip. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 312, having received the required majority vote of Senators elected, are declared accepted. House Bill 316, Madam Secretary, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3-1-6, in manner and form as follows:

Amendment to House Bill 3-1-6

in Acceptance of Governor's Recommendations

Filed by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What the Governor's amendatory veto has done is simply bring the definitions within the bill as passed, in conformity with the -- with present usage. I move that we accept his recommendations.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 316, in the manner and form just stated by Senator Etheredge. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3-1-6, having received the required majority vote of Senators elected, are declared accepted. House Bill 418, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 4-1-8, in manner and form as follows:

Amendment to House Bill 4-1-8

in Acceptance of Governor's Recommendations

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 4-1-8 was a bill amending the Criminal Code, which required the State to set forth its intention to seek and enhance sentence on -- based on a prior conviction of the defendant. The Governor noted that the bill did not contain a definition of enhanced sentence, and he put one in that - it would be defined to mean a higher level of penalty. I have no disagreement with the suggested change, and would move to accept the amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 4-1-8, in the manner and form as just

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stated by Senator Hawkinson. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 418, having received the required majority vote of Senators elected, are declared accepted. House Bill 421, Madam Secretary.  
SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 4-2-1, in manner and form as follows:

Amendment to House Bill 4-2-1

in Acceptance of Governor's Recommendations

Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR Rea:

Thank you, Mr. President. House Bill 421 -- the Governor, on his amendatory veto, deleted the Senate amendment, which dealt with transportation from the Department of Transportation. I would move we accept the amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 421, in the manner and form as just stated by Senator Rea. 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. The specific recommendations of the Governor as to House Bill 421, having received the required majority vote of Senators elected, are declared accepted. House Bill 4-7-0, Madam Secretary.

SECRETARY HAWKER:



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I move to accept the specific recommendations of the Governor as to House Bill 4-7-0, in manner and form as follows:

Amendment to House Bill 4-7-0

in Acceptance of Governor's Recommendations

Filed by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, House Bill 470, as it was approved by the General Assembly, contained a technical flaw in the effective date section of the bill, in that two different sections of the same portion of the bill had separate effective dates applied to them, and this makes for one effective date and makes -- makes that section of the bill consistent. And I would ask for acceptance of the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 470, in the manner and form as just stated by Senator Barkhausen. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 470, having received the required majority vote of Senators elected, are declared accepted. House Bill 548, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 5-4-8, in manner and form as follows:

Amendment to House Bill 5-4-8

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Filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is the Quad Cities Interstate Metropolitan Authority Bill. There were some changes that needed to be made in order to conform with the Iowa legislation so the compact could be approved in Washington. It's sitting before the -- the committee in Washington now. We -- we approve of the -- the changes made by the Governor. In fact, they were requested by us. And so I ask that -- for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the specific recommendations of the Governor as to House Bill 548, in the manner and form as just stated by Senator Jacobs. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 548, having received the required majority vote of Senators elected, are declared accepted. House Bill 559, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 559, in manner and form as follows:

Amendment to House Bill 559

in Acceptance of Governor's Recommendations

Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

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Thank you, Mr. President. This bill provided that unit districts could count there ADA by dividing into two categories of K through 8 and 9 through 12. The only change in the amendatory veto was a delay until July 1 of 1990 of the effective date, which makes good sense from a budgetary point of view. I move the adoption of the change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 5-5-9 -- those -- in the manner and form as just stated by Senator Berman. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 559, having received the required majority vote of Senators elected, are declared accepted. House Bill 642, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 6-4-2, in manner and form as follows:

Amendment to House Bill 6-4-2

in Acceptance of Governor's Recommendations

Filed by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This exempts law enforcement agencies from the requirement to pay circuit court fees. It establishes a three-dollar payment for each periodic payment paid to the clerk of the court in counties other than Cook. It establishes that

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unless the payments are made in cash, the payments of the clerk's fee shall be a separate instrument from the support payment. Under federal law, all payments regarding child support must go to child support, unless the support payments are current. This amendment is to ensure that the fees to the clerk are only paid to the clerk if the support payments are current, or if it's done by separate instrument - that's a check. The House accepted this amendatory veto 106 to 5. I ask your most favorable support for this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

SENATOR WELCH:

Well, I would just like to point out that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me. Can we have some order? Will the Senate come to order? Can we break up the conferences? All unauthorized persons please vacate the Floor. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What the Governor's veto has -- what it appears to have done is say that now a three-dollar-per-payment for child support fee will be collected. Now some child support agreements require monthly payments, and some are every two weeks, some are weekly, but if you pay monthly, you only pay one three-dollar fee each month. Secondly, the -- the point should be made that if a person is in arrearage, the three-dollar fee goes against past due child support. So, in effect, if you are current in your child support, you're going to be assessed the three dollars on top of your normal child support; but if you are in arrearage, the three-dollar fee that you have to pay doesn't go to the circuit clerk, it goes against past due child support. It -- it seems to me that the Governor's veto has penalized noncustodial spouses who are current on their child

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support, and rewarded an individual who is late on his child support, because if you're late, the three-dollar fee that you have to pay goes to -- goes against your past due child support. So it seems to me that we should reject the Governor's amendatory veto, and that actually, I think we should work on this bill in the next year, and not do it in the Veto Session at all. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? If not, Senator Hall, you may close.

SENATOR HALL:

Let it roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 642, in the manner and form as just stated by Senator Hall. 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 50, the Nays are 4, none voting Present. The specific recommendations of the Governor as to House Bill 642, having received the required majority vote of Senators elected, are declared accepted. House Bill 1249, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1249, in manner and form as follows:

Amendment to House Bill 1249

in Acceptance of Governor's Recommendations

Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

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Thank you, Mr. President. The amendatory veto just adds an immediate effective date, so I would move for the acceptance of the amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1249, in the manner and form as just stated by Senator Rea. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does accept the specific recommendations of the Governor as to House Bill 1249, and the bill, having received the required majority vote of Senators elected, are declared accepted. House Bill 1257, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1257, in manner and form as follows:

Amendment to House Bill 1257

in Acceptance of Governor's Recommendations

Filed by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'Daniel:

Thank you, Mr. President and Members of the Senate. The changes the Governor made merely changes the effective date of House Bill 1257 from January 1, 1990 to January 1, 1991, and I would move to accept the recommendation for change made by the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to

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House Bill 1257, in the manner and form as just stated by Senator O'Daniel. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1257, having received the required majority vote of Senators elected, are declared accepted. 1356. Senator Welch. Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1356, in manner and form as follows:

Amendment to House Bill 1356

in Acceptance of Governor's Recommendations

Filed by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you very much. What the Governor did is -- is try to blend this bill with House Bill 1398, which he approved. That bill created a model pesticide collection program with the goal of implementing a permanent program in 1992. With the Governor's request, it is that the -- a container collection project, in conjunction with that bill, be conducted. The Governor split the authority between Energy and Natural Resources and the Department of Agriculture, so that they would continue the authority over agricultural pesticides and -- and continue to regulate those. The second thing the Governor did was put some limitations on where composting material could be placed and received, at more than two hundred feet from a potable water supply and outside of the ten-year flood plain. I would move for acceptance of the -- the veto of House Bill 1356.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1356, in the manner and form as just stated by Senator Welch. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. The specific recommendations of the Governor as to House Bill 1356, having received the required majority vote of Senators elected, are declared accepted. House Bill 1400, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1400, in manner and form as follows:

Amendment to House Bill 1400

in Acceptance of Governor's Recommendations

Filed by Senator Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. This -- the Governor's amendatory veto clarified that the -- that the Act -- the language would only apply to full-time educational support personnel employees and not to part-time. And as far as I know, everyone is on board and agrees, and therefore, I move to accept the specific recommendations of the Governor on House Bill 1400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1400, in the manner and form as just stated by Senator Kelly. Those in favor will vote Aye. Those opposed will vote



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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. The specific recommendations of the Governor as to House Bill 1400, having received the required majority vote of Senators elected, are declared accepted. House Bill 1480, Madam Secretary.  
SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1480, in manner and form as follows:

Amendment to House Bill 1480

in Acceptance of Governor's Recommendations

Filed by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 1480 made several revisions in the Mortgage Foreclosure Act. Among them, it granted two-year quick-take authority specifically for home rule units within enterprise zones, if that -- if that was for the purpose of building a harbor in the Illinois River. And it also said that if the land is acquired to construct that body of water for utilities, and there was no progress within five years, the prior owner would have a reversion. The Governor, in his wisdom, deleted the provision allowing the previous owner to seek a reversion if there wasn't substantial progress within five years. The House went along with that change, 112 to nothing. I would agree with that, and ask for acceptance of the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1480, in the manner and form as just stated by Senator

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Marovitz. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The specific recommendations of the Governor as to House Bill 1480, having received the required majority vote of Senators elected, are declared accepted. House Bill 1496, Madam Secretary.  
SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1496, in manner and form as follows:

Amendment to House Bill 1496

in Acceptance of Governor's Recommendations

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 1496 amended the Tort Immunity Act to provide protection to physicians who treat persons needing immunizations at public and not-for-profit clinics. The Governor merely added an immediate effective date, and I would move to accept his changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1496, in the manner and form as just stated by Senator Hawkinson. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1496, having received the required majority vote of Senators elected, are declared accepted. Now with leave of the Body,

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before we leave that page, Senator Welch wishes to have his motion called. And if you'll go back up to the top of the page, with leave of the Body, House Bill 224, Madam Secretary. On Page 16 -- the same page.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 224, in manner and form as follows:

Amendment to House Bill 224

in Acceptance of Governor's Recommendations

Filed by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What the Governor did to this bill was change the effective date from January 1 of 1990 to January 1 of 1991 so that the Legislature could consider inserting fees for municipal waste and other changes during the upcoming Session. I'd move for adoption of the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 224, in the manner and form as just stated by Senator Welch. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. The specific recommendations of the Governor as to House Bill 224, having received the required majority vote of Senators elected, are declared accepted. Now let's move over to Page 17. Page 17 on your Calendars. House Bill 1567, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor

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as to House Bill 1567, in manner and form as follows:

Amendment to House Bill 1567

in Acceptance of Governor's Recommendations

Filed by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald. Can we --

SENATOR MACDONALD:

Thank you, Mr. President. House Bill 1567 amended the Illinois Purchasing Act by prohibiting any individual or business from doing business with the State for a period of one year if the business entity is convicted of a felony. The original bill took effect after the sentencing, and the Governor has properly stated that he thought the intent of the bill was for one year after -- with the probation beginning after the sentence is served. So that's all this amendatory veto does, and I recommend your vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1567, in the manner and form as just stated by Senator Macdonald. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1567, having received the required majority vote of Senators elected, are declared accepted. House Bill 1619, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1619, in manner and form as follows:

Amendment to House Bill 1619

in Acceptance of Governor's Recommendations

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Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill authorized the Illinois Development Finance Authority to issue bonds to finance asbestos abatement projects. The Governor made two changes, which I concur in. One is to make sure that the changes -- that the projects concur with the requirements of the federal and State's requirements for these projects, and moves the effective date to January 1, 1990. I move their adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1619, in the manner and form as just stated by Senator Berman. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1619, having received the required majority vote of Senators elected, are declared accepted. House Bill 1666, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1666, in manner and form as follows:

Amendment to House Bill 1666

in Acceptance of Governor's Recommendations

Filed by Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This bill

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deals -- or is actually a JCAR bill. The provision that was changed by the Governor dealt with language added by Senator Topinka, and deals with return of -- of checks or money orders to taxpayers by Department of Revenue. And I -- I would move for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1819 <sic>, in the manner and form as just stated by Senator Woodyard. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? ...(machine cutoff)... All right -- Take the record. It should be noted, Senator Woodyard, that in our haste to move along, the wrong number -- the computer popped up the wrong House Bill on the -- on the board, and therefore, it will be necessary for us to have another roll call on this specific bill. So the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1666, in the manner and form as just stated by Senator Woodyard. 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. The -- on that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1666, having received the required majority vote of Senators elected, are declared accepted. House Bill 1819, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1819, in manner and form as follows:

Amendment to House Bill 1819

in Acceptance of Governor's Recommendations

Filed by Senator Holmberg.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This is the bill that allowed local government employees participation in State insurance. The Governor has recommended that -- that rather than allowing them into the State employees' insurance program, that a separate local government health insurance reserve fund be established in order to provide a larger pool for municipalities who wish to participate. I would recommend that we accept the Governor's changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1819, in the manner and form as just stated by Senator Holmberg. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1819, having received the required majority vote of Senators elected, are declared accepted. House Bill 1863, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1863, in manner and form as follows:

Amendment to House Bill 1863

in Acceptance of Governor's Recommendations

Filed by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

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

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The Governor's amendatory change makes no substantive change whatsoever in this legislation. It just takes language out of one section where it was incorrectly put, and reinserts it in another section, to make it proper. That's really all it does, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1863 -- the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1863, in the manner and form as just stated by Senator Marovitz. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1863, having received the required majority vote of Senators elected, are declared accepted. House Bill 1883, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1883, in manner and form as follows:

Amendment to House Bill 1883

in Acceptance of Governor's Recommendations

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 1883 amended the Criminal Code to create the new offense of inducement to commit suicide, and also aggravated battery with a firearm. We passed other legislation regarding aggravated battery with a firearm, and the Governor makes technical changes to make sure that this bill conforms to that other Statute. I would move to accept the



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changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1883, in the manner and form as just stated by Senator Hawkinson. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1883, having received the required majority vote of Senators elected, are declared accepted. House Bill 1899, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1899, in manner and form as follows:

Amendment to House Bill 1899

in Acceptance of Governor's Recommendations

Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. The Governor's amendatory veto clarifies the intent of this bill, which is to protect certified industrial hygienists' status as management planners and project designers in asbestos removal projects. I move the adoption of the amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1899, in the manner and form as just stated by Senator Berman. Those in favor will vote Aye. Those 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. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1899, having received the required majority vote of Senators elected, are declared accepted. House Bill 2-0-5-9, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 2-0-5-9, in manner and form as follows:

Amendment to House Bill 2-0-5-9

in Acceptance of Governor's Recommendations

Filed by Senator Daley.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. The Governor's veto on House Bill 2-0-5-9 deals with three issues. Number one, he deferred the effective date of the implied consent until 1-1-91. He also -- number two, conforms applied consent to provisions contained in the current law, particularly by inserting a reference to registering a test result of .10 percent or more. And thirdly, it redefines entry to exclude any determination by an attending law enforcement official that medical treatment was required. I move for the -- I move that we accept the recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2059, in the manner and form as just stated by Senator Daley. 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

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question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2059, having received the required majority vote of Senators elected, are declared accepted. House Bill 2130, Madam Secretary.  
SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 2130, in manner and form as follows:

Amendment to House Bill 2130

in Acceptance of Governor's Recommendations

Filed by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Governor's amendatory veto adds a new effective date of July 1, 1990. It also changes by two months the date at which the money is to be transferred into this new fund. I would move that the Governor's recommendations for change be accepted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2130, in the manner and form as just stated by Senator Etheredge. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2130, having received the required majority vote of Senators elected, are declared accepted. House Bill 2334, Madam Secretary.  
SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 2334, in manner and form as follows:

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Amendment to House Bill 2334

in Acceptance of Governor's Recommendations

Filed by Senator Thomas Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. The Governor made two changes. Number one, he inserted that any violation of the condition of a bail bond would be sufficient to raise the amount of bail that was in -- currently given to the defendant. And secondly, he said that any Class II or greater drug offense would constitute grounds for revocation of the existing bail. I move to concur with the Governor's specific recommendations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2394, in the manner -- I'm sorry, 2334, in the manner and form as just stated by Senator Thomas Dunn. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. The specific recommendations of the Governor as to House Bill 2334, having received the required majority vote of Senators elected, are declared accepted. If you'll turn now to Page 14 in your regular Calendar. Page 14. Page 14 in your regular Calendar, is Motions in Writing to Override Total Vetoes, is House Bill 44, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 44 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Rea.

SENATOR REA:

Thank you, Mr. President and Members of the Senate. House Bill 44 separates the State Police Merit Board and makes it an independent operation, and is something that, in terms of all their functions, have been in effect for a number of years. The only thing that has occurred was a budget within the department. This -- there was an override in the House, 112 voting for the override, and I would move for an override in the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? The question is, shall House Bill 44 pass, the veto of the Governor to the contrary notwithstanding. 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? 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 32, the Nays are 22, none voting Present. House Bill 44, having failed to receive the required three-fifths vote is -- the motion, is declared lost. House Bill 257. Senator Berman. House Bill 257, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 257 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 257 provides for the licensure and regulation of landscape architects. This is a bill that passed with a vote 56 to 3 in -- in June. I think the justification in June is the same

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as the justification on the last day of October. There is consumer protection involved in these people that practice landscape architecture. It is a title protection plan, rather than a full licensure program, and I think that the Governor was in error in vetoing this bill. I solicit your vote to reinstate -- override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor submit to a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates...

SENATOR GEO-KARIS:

Is it true that our Illinois architects are prevented from getting a lot of federal contracts because they're not licensed and they are licensed in forty-one states?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

You're right. It does a great injustice to bringing money into Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman, may close.

SENATOR BERMAN:

Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 257 pass, the veto of the Governor to the contrary notwithstanding. 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 43, the Nays are 8, 1 voting Present. House Bill 257, having received the

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required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes. In form of an announcement. Mr. President, there will be a Democratic Caucus in Room 212 immediately. Room 212, immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there will be a Republican Caucus immediately in room -- in Senator Philip's offices. Republican Caucuses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator -- Senator Rock. Senator Rock. Any idea of how long or -- what the schedule. All right. The Senate will recess for thirty minutes. We'll come back at quarter to four. All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, why don't you make it four o'clock?

PRESIDING OFFICER: (SENATOR DEMUZIO)

You want a roll call? All right. Four o'clock. The Senate will recess until the hour of four o'clock. I'm sorry. Senator Hudson, you had your light on.

SENATOR HUDSON:

Thank you, Mr. President. Just a quick announcement. Once again this year, coming toward Veterans -- coming up on Veterans Day, we have some -- a suggested Veterans Day speech. Senator Vadalabene and I will be happy to pass these out. We have a limited number.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Four o'clock.

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(SENATE IN RECESS)

(AFTER RECESS)

PRESIDENT ROCK:

Senate will come to order. Committee Report.

SECRETARY HAWKER:

Senator Welch, Chairman of the Committee on Energy and Environment, reports House Bill 2733 do pass, as amended.

Senator J.J. Joyce, Chairman of the Committee on Executive, reports House Bill 1609 do pass. Senate Resolutions numbered, 635, 641 and 646, do adopt. And Senate Joint Resolution 103, do adopt.

Senator Marovitz, Chairman on the Committee on Judiciary, reports House Bill 1487 do pass, as amended.

PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

Senate Resolution 662 offered by Senator Berman.

Senate Resolution 663 offered by Senator Daley.

Senate Resolution 664 and 665 offered by Senator Daley.

Senate Resolution 666 offered by President Rock.

Senate Resolution 667 offered by Senator Thomas Dunn.

Senate Resolution 668 offered by Senator Topinka.

Senate Resolution 669 and 670 offered by Senator Topinka.

Senate Resolution 671 offered by Senator Zito.

Senate Resolution 672 offered by Senators Demuzio, Welch and Rea.

Senate Resolution 673 offered by Senator Hawkinson.

Senate Resolution 674 offered by Senator J.E. Joyce.

They are all congratulatory.



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And Senate Resolution 675 offered by Senator Topinka.

It's a death resolution.

PRESIDENT ROCK:

Consent Calendar. Message from the Governor.

SECRETARY HAWKER:

A Message for the Governor by Stephen F. Selcke, Director of Legislative Affairs.

Mr. President -- The Governor directs me to lay before the Senate the following message:

STATE OF ILLINOIS

To the Honorable Members of the Senate, 86th General Assembly:

I have nominated and appointed the following named persons to the offices enumerated below, and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

A Message for the House by Mr. -- pardon me, by Stephen F. Selcke, Director of Legislative Affairs. October 30, 1989.

Mr. President -- The Governor directs me to lay before the Senate the following message:

To the Honorable Members of the Senate, 86th General Assembly:

I have nominated and appointed the following named persons to the offices enumerated below, and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

PRESIDENT ROCK:

Executive Appointments. All right. Ladies and Gentlemen, we will continue again on Page 14. On the Order of Motions in Writing to Override Total Vetoes, there's a motion filed with respect to House Bill 308, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 308 do pass, the veto of the Governor to the contrary notwithstanding.

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Filed by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 308 deals with a rather technical subject, and let me try to take you through it a little bit. Several years ago we passed - and I think we rightly so - passed a bill that requires that the amount of underinsured and uninsured motorist coverage be the same, and we also provide in Illinois Statutes that a person who buys bodily injury liability would then have the option as to what level of both UM and UIM coverage that they are to maintain. A question came up as to the full explanation that a policyholder should have in purchasing UM and UIM. This is Representative Countryman's approach, and he felt that by disconnecting UM and UIM coverages, that the consumer, in the purchase of these coverages, would be better informed. There is - I think it's honest to say - substantial difference of opinion as to whether that good motive would, in fact, be accomplished, and whether the educational process is better than the existing law. Representative Countryman overrode the Governor's veto. I have indicated to him that I would move forward on this Motion to Override the Governor's Veto. I'd be glad to respond to any questions.

PRESIDENT ROCK:

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, I had a conversation a little while ago with the Senate sponsor about this bill, and I think Senator Berman shares some of my concerns. This bill, as I -- as I see it, does -- does two things, one of them desirable and one of them undesirable. It -- it makes it probably more difficult for a

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motorist to go without uninsured motorist coverage at limits that are identical to the limits in his or her own -- own policy for bodily injury coverage. For example, if one is insured at one hundred thousand/three hundred thousand, then under this bill, it's probably more likely that he or she will -- will get uninsured motorist coverage at those same limits. However, by separating - as we are doing, or would do, by overriding the Governor's amendatory veto - by separating, for the first time since 1982, the question of uninsured motorist coverage from underinsured motorist coverage, and providing for the possibility of a separate rejection of -- of underinsurance -- underinsured motorist coverage at the higher limits, I think we are making it -- it more possible, or more likely, that a motorist will go without that added underinsured motorist coverage protection. I think this is a particular concern at -- at a time when we are going to be implementing the new Mandatory Insurance Law, and to the extent that law has an impact, which many of us question, it is more likely that there are going to be lots more people insured at -- at minimum limits, and therefore, the question of underinsured motorist coverage as opposed to uninsured motorist coverage becomes that much more important. For that reason, I think this is a questionable time to -- to be making it more likely that -- that insurers are going to be going without the additional underinsured motorist protection, and for those reasons, I think that an attempt to override is -- is untimely and -- and should be opposed.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I agree. Mr. President and Ladies and Gentlemen of the Senate, I agree with the prior two speakers. Frankly, House Bill 308 is going to hurt the consumer. And I -- I do not recommend

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that we pass it, because what it really does -- when you allow the rejection of this coverage of underinsured, what you're doing is creating a potential for severely inadequate coverage, and so I speak against the bill.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I rise in opposition to the Gentleman's motion. I think the Governor was right in his suggestion that this bill should not be moved at this time, but that we should continue the dialogue in an effort to try to find the right way to make sure that people understand about the importance of underinsured motorists. I think Representative Countryman has assumed that insurance producers are not trying to convince people of the merit of underinsured motorists. But I really don't believe that's the case, because when a prospective insurance buyer comes to your office or he talks to you, it's quite often necessary to talk to him about bodily injury liability - about property damage liability - about comprehensive insurance - about collision insurance - medical payments - about towing and emergency road service, and about all of the uninsured and underinsured motorist coverage. And frankly, the average consumer is not going to give any insurance producer enough time to go into all the detail that he should go into. I think it's worked a lot better to have these two coverages coupled together, the way they are now. More people are carrying underinsured motorist coverage now than ever did before, and I think we would be doing the consumer an injustice if we, in fact, de-couple these coverages. So I really think we ought to oppose this motion at this time, continue to work on the issue, and perhaps come up with a better bill.

PRESIDENT ROCK:

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

SENATOR BERMAN:

Thank you. I think this point has been adequately debated, Mr. President. I'd ask for an Aye vote.

PRESIDENT ROCK:

The question is, shall Senate Bill -- House Bill 308 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 7 Ayes, 42 Nays, 1 voting Present and the motion fails. 4-4-1. Senator Hawkinson. 7-9-5. Senator Joyce. 1313. Senator Jacobs. Read the motion, Madam Secretary. House Bill 1313.

SECRETARY HAWKER:

I move that House Bill 1313 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just ask for an override of the Governor's veto. This is the bill that amends the foreign fire insurance, and allows the firefighters the opportunity to spend the money on safety equipment. Ask for your support.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 1313 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

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wish? Take the record. On that question, there are 44 Ayes, 14 Nays, none voting Present. House Bill 1313, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. 1559. Senator Hall. Senator Berman, can you move your conference, please. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 1559 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Hall.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1559 simply creates the Financially Distressed Municipal Act, to be administered by the Illinois Development Finance Authority. Upon request by a municipality, IDFA conducts a survey to determine if the municipality is distressed. There is a list of criteria that must be met before the municipality is declared distressed. The bill establishes within IDFA a program to provide emergency assistance to distressed municipalities. Assistance must be used for the payment of current expenses only, not past expenses. Emergency assistance is repealed on 6/30/92, and there is a repayment provision included in the bill. The State Comptroller must set aside all or part of the amount of various municipal taxes and municipal portion of State taxes that are to be dispersed to a municipality for repayment. This bill passed out of here last spring with 42 votes, and I would again ask for the same favorable roll call. Now this is the results of the task force that the Governor set up, and they -- many of the -- some of the legislators sitting here served on that when they were in East St. Louis. So I ask your most favorable support of

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this bill.

PRESIDENT ROCK:

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I hope that my colleagues are listening to this bill. I certainly understand that we have got some municipalities who have really needed some help. But unfortunately, I don't think that this bill is going to be the one that's going to solve the problem. The main problem with this bill is that the bill proposes that the IDFA would issue its own bonds to provide the funds for grants and loans to financially distressed municipalities and state that the bonds shall be the general obligations of the authority. However, this -- the IDFA doesn't have this authority, and consequently, unfortunately, the grants for these distressed municipalities do not have an adequate revenue funding source. It will potentially cost the State of Illinois sixteen million dollars. The Governor did amendatorily veto House Bill 211, which is -- is the preferred bill. I would suggest that perhaps our colleague, Representative Younge, over in the House, was a little bit hasty in this -- with this bill. I would suggest strongly that we uphold the Governor and his veto.

PRESIDENT ROCK:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I happened to listen to the discussion of -- of this bill when it was being debated in the House. And I think we should oppose the bill for all the reasons Senator Fawell offered, as well as for the fact that I think there was some question in terms of the affirmative votes in the House, which were never allowed to be verified. And I think this was the bill that ultimately led to one of the affirmative Members suggesting to our Republican Floor

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Leader in the House that he go out in the hall and try and settle this. So I think there's just some question of how this bill even came to us, and in what form, and how that vote was taken, and if that were not considered in the House, it certainly should be taken under consideration in the Senate. And I would ask for a sustaining of the veto.

PRESIDENT ROCK:

Further discussion? Any further discussion? Senator Hall, you wish to close?

SENATOR HALL:

Thank you, Mr. President. The Governor's rationale in vetoing this bill is not completely accurate. Although he does make a good suggestion. First he states that another bill is more effective method of dealing with financially distressed cities. This bill is House Bill 211, has not been approved. It is still on the Senate Calendar. Secondly, he states that State assistance contained in the bill is unworkable, because it lacks an adequate funding mechanism. There is a funding mechanism, and that is the state set aside all or part of the amount of various municipal taxes and municipal portion of State taxes that are to be dispersed to a municipality. The Governor states that the monitoring of cities through a new data collection system is outside the powers and duties of IDFA. I think everyone should know that during the hearing process on the bill last spring, IDFA remained neutral and never raised any questions concerning this bill. Finally the Governor notes that we should have preempted home rule concerning a provision. I agree with the Governor, and I think that is something we can take care of in the very near future. But right now, it's important, and I ask for favorable support of this bill.

PRESIDENT ROCK:

The question is, shall House Bill 1559 pass, the veto of the



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Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 26 Nays, none voting Present, and the motion fails. 2217. Senator Philip. Read the motion, Madam Secretary, please.

SECRETARY HAWKER:

I move that House Bill 2217 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Philip.

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2217 is a bill that would allow insurance companies and race tracks to donate to political campaigns. I ask for the same roll call I had before; it got 57 Ayes, 1 No, and 1 not voting. I'd be happy to answer any questions.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question, is shall House Bill 2217 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 14 Nays, none voting Present. House Bill 2217, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. 2346. Senator Joyce. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 2346 do pass, the veto of the Governor to the contrary notwithstanding.

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Filed by Senator Jerome Joyce.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This provides a comprehensive lake management program to encourage lake owners to exercise proper lake management with assurances both financial and -- and with assistances both financial and technical of the State. Grants shall not be greater than fifty percent of the total cost, and it applies to any inland lake, other than lake Michigan, to which the public has continuing and regular access. The House has overridden this and the supplemental.

PRESIDENT ROCK:

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have to rise in opposition to this override attempt. Not because of what the program's trying to do, but that it is an add-on to the Governor's budget. It deals with a federal program -- clean lakes program that is being phased out, and this is going to be a program that would supplant that, and while the hundred-thousand-dollar appropriation simply may not be the end to what we are asking. And I would urge a No vote.

PRESIDENT ROCK:

Further discussion? Any further discussion? Senator Joyce, you wish to close?

SENATOR J.J. JOYCE:

Senator Donahue, don't you have any lakes in your district? Okay. Well, I think we all have lakes in our district, and I think this would be a nice gesture to -- to -- to pass this, and, you know, it's just something that we ought to be doing. I'd ask for your favorable support.

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PRESIDENT ROCK:

The question is, shall House Bill 2346 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 23 Nays, 1 voting Present, and the motion fails. Top of Page 15. Motions in Writing to Override Item Vetoes. 592. Senator Berman. 592. Senator Donahue. 592. Senator O'Daniel. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that the item on Page 29, lines 24 through 28, of House Bill 592 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senator O'Daniel.

PRESIDENT ROCK:

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. You know, when we passed Public Act 1275 - the Farmland Assessment Legislation - we made a commitment to the school districts of this State that we'd pick up the shortfall for two years, and we haven't honored that commitment. And what this would do would put the eight hundred and twenty-eight thousand dollars back into the -- to the budget. And we've continually put this legislation in, it's been passed, and the Governor continually kicks it out. But I think you know with natural growth, and also with the tax increase, that we can afford this now. We need to honor this commitment that we made to the people of this State. And I'd move to override the Governor's veto.

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END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I rise in support of Senator O'Daniel in his effort to restore the money for the Farmland Reassessment Act. This is a commitment that we made several years ago. Unfortunately, the Governor has vetoed this the last several years. It's a one-time expenditure. It's just one time that we have to live up to this obligation, and now's the time to do it. The commitment to education that we have made, I think certainly should dictate a support of this particular bill. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. I, too, rise in support of this motion, as the sponsor of the original bill. It was a commitment that we made to those school districts, and I just believe that perhaps the Governor overlooked this somewhat and -- and made a mistake. And I just think we ought to support the motion. I urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

Thank you, Mr. President. I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the item on Page 29, lines 24 through 28,

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of House Bill 592 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58 -- the Ayes are 58, the Nays are none, none voting Present. The item on Page 29, lines 24 through 28, of House Bill 592, having received the required three-fifths vote, is declared passed, the item veto of the Governor to the contrary notwithstanding. Senator Berman wishes to go back up to the top of the page. Top of Page 15 is House Bill 5-9-2, Madam Secretary. Read the motion.

SECRETARY HAWKER:

I move that the item on Page 26, line 35 and -- line 35 -- and Page 27, lines 1 through 4, of House Bill 5-9-2 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This appropriation was for one million dollars to fund the mandate that we had, in the 1985 School Reform Act, of the report card. We put this in as a line item back in the FY'89 budget in order to avoid a lawsuit by the school districts that were screaming that we mandate programs and don't pay for 'em. We put it into the FY'90 budget, which is this line item. I really don't understand why it was taken out, and I solicit your Aye vote to reinstate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the item on Page 26, line 35 and Page 27, lines 1 through 4, of House Bill 592 pass, the item veto of the Governor to the contrary

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notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The item on Page 26, line 35, and Page 27, lines 1 through 4, of House Bill 592, having received the required three-fifths vote, is declared passed, the item veto of the Governor to the contrary notwithstanding. Senator Berman, the second motion. Madam Secretary, read the next motion with respect to House Bill 592.

SECRETARY HAWKER:

I move that the item on Page 27, lines 5 through 10, of House Bill 592 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is two hundred thousand dollars to fund the mandate regarding criminal background checks. I solicit your Aye vote on reinstatement of -- over the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is -- if not, the question is, shall the item on Page 27, lines 5 through 10, of House Bill 592 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The item on Page 27, lines 5 through 10, of House Bill 592, having received the required three-fifths vote, is

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declared passed, the item veto of the Governor to the contrary notwithstanding. All right. Apparently, we'll go to House Bill 592. The motion with respect to House Bill 592, Madam Secretary. Third motion.

SECRETARY HAWKER:

I move that the item on Page 28, lines 25 through 29, of House Bill 592 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This 592 deals with a total of a hundred thousand dollars to two school districts in my area that are involved in the hold-harmless for the farmland assessment. Had they filed in time, they would have been included in Senator O'Daniel's bill that just passed. And I would move and hope for your support of this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on Page 28, lines 25 through 29, of House Bill 592 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The item on Page 28, lines 25 through 29, of House Bill 592, having received the required three-fifths vote, is declared passed, the item veto of the Governor to the contrary notwithstanding. House Bill 850. Senator Lechowicz. House Bill -- the motion with respect to House Bill 850, Madam Secretary.

SECRETARY HAWKER:

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I move that the item on Page 26, lines 5 through 9, of House Bill 850 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senators Lechowicz and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I respectfully move to override the Governor's item veto of five hundred thousand dollars contained in House Bill 850. This money is from the Tourism Promotion Fund, not the General Revenue Fund. According to the Governor's Fiscal 1990 Budget Book, the Tourism Promotion Fund should have a ending balance of five million dollars. The purpose of the five hundred thousand was designed to be used as a grant by Chicago Tourism Visitors Bureau to promote tourism and conventions in our State's largest city. This appropriation will prevent major hotel job layoffs and create new jobs in Illinois. Failure to implement this grant could result in a layoff of approximately three thousand hotel workers during the winter months. This program will also generate an estimated three and a half million dollars in hotel/motel revenue, producing an estimated four hundred thousand in State hotel/motel tax receipt. It should be noted that this amount was contained in the '89 budget and during the next cycle of the budgetary process. The amount was never questioned. Let me repeat. The Tourism Promotion Fund should have a Fiscal '90 ending -- ending balance of five million dollars. Such a balance should be able to accommodate your support on this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further -- is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:



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Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

I just talked with the people from DCCA just a few hours ago, Senator, and they tell me that if you estimate -- three million five hundred thousand dollars in hotel/motel revenue, it won't produce an estimated four hundred thousand dollars to the State of hotel/motel taxes. Instead, it'll produce -- there will be six -- six percent taken of that, and out of that, ten percent of that will go to the other departments - the other areas that have the tourist projects, and that would be taking away from the smaller areas, like in Lake County. And I'm concerned about that, because we need all the tourism that we can get.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, is that a question?

SENATOR GEO-KARIS:

My question is, I understand that six percent of three and a half million dollars is first taken off of that for tourism - it's two hundred and ten thousand, and out of that, ten percent - only twenty one thousand - will go to State. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Adeline, I heard that comment this morning. Unfortunately, DCCA is wrong. If you recall, the Tourism Promotion Fund is made up of two different sources. At the beginning of each fiscal year, ten million dollars is transferred from GRF to TPF. This is paid back by GRF monthly through the Build Illinois funding mechanism. This is a six percent tax levied by the State. Of the total collection, ten percent is directly deposited each month to TPF. In Fiscal '89, the hotel/motel tax allocation to TPF was 7.4

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million. Last month, the Department of Commerce and Community Affairs projected TPF to receive approximately 8.7 from this tax. Unfortunate...(inaudible)...chart in the funding mechanism, clearly the Chicago Prevention Bureau is affordable. I have more -- be more than happy to share this with you. I heard about this this morning. I tried to get a hold of DCCA, and I think other people will address this issue as well. They are wrong in this -- in this type of sentiment being expressed on the Floor. As you recall quite vividly, we passed this as a one-third/two-thirds split. One-third coming into the City of Chicago. Two-thirds going downstate. This does not affect that split at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I rise in support of Senator Lechowicz's motion. And as one of the Senators stated earlier on a previous motion, the Governor -- somebody had to make a major mistake. And I think the same mistake was made on this bill. Senator Lechowicz and Senator Schaffer and I were in a room just last month that had forty to fifty travel agents, with the Governor trying to entice them to bring tourism from their country to the State of Illinois. Without these funds, that won't happen, and the effort that we tried to put forth last month is failed. I think it's very important that tourism not only comes to Chicago, but that which can trickle to those of us downstate also. So I would hope that we would support Senator Lechowicz's motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the item on Page 26, lines 5 through 9, of

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House Bill 850 pass, the item veto of the Governor to the contrary notwithstanding. 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 43, the Nays are 11, none voting Present. The item on Page 26, lines 5 through 9, of House Bill 850, having received the required three-fifths vote, is declared passed, the item of the Governor to the contrary -- the item veto of the Governor to the contrary notwithstanding. House Bill 850. Motion -- Second Motion. Senator DeAngelis. Madam Secretary, please.

SECRETARY HAWKER:

I move that the item on Page 48, lines 25 through 29, of House Bill 850 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Several years ago, Senator Berman and myself sponsored a bill which created Direction Services. That is a service available to parents of handicapped children to give them the most direct information on where to get a service for their child. Up to now, it has been housed through a grant from the Department for the State Board of Education. This year we chose to set up a line item for it and the Governor vetoed it. We -- the veto was overridden overwhelmingly in the House. I urge your support for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall the item on Page 48, lines 25 through 29, of House Bill 850 do pass, the item of the veto -- the item veto of the Governor to the contrary notwithstanding. Those

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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 -- have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The item on Page 48, lines 25 through 29, of House Bill 850, having received the required three-fifths vote, is declared passed, the item veto of the Governor to the contrary notwithstanding. We'll hold these additional two motions till tomorrow. House Bill 850. Senator Joyce. Hold it till tomorrow. Okay. Bottom of Page 15. Motions In Writing to Restore Item Reductions is House Bill 592. Senator Jones. All right. Madam Secretary, House Bill 5-9-2. Bottom of Page 15.

SECRETARY HAWKER:

I move that the item on Page 11, lines -- line 6, of House Bill 592 be restored, the item reduction veto of the Governor to the contrary notwithstanding.

Filed by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. The motion to -- to restore and the Governor's reduction veto, I believe the Governor was ill-advised, because this program was not an add-on. It is a program that has been in existence for the past six years, and his reduction veto eliminated the college transitional program. So I ask for a favorable vote, because it was not an add-on, it was just something that I believe that the Governor did not understand that the program had been in existence for the last six years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, the question -- the question is, shall the item on Page 11, line 6, of House Bill 592

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be restored, the item reduction veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. ...(machine cutoff)... Have all voted who wish? Take the -- take the record. On that question, the Ayes are 39, the Nays are 13, 1 voting Present. The item on Page 11, line 6, of House Bill 592, having received the required majority vote of the Senators elected, is declared restored, the item reduction of the Governor to the contrary notwithstanding. 859. Senator DeAngelis. Page 17. Bottom of Page 17. All right. The bottom of Page 17. Motions In Writing to Override Specific Recommendations is House Bill 211. Senator Newhouse. Bottom of Page 17. Senator Newhouse, shall we come back? All right. House Bill 2-0-3-1. Senator Schuneman. Page 17, bottom. Do you wish -- do you wish to proceed with that motion? All right. Page 17, is House Bill 2-0-3-1, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 2-0-3-1 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 2-0-3-1 is a bill introduced by the Legislative Audit Commission, and was intended to modernize the internal auditing procedures of the various agencies of State Government. The provisions of this bill were approved overwhelmingly in both the House and the Senate. The Governor has raised some objections to the bill. However, I think that those same objections were raised during debate both in the House and the Senate. The provisions of this bill follow the guidelines that were established by the United States Congress

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when they recognized the importance of internal controls for the Federal Government. The State of California has adopted similar provisions to this, and we feel as though we should proceed with the bill and override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall ... (machine cutoff)... question is, shall House Bill 2-0-3-1 pass, the specific recommendation of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 9, none voting Present. House Bill 2-0-3-1, having received the required three-fifths vote, is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. House Bill 2-0-3-5. Madam Secretary, the motion.

SECRETARY HAWKER:

I move that House Bill 2-0-3-5 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the -- of the Senate. House Bill 2-0-3-5 is also a bill of the Legislative Audit Commission. It creates a seven-member Laboratory Review Board for the purpose of developing a fee policy for laboratories operated by State departments and agencies and overseeing the laboratories. To the Governor's amendatory veto, he made the -- made the Board advisory in nature, and also he deleted the requirement that the Board develop a quality assurance standard for laboratories, and also took out that part as relates to fees.

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That was not the intent of the legislation. It passed overwhelmingly in this Body, as well as the House, and also the House on the override of the Governor's specific recommendation. And I asked for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If there is no discussion, the question is, shall House Bill 2-0-3-5 pass, the specific recommendations of the Governor to the contrary notwithstanding. All 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 5, none voting Present. House Bill 2-0-3-5, having received the required three-fifths vote, is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Motion with respect to House Bill 2351, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 2351 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Thomas Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you. Thank you, Mr. President. This amendment would exempt the -- expand the exemption to anyone doing diagnostic x-rays. And it was brought about at the request of the State Medical Society. The Governor was overridden in the House, 109 to 1. This bill would also change the date for the Radiation Protection Act from December 1st, 1993, back to December 1st of 1990, so that discussions can continue to go forward. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Discussion? If not, the question is, shall House Bill 2351 pass, the specific recommendations of the Governor to the contrary notwithstanding. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 2351, having received the required three-fifths vote, is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Page 18. House Bill 2405. Senator Jones. 2693. Senator Watson. Supplemental Calendar No. 1. Supplemental Calendar 1 has been passed out. All right. With leave of the Body, before we go to the Supplemental Calendar No. 1, we'll have Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 1621 with -- with Senate Amendment No. 3.

I have a like, pardon me -- a Message from the House by Mr. O'Brien, Clerk.

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

Senate Bill 752 with House Amendments 1 and 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk, Concurrence.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that



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the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 136.

I have a like Message on Senate Bills 572 with Amendment No. 1 and House Bill 168 with Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved that we accede to the request of the House for a conference committee on the bills just read by the Secretary, at the request of the House, and that a conference committee be appointed. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion carries. The Secretary shall -- the motion -- and the Senate accedes to the request to appoint a conference committee. All right. Supplemental Calendar No. 1 is Senate Bill 752 - will be called tomorrow. The motion with respect to House Bill 1621 will be held till tomorrow. Conference Committee Reports. Senator Berman. Supplemental -- in the middle of the page of the Supplemental Calendar, is House Bill 1131, the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1131.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill does two things. Number one, when we passed Senate Bill 1840, in the procedures regarding the Chicago Board of Education levy, we removed the Chicago City Council from the levy approval process because of the fact that their approval was mandated by the courts and they really did not have any jurisdiction, and we wanted to remove that perfunctory process. What we failed to do in that, was to allow the City Council to --

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to remove the City Council from the approval of the levy regarding the Teachers Pension Fund, and that's what this bill does. The second thing, in most of the language in a number of places in the Statutes regarding banks that hold funds, officers of banks serving on the boards of school districts or colleges, we've put in certain requirements whereby those banks could be a depository. We failed to provide for that in the Junior College Act, and that's the second thing that this bill does. I'd be glad to respond to any question, and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any questions? Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Your first -- your first point. Are you taking something away from the City Council? And why are you doing it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Don't -- don't let them take it personally. They have always been upset that under court decisions, when the levies of the Chicago Board of Education - the school system - or the Teachers Pension Fund come before them, they must perfunctorily approve those levies. You've heard that debate many times. They really have no discretion, because if they turn it down, somebody runs into court and the judge says, "You must approve it." In the School Reform Act, we took them out of it, because they really served no function. We failed in that Act to remove that same -- to remove them as it relates to the teachers pension levy. This bill does that.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- further discussion? All right. If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1131. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1131, and the required -- and the bill, having received the required constitutional majority, is declared passed. House -- Motions In Writing, House Bill 2-0-7-9. Senator Jones. Madam Secretary, House Bill 2-0-7-9, the motion.  
SECRETARY HAWKER:

I move that all applicable rules be waived for consideration of House Bill 2-0-7-9; that the Committee on Judiciary be discharged from further consideration of House Bill 2-0-7-9, and that the bill be placed on the Calendar on the Order of 3rd Reading.

Filed by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, Members of the Senate. The motion -- this request for the motion has been checked out with leaders on both sides of the aisle. It's self-explanatory, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moved that the applicable rules be waived for consideration of House Bill 2-0-7-9; that the Committee on Judiciary be discharged from further consideration of House Bill 2-0-7-9; and that the bill be placed on the Calendar on the Order of 3rd Reading. All right. Those in favor of the

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motion will indicate by saying Aye. Opposed, Nay. The Ayes have it. The Rules are suspended, and the bill will be placed on the Order of 3rd Reading, on the regular Calendar. Senator Jones.

SENATOR JONES:

Wait a minute. Okay, go ahead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns. House Bill 1396. Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1396, in manner and form as follows:

Amendment to House Bill 1396

in Acceptance of Governor's Recommendations

Filed by Senator Severns.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I do move to accept the specific recommendations of the Governor, which are technical in nature.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1396, in the manner and form just stated by Senator Severns. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 1396, having received the required constitutional majority vote of Senators elected, are declared accepted. The Chair would just reflect that I have made a commitment to Senators Friedland and Zito and others, and Senator Philip and I, six o'clock is it. So not to

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worry. We're going to be out of here. All right. We're moving as quickly as we can, given the constraints under which we work. Senator Kustra, Motion In Writing to Override Specific Recommendations. Do you wish to pursue that today? All right. Ladies and Gentlemen, the bottom of Page 2 of the Supplemental Calendar, there's a Motion In Writing with respect to House Bill 2634, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 2634 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Kustra.

PRESIDENT ROCK:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. House Bill 2634 passed the Senate 58 to nothing. And in that particular bill is some suggested course content language for the teaching of sex education. When it got to the Governor's desk, he disagreed with the extent of the language, and suggested instead that some of that language be removed, and instead we simply address outcomes. I think it's an honest disagreement, but from reading and rereading the paragraphs in the original legislation, I see no reason why this General Assembly can't specify just what we mean by the teaching of sex education. That's precisely what the bill did, and I would urge an override of House Bill -- of the amendatory veto of House Bill 2634.

PRESIDENT ROCK:

Any discussion? Senator Maitland.

SENATOR MAITLAND:

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

I --

PRESIDENT ROCK:

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Bear with us now. We're only a few more minutes away from adjournment. Senator Maitland.

SENATOR MAITLAND:

I rise in opposition to Senator Kustra's motion. I do believe that the Governor was right when he spoke about the overprescriptive nature of the suggested course content that was -- was in the bill. We debated this issue last spring. And it seems to me that -- that this is an issue that should be locally determined, and quite frankly, in the original Statutes this is all permitted. It gives parents the right to opt out of the course content if they're not happy with it. And I happen to believe that the Governor was quite correct in suggesting that schools impose the content for the courses, and then, in fact, the parent has the right to opt out. I shared the Superintendents Mandates Task Force a couple of years ago, as most as you know, and one of the criticisms that we face here in the General Assembly is not the mandates necessarily, but rather the overprescriptive nature of those mandates. I think here's a good example of -- of a group that are well-meaning, and the intent is there, but I think we ought to take the Governor's recommendation, and -- and therefore, we ought to oppose this motion.

PRESIDENT ROCK:

Further discussion? Senator Kustra, you wish to close?

SENATOR KUSTRA:

Just to say, Mr. President, that -- once again, the importance of the teaching of sexual abstinence within a curriculum of sex education. And all the three paragraphs does, which the Governor took out, is define what the teaching of sexual abstinence would include. I see no problem with it, and therefore, I would urge an override of the amendatory veto.

PRESIDENT ROCK:

All right. The question is, shall House Bill 2634 pass, the

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specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 14 Nays, none voting Present. House Bill 2634, having received the required three-fifths vote, is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senator Marovitz, for what purpose do you arise, sir?

SENATOR MAROVITZ:

Just a verification.

PRESIDENT ROCK:

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

SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen, Daley, Davidson, del Valle, Donahue, Dudycz, Ralph Dunn, Thomas Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Holmberg, Hudson, Jacobs, J.E. Joyce, Karpiel, Keats, Kelly, Kustra, Lechowicz, Madigan, Mahar, Newhouse, O'Daniel, Philip, Raica, Rea, Rigney, Savickas, Schaffer, Schuneman, Topinka, Vadalabene, Watson, Welch and Zito.

PRESIDENT ROCK:

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

SENATOR MAROVITZ:

Senator J. E. Joyce.

PRESIDENT ROCK:

Senator Joyce is behind the Podium, Senator Marovitz.

SENATOR MAROVITZ:

Senator Dudycz.

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PRESIDENT ROCK:

Senator Dudycz is in the back of the Chamber.

SENATOR MAROVITZ:

Senator Ralph Dunn.

PRESIDENT ROCK:

Senator Ralph Dunn is fortunately in his seat, and I would encourage all Members to follow Senator Dunn's example.

SENATOR MAROVITZ:

Senator Holmberg.

PRESIDENT ROCK:

Senator Holmberg also followed Senator Dunn's example. She's in her seat. Thank you very much. The roll has been verified. The Ayes are 38, the Nays are 14, none voting Present. House Bill 2634, having received the required constitutional majority vote, is declared passed. All right. Ladies and Gentlemen, if you follow with me, please. We have three or four more items, and I guarantee you, we'll be out of here by six o'clock. Just follow with me, please. We are attempting to expedite the process. There's been a request, Senator Dunn. Top of Page 7, Madam Secretary, on the Order of House Bills 2nd Reading. With leave of the Body, I'd like to move to House -- House Bills 2nd Reading for the purpose of reading House Bill 1514, which Senator Dunn informs me will be moved from 2nd to 3rd with the distinct possibility it may be called back for the purposes of an amendment. Madam Secretary, read the bill a second time, please.

SECRETARY HAWKER:

House Bill 1514.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:



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Senator DeAngelis offers Amendment No. 1.

PRESIDENT ROCK:

Thank you very much for a well-oiled machine, Senator Dunn. Will you talk to him, please? ...(pause)... All the plans of mice and men. Thank you...(inaudible)... Someday I'm going to write a civics book, and this chapter will not be in it, by the way. Any amendments from the Floor? He -- he will call it back. I guarantee it. You have my word; he'll call it back.

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Turn to Page 8, if you please. Middle of Page 8, on the Order of Secretary's Desk, Concurrence. Senator Topinka has asked leave to go to the Order of Secretary's Desk, Concurrence, for Senate Joint Resolution 54. Madam Secretary, please.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Joint Resolution 54.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I do ask that we concur with House Amendment No. 1. This is -- it's creating the Select Committee on the Preservation of Sacred Places. This would make it advisory. It would make the Historic Preservation Department handle it, rather than the Legislative Research Unit. And would ask that the report go to the Department of Historic Preservation and not the General Assembly. So I would ask for a favorable vote.

PRESIDENT ROCK:

All right. The question is, shall the Senate concur in House Amendment No. 1 to Senate Joint Resolution 54. Those in favor,

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vote Aye. Opposed, vote Nay. 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 55 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Joint Resolution 54. And the Resolution, having received the majority approval of this Body, is declared passed. Bottom of Page 8. If you please, Ladies and Gentlemen, we have two more matters, then we're out of here. Bottom of Page 8, there is a Conference Committee Report with respect to House Bill 2798. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2798.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate not adopt the First Conference Committee Report on House Bill 2798. And a Second Conference Committee be appointed. The financial community would like to use this Conference Committee Report to enact State legislation that would concur with Federal legislation on the S & L bailout. We also add some technical language needed. The Commissioner of Banks on the bill that we passed, Senate Bill 901, doing with leverage banks, buyouts. Therefore, I would just ask that we not adopt Conference Committee Report No. 1 to House Bill 2798.

PRESIDENT ROCK:

All right. Senator Luft has moved that the Senate do not adopt or, in the vernacular, tube the First Conference Committee Report. The question is, shall the Senate adopt the First Conference Committee Report on House Bill 2798. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, the Ayes are 27, the Nays are 9, 1 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. Senator Luft, your powers of persuasion are -- the Secretary shall so inform the House. Senator Luft requests a Second Conference Committee. He wants another vote like that, yeah. Thanks very much. Yeah. All right. Ladies and Gentlemen, we have one additional resolution. Senator Topinka. Senate Joint Resolution 105. There are to be no more roll calls, Ladies and Gentlemen, so I wish you a Happy Halloween. Senator Topinka has Senate Joint Resolution 105. She has asked to suspend the rules for its immediate consideration and adoption, so that the House can act affirmatively tomorrow. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Topinka, on Senate Joint Resolution 105.

SENATOR TOPINKA:

(machine cutoff)...of the Senate. This is a congratulatory resolution honoring Brigadier General John Johnston, the head of the Department of Veterans Affairs, for being named Veteran of the Year. And I would ask for your favorable vote.

PRESIDENT ROCK:

All right. Senator Topinka has moved the adoption of Senate Joint Resolution 1-0-5. Any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The Resolution is adopted. Ladies and Gentlemen, one more Order of Business, if you will. The middle of Page 7, on the Order of House Bills 1st Reading. I'd ask leave to go to that Order, Madam Secretary, to read the House Bills that sponsors have adopted.

SECRETARY HAWKER:

House Bill 2511 offered by Senator Jones.

(Secretary reads title of bill)

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1st Reading of the bill.

PRESIDENT ROCK:

Rules Committee. Any further business or announcements to come before the Senate? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. I would like to indicate that there is a meeting tomorrow of the Executive Appointments, Veterans Affairs, Administration, at ten o'clock a.m. in Room 212. And we will consider the candidates that the Governor has recommended on today's as well as the previous Message. I asked for all the Members to be there, and thank you.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, tomorrow is November 1st, and the Senate will convene at the hour of twelve o'clock noon. I'd ask Senator Zito to be present for the Prayer. And I wish every -- Senator Smith, do you wish recognition?

SENATOR SMITH:

Yes, Mr. President. I merely wanted to say to everyone, trick or treat tonight.

PRESIDENT ROCK:

All right. If there's no further business to come before the Senate, Senator Hall moves that the Senate stand adjourned until Wednesday, November 1st, at the hour of noon. Noon tomorrow, Ladies and Gentlemen. Have a nice evening.

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