

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

68th Legislative Day

November 2, 1989

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. Our prayer this morning is by Pastor Robert Hanson, Greenview United Church, Greenview, Illinois. Pastor.

THE REVEREND ROBERT HANSON:

(Prayer given by Pastor Robert Hanson)

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)...

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, I move that the reading and approval of the Journals of Monday, October 30th; Tuesday, October 31st, and Wednesday, November 1st, in the year 1989, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as placed by Senator Kelly. All those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion is carried. Resolutions.

SECRETARY HAWKER:

Senate Resolution 677 offered by Senator Watson.

Senate Resolution 678 offered by Senator Topinka.

Senate Resolution 679 and 680 offered by Senator Topinka.

They are all congratulatory.

Senate Resolution 681 offered by Senator J.E. Joyce.

It's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, with leave of the Body, we will go to the Order of Introduction of Bills. Introduction of Bills, Madam Secretary.

SECRETARY HAWKER:

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Senate Bill 1485 offered by Senators del Valle and Severns.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go back to the Order of Resolutions. All right. The last bill that was read in, 285 -- 1485, will be assigned to the Rules Committee. Resolutions.

SECRETARY HAWKER:

Senate Resolution 682 offered by Senator Demuzio.

Senate Resolutions 683 through 686 offered by Senator Topinka. They are all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. When we begin this morning - so everyone knows what we're going to be doing - we're going to go to the Order of Recalls. The recall list is being passed out on the desk of all the Members. We'll be going to Recalls. Be 1072. Be Senator Netsch, and 1609, Senator Weaver, when we get there. All right. WMAQ, WBBM, WCIA, WICS, WLS have all requested permission to film. Is leave granted? Leave is granted. On the Order of Recalls, on your regular Calendar, page 6, House Bills 3rd Reading. With leave of the Body, we will go to that Order of business. Is leave granted? Leave is granted. On House Bills 3rd Reading, top of Page 6, is House Bill 1072. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch seeks leave of the Body to return House Bill 1072 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1072. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senators Netsch and Weaver.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 1072, during the Regular Session, became one of the vehicles for all kinds of income tax proposals, and I want to assure all the Members of the Senate that those have been stricken right now. So we are not about to reenact an increase in the State income tax. You may relax on that score. What the bill does now is to deal with an issue that the Department of Lottery has requested us to address. They are concerned about the increasing numbers of claimants who do not have physical evidence of their Lottery ticket, but indicate that they did, in fact, have the right numbers to win a prize. That's becoming a major issue, and the Department has asked us please to address that. The amendment deals only with that issue and, in effect, says that prizes for lottery games which involve the purchase of a physical Lottery ticket, may be claimed, only by presentation of a valid Lottery ticket. And then there are some other provisions which deal with the validation of tickets, which they have a very sophisticated mechanism for. This is for the protection of the integrity of the Lottery, and I would solicit your support, as would Senator Weaver, for the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? All right. Senator Netsch has moved the adoption of Amendment No. 3 to House Bill 1072. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR WEAVER:

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Thank you, Mr. President. May I have leave to come back to this? We have in the Reference Bureau a corrected amendment that was adopted yesterday, so we will need to Table that amendment and resubmit the correct amendment that should be here momentarily. If I can have leave to come back to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You have heard the request of Senator Weaver. Seeks leave to come back when the amendment is down here. Is leave granted? Leave is granted. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to wit:

Senate Joint Resolution 25

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 734 with House Amendments 1, 2, 3, 4 and 5.

I have a like message on Senate Bill 1136 with House Amendments 1 and 2, and Senate Bill 1379 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk, Concurrence.

(machine cutoff)

PRESIDENT ROCK:

Ladies and Gentlemen, while we are awaiting Senator Weaver's amendment, and before we get to the Order of 3rd Reading, we do have - at Senator Kelly's request - consideration of the Executive Appointments Committee. Committee Reports, Madam Secretary.

SECRETARY HAWKER:

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Senator Kelly, Chairman of the Committee on Executive Appointments, Veterans Affairs and Administration, to which was referred the Governor's Messages of October 17, 1989, and October 30, 1989, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDENT ROCK:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session, for the purpose of acting on the Governor's appointments set forth in his messages of October 17, 1989, and October 30, 1989.

PRESIDENT ROCK:

Heard the motion as placed by Senator Kelly. Any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Senate has now resolved itself into Executive Session. Senator Kelly.

SENATOR KELLY:

Mr. President, with respect to the Governor's Message of October 17, 1989, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advise and consent:

To be the Director of the Department of Central Management Services for a term expiring January 21, 1991, Eugene S. Reineke of Springfield.

To be the Director of the Department of Financial Institutions for a term expiring January 21, 1991, Shinae Chun of Riverwoods.

To be the Director of the Department of Insurance for a term expiring January 21, 1991, Zack Stamp of Springfield.

To be a member of the Illinois International Port District Board for a term expiring June 1, 1994, John J. Serpico of

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Lincolnwood.

To be a member of the Illinois Human Rights Commission for a term expiring January 18, 1993, Aloysius A. Maizewski, Jr. of Mt. Prospect. And to be a member of the Illinois International Port District Board for a term expiring January 31, 1992, Robert C. Hamilton of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objections to a specific appointment. Mr. President, will you put the question, as required by our rules.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Kelly asks leave. Are there any objections to the nominees? Any objections? If not, the question is, does the Senate advise and consent to the nominations just made by Senator Kelly. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question the Ayes are 58, the Nays are none, none voting Present. The majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made by Senator Kelly. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members. With respect to the Governor's Message of October 17, 1989, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advise and consent:

To be members of the Labor Management Commission for terms expiring July 1, 1990, James S. DiMatteo of Palatine; Robert G. Gibson of Chicago; and Eugene P. Moats of Chicago.

To be members of the advisory board of the Department of Conservation for terms expiring January 16, 1995, Cecil E. Becker

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of Brighton and Charles Potter of Chicago.

To be a member of Metropolitan Pier and Exposition Authority for a term expiring June 1, 1990, James B. Bolin of Western Springs.

To be a member of the Metropolitan Pier and Exposition Authority for a term expiring June 1, 1991, Timothy H. Roche of Elmhurst.

To be a member of the Metropolitan Pier and Exposition Authority for a term expiring June 1, 1992, Patrick F. Daly of Wheaton.

To be a member of the Metropolitan Pier and Exposition Authority for a term expiring June 1 of 1993, Chandra K. Jha of Chicago.

To be a member of Metropolitan Pier and Exposition Authority for a term expiring June 1, 1994, Alexander R. Lerner of Glencoe.

To be a member of the Metropolitan Pier and Exposition Authority for a term expiring June 1, 1995, Daniel K. Webb of Chicago.

To be a member of the State Board of Investment for a term expiring January 18, 1993, Michael S. Bozich of Chicago.

To be a member of the Children and Family Services Advisory Council for a term expiring January 21, 1991, Lewis Z. Koch of Evanston.

To be a member of the Children and Family Service Advisory Council for a term expiring January 21<sic>(18), 1993, Rhoda Bresler of Chicago; Julie A. Morrison of Deerfield; and Betty L. Williams of Evanston.

To be members of the Central Midwest Interstate Low Level Radiation Waste Commission for terms expiring January 21, 1991, Clark W. Bullard, III of Urbana; Terry R. Lash of Springfield.

To be a member of the Hospital Services Procurement Advisory Board for a term expiring January 1, 1992, Jerry A. Hickam of

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Murphysboro.

To be a member of the Hospital Services Procurement Advisory Board for a term expiring January 1, 1993, Dr. Audley F. Connor of Chicago.

To be a member of the Illinois Community College Board for a term expiring June 30, 1991, Judith E. Madonia of Springfield.

To be a members of the Illinois Community College Board for a term expiring June 30, 1995, Harry L. Crisp, II of Marion.

To be a member of the State Banking Board of Illinois for a term expiring December 31, 1993, James A. Fitch of Chicago.

To be members of the Board of Natural Resources and Conservation for terms expiring January 21, 1991, Herbert S. Gutowsky of Urbana; Robert L. Metcalf of Urbana; Roy L. Taylor of Glencoe; and Seymour O. Schlanger of Evanston.

To be a member of the Illinois Job Training Coordinating Council for a term expiring January 1, 1990, Joyce A. Short of Richton Park.

To be a member of the Illinois Job Training Coordinating Council for a term expiring January 1, 1991, Barry L. MacLean of Libertyville.

To be a member of the Medical Licensing Board for a term expiring January 8, 1994, Roger A. Pope of Belvidere.

To be a member of the Advisory Board of Livestock Commissioners for a term expiring January 21, 1991, Gary L. Waters of DeKalb.

To be a member of the Illinois State Board of Education for a term expiring January 16, 1995, Deborah Miller of Hoffman Estates.

To be members of the Illinois Council on Vocational Agricultural Education for a term expiring March 13, 1991, Sally Brooks Hershberger of Bloomington and Virgil Max Foster of Morton.

To be members of the Illinois Council on Vocational



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Agricultural Education for a term expiring March 13, 1992, Larry L. Fischer of Pittsfield and Glenn B. Sims of Windsor.

To be members of the Medical Determinations Board for terms expiring August 23, 1993, Dr. Samuel L. Andelman of Niles and Dr. Richard H. Suhs of Springfield.

To be a member of the Illinois Fiduciary Advisory Council for a term expiring January 1, 1992, Charles G. Dalton of Homewood.

To be a member of the Illinois Fiduciary Advisory Council for a term expiring January 1, 1993, Joan M. Baratta of Bloomingdale.

To be members of the Guardianship and Advocacy Commission for terms expiring June 30, 1992, Robert W. Gettleman of Evanston and Corinne Hallett of Hinsdale.

To be a member of the Lottery Control Board for a term expiring July 1, 1992, Mary Ann Koppel of Skokie.

No, I won't start over.

To be members of the Board of Higher Education for terms expiring January 31, 1995, Rey W. Brune of Moline; Robert J. English of Lisle; and Gayl S. Pyatt of Pinckneyville.

To be a member of the Southern Illinois Board of Trustees for a term expiring January 16, 1995, Molly D'Esposito of Winnetka.

To be a member of the Illinois Housing Development Authority for a term expiring January 11, 1993, Arthur F. Quern of Evanston.

To be member of the Illinois Health Facilities Authority for a term expiring June 30, 1995, Ruth A. Edleman of Chicago.

And to be a member of the Illinois Sports Facility Authority for a term expiring July 1, 1991, Perry J. Snyderman of Highland Park.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objections to a specific appointment.

PRESIDING OFFICER: (SENATOR LUFT)

Are there any objections to any of the appointees that Senator

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Kelly mentioned? Senator Rea.

SENATOR REA:

Thank you, Mr. President and Members of the Senate. I appeared before the Executive Appointments Committee yesterday and expressed some concerns about the appointment of the person to the SIU Board of Trustees. I made it clear that I am not objecting to the person as an individual - I understand she is very fine, she has good qualifications - but there are some other concerns I would like to share with you and some concerns I feel that should be addressed. The SIU trustee appointment is a very important appointment. And I have -- I am an alumnus of Southern Illinois University, I served on the staff there for eleven years, and I feel that there should be alumnus representation on that board. There is one of seven members that attended SIU that's on that board today. And always in the past, as I understand it, the SIU Alumni Association have been consulted on any of the appointments, and I know that there is over a hundred thousand SIU alumnus in the State of Illinois. I might also point out that many of those are from southern Illinois, in the region. I know we should have representation from throughout this State, but I also feel there should be regional representation as well. Because the University plays a very important role, not only in teaching, research, but also service to the area. And I feel that an appointee should be highly visible in higher education, and should have that commitment and dedication. I am not saying that the appointee will not do the very best job possible, but I am also saying that the appointee should know where Southern Illinois University is, and should know something about the system. And I would hope that we would take those types of consideration into account as we look at not only Southern Illinois University Board of Trustees, but as we look as other appointments throughout this State. And I hope that we will make some movement as a Body to address those types

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of issues. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

Any other objections? Senator Vadalabene.

SENATOR VADALABENE:

Yes. I want to just make mention, Mr. President and Members of the Senate, that Southern Illinois does not only reside in Carbondale; it has a campus in Edwardsville and it has a campus in Springfield. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

All right. Senator Kelly asks leave of the Body to consider on one roll call the nominees that he has put forth to the Senate. Is leave granted? Leave is granted. So the question is, does the Senate advise and consent to the nominations just made by Senator Kelly. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 54, the Nays are none, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members. We're getting there. With respect to the Governor's Message of October 30, 1989, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advise and consent:

To be members of the Illinois Affordable Housing Advisory Commission for terms to be chosen by lot at the initial meeting of the Commission, Rance D. Carpenter of Springfield; Jeffrey C. Darling of St. Charles; Patricia Ann Harris Eissen of Rockford; Dale L. Goodwin of Oak Brook; Richard A. Heise of Chicago; LuCinda J. Goodson-Herrera of Ottawa; Genevieve Hughes Houghton of

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Carbondale; Henry C. Mendoza of Glenwood; Thomas J. Moss of Chicago; Willie B. Nelson, Sr. <sic> of East St. Louis; and Barbara A. Shaw of Chicago.

To be members of the Board of Governors of State Colleges and Universities for terms expiring January 16, 1995, Dominick Bufalino of Norwood Park; William E. Hoffee of Fairfield; and Nancy H. Froelich of Hudson.

To be members of the Board of Regents for terms expiring January 16, 1995, Carol K. Burns of Peoria; David T. Murphy of Cary; David Brewster Parker of Lincoln.

To be a member of the Illinois Board of Higher Education for a term expiring January 31, 1995, Dr. Diego Redondo of Deerfield.

To be a member of the Employment Security Advisory Board for a term expiring January 21, 1991, Joan W. Barr of Evanston.

To be a member of the Advisory Board to the Department of Conservation for a term expiring January 16, 1995, Victor R. Lindquist of Thornton.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on roll -- one roll call, unless some Senator has objections to a specific appointment. Mr. President, will you put the question as required by the rules.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Kelly asks leave to consider the nominees just presented to the Senate on a single roll call, unless there are any objections. Are there any objections to the nominees? Leave is granted. The question is, does the Senate advise and consent to the nominations just made by Senator Kelly. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 58, the Nays are none, none voting Present.

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A majority of Senators elected and concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the Senate rise from Executive Session.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Kelly moves that the Senate arise from Executive Session. Those in favor will signify by saying Aye. Opposed, Nay. The Ayes have it. And the Senate does arise from Executive Session. Resolutions.

SECRETARY HAWKER:

Senate Resolution 687 offered by Senators Zito, President Rock, Senator Philip and all Members.

Senate Resolution 688 offered President Rock.

Senate Resolution 689 offered by Senator Woodyard.

They are all congratulatory.

And Senate Joint Resolution 106 offered by Senator Woodyard. It is also congratulatory.

PRESIDING OFFICER: (SENATOR LUFT)

Consent Calendar. Can we have your attention. Senator Joyce, for the purpose of an introduction.

SENATOR J.J. JOYCE:

Well. Thank you, Mr. President, Ladies and Gentlemen of the Senate. I am pleased to introduce to you today the Boys Golf Team from Bishop McNamara High School in Kankakee. The team recently placed Second in the Class A State Championship played in Danville. The team was coached by Mike McGuckin, and I'd like Mike to come forward and introduce us to his individual team members. And I might point out that Mike McGuckin is Pat McGuckin's brother, who is on the Democratic staff. So Senator Hawkinson, I believe they finished one stroke behind your team, so

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look out next year. Mike.

COACH MIKE MCGUCKIN:

(Remarks by Coach Mike McGuckin)

SENATOR J.J. JOYCE:

All right. Thank you, and Mike, here is a resolution for you and one for each of your members. And Representative Novak is a big supporter of the golf team. I know he is going to contribute substantially to it next year. Thank you.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, as I am sure everyone is aware, this is the last legislative day for this year. If you will turn to Page 11 on the Calendar, there are three motions that are still pending. 850. Senator Hall. 859. Senator DeAngelis. 2405. Senator Jones. All right. Ladies and Gentlemen, we will go to the Order of House Bills 3rd Reading on Page 5 on the Calendar. All right. If I can have your attention, if you'll turn to Page 5 on the Calendar, we will go through House Bills 3rd Reading. That's House Bill 158. Senator Luft. House Bill 713. Senator Newhouse. Turn to Page 6. House Bill 1072. Senator Netsch. House Bill 1487. Senator Marovitz. House Bill 1609. Senator Weaver. 2045. Senator Keats. 2079. Senator Jones. 2117. Senator Savickas. 2576. Senator Schaffer. And 2733. Senator Karpziel. All right. 158. Senator Luft. 713. Senator Newhouse. On the Order of House Bills 3rd Reading is House Bill 713. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 713.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Newhouse.

SENATOR NEWHOUSE:

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Thank you, Mr. President and Senators. House Bill 713 is a cleanup bill to Senate Bill 104, by Senator Hawkinson and (Representative) Hultgren and what it does is, it makes technical changes in referendum requirements for the construction of school buildings or office facilities. I know of no objection. I would ask for a favorable roll call.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 713 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 713, having received the required constitutional majority, is declared passed. Top of Page 6, 1072. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1072.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the bill which we just amended with language requested by the Department of Lottery, to clarify their position with respect to paying off Lottery games where there is no ticket actually presented, and rather than the long explanation, let me again just quickly read the sentence - the two sentences: "Prizes for Lottery games which involve the purchase of a physical Lottery ticket may be claimed only by presentation of a valid Lottery ticket. No claim maybe honored which is based on the assertion that the ticket was lost or stolen. No Lottery ticket which has been altered, mutilated, or

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fails to pass validation tests shall be deemed a winning ticket." That is the total language. It is designed so that the Department will not be put in the position of having to - as they put it - play judge and jury on whether a Lottery claim is valid. They've had many complaints from regular Lottery players that it is not fair to them, and they have said that this is absolutely essential for the integrity of the game. Thank you.

PRESIDENT ROCK:

Discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT ROCK:

Indicates she will yield, Senator Jones.

SENATOR JONES:

Yes. I -- one of my constituents was involved in a situation like that, and the court ruled that he was entitled to the award. And now what -- what you are saying -- that if -- if one can show proof that they purchased the ticket and so forth, but they do not have the actual ticket as such, that this language would prohibit them from collecting the award?

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

That is my understanding. It would have not impact on the case that has already be adjudicated by a court. But the Department says that -- that it has -- and I think the figure was some twenty or more other people who've now come in and said, "Oh, gee, I had a ticket, but I lost it," and then they have to become a judge and jury about whose claim is valid and whose is not, and they feel that that is just not an appropriate position for them to be put in. This is the way everyone had understood the law was. It makes it absolutely clear.



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PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yeah, but Senator Netsch, the only problem I see with this language is that one person may legitimately have purchased a ticket, and it could have been lost in a fire or something, but had actual proof that they purchased that ticket - even the person who sold it to him could identify everything - but when you put this type language in there, you preclude anyone who has a legitimate claim from actually making their claim for that award. And I know what you are trying to get at, but I don't think this is the route we should go, because you have some legitimate persons out there who may have lost that ticket. The person who sold it to them can identify them as such. They may have a photocopy of the ticket that they purchased from that lottery. Do you follow me? So I don't think we should just slam the door in their face and not have given them the opportunity to at least go through the court to get their award. By doing this way, you're slamming the door.

PRESIDENT ROCK:

Further discussion? Is there any further discussion? Senator Netsch may close.

SENATOR NETSCH:

Your interpretation is correct. I would say that according to the Department of Lottery, there is no legitimate claim unless the ticket is physically in existence. That is the way the Department wants the law to be, that is what this would do, and we are acceding to their judgment.

PRESIDENT ROCK:

The question is, shall House Bill 1072 pass. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, there are 49 Ayes, 8 Nays, none voting Present. House Bill 1072, having received the required constitutional majority, is declared passed. 1487. Senator Marovitz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1487.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President, Members of the Senate. This is the Statewide Grand Jury bill to -- empowering the Attorney General of the State of Illinois to impanel a grand jury to investigate drug trafficking, drug racketeering and money laundering, and hopefully get at the profits of these drug deals through the Narcotics Profits Forfeiture Act, which we passed some time ago, and assist State's Attorneys in getting at the profits of these drug deals. The Attorney General would petition the Supreme Court; the Supreme Court, upon that petition, would choose a presiding judge in a county where the action -- the crime has occurred, with the acquiescence of the State's Attorney of that county. And I repeat - with the acquiescence of the State's Attorney of that county. The State's Attorney would have to be notified at the earliest convenience, so that they could acquiesce and know of everything that is going on involved with the investigation by the Attorney General's Office. The concept of this legislation is to seize the profits and eliminate the motive from drug deals in the State of Illinois. Nobody's going to stand up here and tell you that by passing this legislation we are going to eliminate drug deals in the State of Illinois. But it's a piece of the pie. It's a piece of the puzzle. And I think we all

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know that the reason drugs are dealt is because of the tremendous profit in it. And if we can eat up the profit and help the State's Attorneys in the hundred and two counties in the State of Illinois get at the profits and the fruits of these drug deals, we'll have gone a long way toward making a dent in drug dealing, laundering, racketeering and trafficking in the State of Illinois. I would be willing to answer any questions. I think most of you have an idea of what this bill does. Yesterday we went through a very long amendatory process. We put some Democratic amendments on. We put some Republican amendments on. There is a sunset date on this bill of January 1, 1993. The effective date of this bill is July 1, 1990. At the request of my friends from the other side of the aisle, any felonies that have been discovered incidental to the drug investigation can be prosecuted; that was at the request of the other side of the aisle. So I think we have a very good bill here. Let's see how it works. Let's see if it works. Of course I am going to hear from the other side of the aisle that this is politics, pure politics. Well, the chances of a Democratic Attorney General being elected are about the same as the chances of a Republican Attorney General. But the bottom line is we want to get at drugs, drug dealing, drug trafficking and money laundering, no matter who the Attorney General is. And I would be willing to answer your questions.

PRESIDENT ROCK:

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, I am going to support this legislation, as I did in one of my first years in the Legislature, when Attorney General Fahner made a somewhat similar proposal, and as I would have had I been a legislator way back when Attorney General Bill Scott, I think, first advanced the notion of a Statewide Grand Jury. But I think in doing so it's -- it's right

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and fair and albeit in the political season to point out a couple of things. One is -- let me -- let me simply make an analogy that I think is a fair one, and that is if Jim Edgar had been Secretary of State, as he has now been for eight or nine years and came to us in this Veto Session for the first time with a proposal to crack down on drunk driving, I think there might be a little bit of skepticism, to put it mildly, if not some hooting and howling coming from the other side of the aisle. And that, my friends is exactly what we're seeing here. It needs to be noted that we have an Attorney General who has been -- the top legal and, to some extent, law enforcement officer for this State, and only now as he advances -- begins to advance his campaign for Governor, does he come to us with this fairly significant measure. And I think it's fair to say at this time, where have you been, Mr. Hartigan, for the last seven years? Where have you been as this drug problem has mounted in this State? Why does it take a candidacy for Governor for you to come forward with this proposal? In addition, I think it's fair to ask to Mr. Hartigan and to our friends on the other side of the aisle, why, if State's Attorneys have and need the power and the permission to request the authority to use the important investigative tool of wiretapping in order to conduct investigations of drug crimes, why have you not sought this power for your own office, when, in fact, the Attorney General is now going to be requesting the authority to investigate the largest and most wide-scale of drug offenses? Why should it only be the State's Attorneys that have this power? Why not the Attorney General, if, in fact, he or she is going to be taking a lead roll in the prosecution of drug offenses? And finally -- and finally, why have our friends on the other side of the aisle, and why has the Attorney General, resisted out suggestions that the crimes to be investigated by the Attorney Generals Office under this proposal, and prosecuted, why should

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they not also include the important and troubling crime of official misconduct, which is, unfortunately, all too often involved in some large-scale drug offenses? Both the wiretap amendment and the official misconduct amendment, we are aware, were arbitrarily, and really without precedent, ruled to be non-germane by the Chair yesterday - all of those moves orchestrated not only by the leaders on the other side of the aisle, but by the highest law enforcement official in this State and by -- and by the now candidate for your party. So I think in the process of passing this bill today, as I hope we will, that these are questions that ought to be answered by the leaders on the other side of the aisle, but ultimately by the Attorney General and by your candidate for Governor. I have urged, and I know the leadership on our side of the aisle has urged, the Governor to use, to the extent necessary to use his amendatory veto power, should this bill reach his desk, to put it in a form that -- we are -- on our side are convinced will make it truly -- truly effective and a strong law enforcement device, as we think it should be. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor of the bill yield for some questions?

PRESIDENT ROCK:

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, I have been concerned with the way this bill has been drafted. First let me put myself on record and say I never have supported a Statewide Grand Jury bill. If I do today it will be the first time, only because I am interested in fighting drugs. I understand -- I just want to reiterate, because I want it for the record, that you have accepted an amendment to prosecute any other

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felonies uncovered in the course of an investigation for drug crimes. Is that right?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Yes.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand also that before you go ahead with investigation or prosecution of a crime, and let's say in my county, you have to obtain the consent of my State's Attorneys. Is that correct?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

You have to give the State's Attorney notice of the investigation and in order to sit in your county - if the grand jury is going to be impaneled in Lake County - then they have to get the acquiescence of the State's Attorney, or Fred Foreman, in this particular case.

PRESIDENT ROCK:

Senator Geo-Karis. And I would just alert the Membership - there are, as indicated, about twelve who wish to be heard. So I would urge each to limit their remarks.

SENATOR GEO-KARIS:

Thank you, Mr. President. Mr. Sponsor, isn't it true that the Attorney General can go at any time, now, without this bill, to any county and prosecute any action that comes under his purview?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Right now, the answer to your question is no. The Attorney

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General does not have that power within himself or his own office or the jurisdiction of that office to do that. Only after being invited by a State's Attorney, at that State's Attorney's invitation, can he do it. The Attorney General does not have that power today.

SENATOR GEO-KARIS:

Isn't -- isn't it true -- I'm still on, please.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Isn't it true, if there's a drug trafficking offense that goes from my county to Cook County to DuPage County, isn't it true that it can be prosecuted by either of the State's Attorneys of those counties in which any of that drug trafficking occurred, without the need of an Attorney General?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Well, Senator Geo-Karis, you are a good lawyer. You have been practicing law for a lot of years. You know that the scenario you've just set out, certainly the State's Attorney can prosecute that case. No question about that.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, if the State's Attorney of each particular county prosecutes, then you don't really need this bill. There's another point. I understand that there has to be a connection between the county of trial and the offense. That amendment is in the bill now, is it not?

PRESIDENT ROCK:

Senator Marovitz.

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SENATOR MAROVITZ:

Yes.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

And there's a sunset provision of January 1st, 1993, on this bill, if it's passed?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

As I said in my opening remarks, there is a sunset provision of January 1st, 1993.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I been a former Assistant State's Attorney. I've been practicing law for forty-six years. I have another three years to go in this Senate. I'm going to support this bill, simply because I am -- absolutely abhor drug trafficking. But I am going to tell this Body right now, that if I find that this bill, once it's passed into law, is being used for political expediency to harass and intimidate people, rather than bring out facts and cooperate with the State's Attorneys in respective counties where drug trafficking is going on, I'll be the first one to try and repeal this bill. I am glad there is a sunset provision, because I don't believe that any bill should deprive people of their rights, and I can see people being indicted down in Carbondale for an offense supposedly that takes place in Lake County. I hope that the Attorney General - whoever he may be -- he or she may be - will use good common sense balance and reason and fair play, and not use this bill to intimidate people. I don't like intimidation. This is not a country of



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intimidation, and therefore I am going to reluctantly support the bill, simply because I am against drug traffickers, and let's hope something is done. Why hasn't it been done before, by the Attorney General's Office? I'd like to know that, too. But anyway, I will be voting for the bill, with the caveats that I have detailed herein. Remember, we have to do things not politically expediently, but to do the right thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President, and Members of the Senate. I rise in support of this bill, because I think it is another tool by which we can speed up our investigations and prosecutions of drug traffickers and dealers. I know that there were a lot of skepticism about this bill in the beginning, but I think, through the hearing process and lead-ins across this State, that many of those questions now have been resolved, and I think this is a good bill. Surely this bill is not a cure-all for the problem. We don't have the answers, but it is another very powerful tool by which we can get at the serious problems of drug trafficking in this State. All of the questions that -- that people were concerned about, the scope of this bill -- I think in this bill the language has clearly defined a very narrow scope of the function of this grand jury, and I am satisfied with that. The question of venues -- those questions I think have been resolved. The question of uses of this money and making sure that some of the profits go back to the main problem that we have to address, and that is drug education, prevention programs and treatments. Because any efforts that -- that's going to have any real impact on solving this whole problem, we must focus in on the whole area of education and prevention. I think it is a good bill, and finally it has a sunset clause on it, so if it doesn't work, it will

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automatically self-destruct. I'm going to vote for it, and I would hope that everyone on this aisle vote Yes on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I'm going to support House Bill 1487 because I think it's a good bill. I don't think it's a great bill, but I do think it's a good bill. Enforcing the drug laws is a very difficult and time-consuming task, particularly as it relates to activities of organized crime and gangs. The most important thing in getting the evidence necessary to file charges, or go -- is to go before a grand jury. Every police officer in Illinois knows that. Without the evidence, the drug dealers cannot be touched. Now the Statewide Grand Jury will require this evidence. However, yesterday it was denied one of the best tools in the State's arsenal - nonconsensual wiretap. That tool, Mr. President, as embodied in our amendment, would have allowed its use against narcotics racketeering and traffickers. The Attorney General would have had the ability to generate the evidence for the grand jury. However, this tool was denied by the President of the Illinois Senate with a parliamentary ruling, and as many Members voted against you, Mr. President, as for you. Now you know, it's a shame that nonconsensual wiretap is not on this bill. If you want to get tough on drugs, wiretapping would have done it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise in support of this bill, because our community is one of the ones that it seems to be most under attack from the narcotic traffickers, and therefore, if we can give the tools to cross the county lines, to move throughout the State to prevent drugs from being brought in, I think that we

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will go a long way in preventing or slowing down the traffickers in drugs. Bills and laws alone will not stop trafficking in drugs. But I think that if we send the right message, psychologically it will go a long way. I support this bill, and urge my colleagues to do the same.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, it's obvious to me that another mighty weapon is about to be sent in to fight the forces of evil in the drug war. That mighty weapon is embodied in this bill; it's called the press release. That's what this is. I remember at my first New Members' Conference, one of the old-timers said that -- made reference several times to press release bills, and finally someone asked him what he meant by that, and he said bills that are introduced that they aren't serious about, but they just want to put a press release out, and then the old-timer kind of chuckled and said, "Funny part is, sometime some of them even end up on the Governor's desk." After seven years of indecision, hesitation, and a total lack of leadership, the Attorney General - or more importantly one of his handlers in the gubernatorial race - has latched on to this issue. Why do I call it a press release bill? Because any efforts to make a real effective crime-fighting bill out of it have been summarily rejected. I envision a whole series of press releases as a result of this bill. There will be a press release that it's passed, and there will be press releases that are called, and there will be press releases about what the grand juries do, and the sum and substance of it - because the tools to make the grand juries work have been obviously left out of this bill - that nothing will be accomplished. But that won't become obvious until after November of next year. So let us roll the press releases on. I kind of wonder how the Colombian drug

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lords with their Uzis are going to be impressed with Neil Hartigan's press releases, though.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats is the last speaker.  
Senator Keats.

SENATOR KEATS:

I appreciate it, Mr. President. Sometimes you have to commit a cardinal sin around here, and that is to actually read the bill. And I want to remind a few of my colleagues, I was a fairly new Member when a Republican Attorney General, Bill Scott, offered a similar bill, although much broader. And I remember many of my Democrat colleagues came across to us and said, "Guys, hey, I know he's a Republican, but this is a dumb bill." And you know, I maybe was just a rookie in those days, but I said, "You're right. I read the bill," and I voted against my own Republican Attorney General and said, "You're right. It's a dumb bill. We shouldn't do this." Then Attorney General Tyrone Fahner, a personal friend, and in those days a constituent of mine, came forward with a similar bill and Democrats came to us and said, "Guys this is a bad bill." And many of us, in a nonpartisan way, said, "You are correct. It is a bad bill. I don't care if a Republican's offered it." We as -- many of us as Republicans said we are not voting for it. Let's not lose sight in the partisanship. This is media legislating at its worst. Not an attack upon the Attorney General. God knows, he's not the first one to do media legislating. But all of us standing here, when a Republican offered these bills, it was a dumb bill then. It is a dumb bill now. And let me explain why. You have federal prosecutors who have far greater powers than this - and I'll come back to that in a second - and you have local prosecutors. But let me take a civil libertarian stand for a moment, and as a conservative Republican, this is not a position I always take, but this is one

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I've taken for years on this. Remember the former Secretary of Labor, a fellow named Donovan? He used to be a multimillionaire. Now he is flat broke and can't even get a job. Because someone once said he was a bad guy, and after five or six years in court, he finally won his case. Do you remember what he said after he finally won the case, when he walked over the the prosecutor? He said, "Where do I go to get my reputation back?" We have federal prosecutors now. We have got local prosecutors. They have tremendous staffs and tremendous resources behind them. How many more people do you want to flood into an arena who are simply there to get a little bit of free publicity? I cut out an article -- if you really want to deal with the problem, it is the institutional corruption of a system that allows drug lords to use their money to protect themselves. The Tribune had an outstanding article on the twenty-ninth - talked about the federal rules that the Supreme Court has just okayed, that allows a prosecutor to say to that defense attorney, "That money you're being paid with is drug money. We're seizing it. You aren't going to get paid." If you actually want to get serious with the drug lords, I'll tell you what you need to do. You have to keep them from using their money to buy lawyers, and I am not saying that the whole profession - you and I know ninety percent of the lawyers are repulsed by this kind of thing, too - but they buy their lawyers. I love one. Let me read a quote from a fine gentleman, "Some lawyers object to having to screen clients' funds, saying that it ruins attorney-client trust. It's not my concern, it's not my business, if a client pays with illegal drug profits." That's the kind of ethics that lead us to this drug dilemma, and this bill never touches that subject. When we tried to get at the institutional corruption with an amendment yesterday, we were of course ruled out of order and nongermane. It may be partisan, gang, but when it was a Republican bill, we all agreed it was bad.

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Let's quit kidding ourselves, and let's quit playing to the press in caving in and showing the lack of backbone that many of us are notorious for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Further discussion? WICS-TV has requested permission to videotape. Is leave granted? Leave is granted. Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. I want to address a couple of points here in my closing. Much has been said about this being a political bill, only sought in this political year. Well, let me tell you the facts, not the rhetoric that we've heard on the other side of the aisle. This bill has been tried by this Attorney General many times before. 1982. 1985 he tried it for environmental dumpers. You voted against it. 1985, he tried it for environmental dumpers, and you voted against it. It was tried in 1989 - check the -- check the Digest. The bill didn't get out of committee. He's tried it many times before. When this bill passes and become effective and it begins to be enforced and used, Neil Hartigan won't even be the Attorney General. So those press releases that hopefully will come out -- and I hope we see a lot of press releases, Senator Schaffer. I hope we see a press release every single time a drug dealer's profits are seized. I hope whoever the Attorney General is, whether it's Democrat or Republican, will put out a press release telling us, reminding us, that we did this, and we put money into the coffers of the States, the meg units, the local law enforcement agencies and the drug treatment centers. The reason we are going to pass this now is because everybody's gotten sick and tired of what's going on with drugs, and there's a public outcry. Last year, 1989 -- this spring, rather, we passed a very important bill amending the Narcotic Profit Forfeiture Act

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allowing for preconviction seizure, to get at the profits quicker. That was a very important foundation to the passage of this legislation - very important foundation. Now I have heard some rhetoric on the other side of the aisle about why not put other crimes in here. As a matter of fact, I heard the Republican spokesman of the Judiciary Committee talk about why not put other crimes in here. Well, what I would ask is, why haven't you introduced a bill, as Republican spokesman, to put other crimes - why haven't you done that for eight years - to put other crimes in this bill? I haven't seen any legislation introduced or come before the committee. It's easy to talk, but actions speak a lot louder than words. We talk -- I heard about nonconsensual eavesdropping, and why isn't wiretapping in this bill? The reason that wiretapping isn't in this bill is because we just passed a law allowing for nonconsensual eavesdropping for every State's Attorney in the one hundred and two counties of the State of Illinois. And since this bill is only going to work if the Attorney General cooperates with those one hundred and two State's Attorneys, the State's Attorneys have the power to eavesdrop and wiretap in any one of these investigations that occurs in their county, and they will do so, they will wiretap, they will eavesdrop, with our new law, in conjunction with the Attorney General's Office, because written into this law is the cooperation notice and acquiescence of the State's Attorney in the county where the grand jury has been impealed. So there will be wiretapping, there will be eavesdropping in cooperation with the State's Attorney's Office in that particular county. Ladies and Gentlemen, this is a bill that's been tried before. Its time has come, because of the proliferation of drug dealing, drug trafficking, drug racketeering and money laundering in the State of Illinois. We're all against that. We should all be for this bill. Thank you very much.

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PRESIDENT ROCK:

Question is, shall House Bill 1487 pass. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 3 Nays, none voting Present. House Bill 1487, having received the required constitutional majority, is declared passed.

END OF TAPE

TAPE 2

PRESIDENT ROCK:

(machine cutoff)...1609. Senator Weaver, I understand your amendment has been filed. On the Order of House Bills 3rd Reading is House Bill 1609. Senator Weaver seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, Madam Secretary, is House Bill 1609. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. There are four amendments filed. I believe that one was adopted yesterday which was defective so I would move that Amendment No. 2 be Tabled.

PRESIDENT ROCK:

All right. Senator Weaver, having voted on the prevailing side, has moved to reconsider the vote by which Amendment No. 2 to House Bill 1609 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote's reconsidered. Senator Weaver now moves to Table Amendment No. 2 to House Bill 1609. All in favor of the Motion to



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Table indicate by saying Aye. All opposed. The Ayes have it.  
Amendment No. 2 is Tabled. Further amendments, Madam Secretary?

SECRETARY HAWKER:

Amendment No. 3 offered by Senators Keats, Welch and Berman.

PRESIDENT ROCK:

The A.C.L.U. rises again. Senator Keats.

SENATOR KEATS:

I would ask to withdraw Amendment No. 2. Oh, you got my new one already? Boy, are you guys efficient. In that case, with the new amendment, this is the exact same as the previous one, but the previous wording put it out of order, and so this simply corrects the original amendment.

PRESIDENT ROCK:

Senator Keats moved the adoption of Amendment No. 3 to House Bill 1609. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Holmberg.

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Bill 529, as sponsored by Senator Luft and signed by the Governor last June, overturned the effects of the decision in the Bates versus Board of Education case, by amending nearly two hundred Public Acts that Senate Bill 529 asserted that is -- was the intention of the General Assembly to allow units of Local Government to issue bonds at rates determined at the time of issuance, rather than at the time that the Authority -- to issue bonds was granted. But one omission was made in that bill. It failed to address bonds issued by Airport Authorities, and this corrects that.

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PRESIDENT ROCK:

All right. Senator Holmberg has moved the adoption of Amendment No. 4 to House Bill 1609. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 5 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 5 allows the Bureau of the Budget to sell the hundred million dollars worth of bonds that we authorized for civic centers during Fiscal Years 1990 and 1991. There's a glitch in the present law that would allow them only to sell them in years 1990 and 1992, thereby not allowing the full funding of what we appropriated last year. I would try to ask -- answer any questions, otherwise I move for the adoption of the amendment.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 5. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 6 offered by Senators Luft, Hawkinson, Demuzio, Watson and Holmberg.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 6 is a duplicate of the amendment -- or two amendments that we added to House Bill 158 yesterday. One allows the -- DCCA to disburse grant money to

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public facilities - in this case, -- prisons. We can -- under current law, we can give money to private concerns building prisons, but not public. Secondly, the other part of the amendment allows civic centers that have reached their twenty-million-dollar maximum, which is imposed by law, to exceed that amount if that money was appropriated last June. There are three civic centers that would qualify for that - Peoria, Will County and Rockford. I will try to answer any questions. Otherwise, I'd move for the adoption of the amendment.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 6 to House Bill 1609. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 7 offered by Senator Zito.

PRESIDENT ROCK:

Senator Zito, Amendment No. 7.

SENATOR ZITO:

Thank you, Mr. President and Members. Amendment No. 7 to House Bill 1609 is identical to that which I offered yesterday on House Bill 158. It deals with contiguous properties held by Civic Center Authorities. I'd be happy to answer any questions, and move for its adoption.

PRESIDENT ROCK:

Senator Zito has moved the adoption of Amendment No. 7 to House Bill 1609. Discussion? If not all, in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 8 offered by Senator Watson.

PRESIDENT ROCK:

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Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 8 is an amendment similar to what we offered yesterday to House Bill 158, which has some technical language for the Collinsville Civic Center, and it also establishes a Civic Center Authority for Salem. I move for its adoption.

PRESIDENT ROCK:

Senator Watson has moved the adoption of Amendment No. 8 to House Bill 1609. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 9 offered by Senator Schaffer.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this amendment is similar to an amendment that was placed on another bill yesterday to clear up some language to allow the Village of Volo to have a referendum. Frankly, the Village of Volo is not anywhere near any rivers where one might tie up a riverboat gambling craft. Consequently, we thought we'd get this section a little bit away from the river's edge.

PRESIDENT ROCK:

All right. Senator Schaffer has moved the adoption of Amendment No. 9 to House Bill 1609. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Weaver seeks leave of the Body to get

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back to that after we have some intervening business. 2045.  
Senator Keats. On the Order of House Bills 3rd Reading is House  
Bill 2045. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2045.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. This bill was originally House Bill 776, got tied up in  
that amendatory process in the House where they go to Rules  
Committee and die. What it really does is corrects -- if you have  
a franchise agreement in terms of -- for servicing vehicles, et  
cetera, that currently exists, or where one's granted in the  
future, manufacturers can be restricted from granting additional  
franchises within the contractually defined service area of that  
existing franchise. All it says is once you've been given a  
franchise in one area, the person who gave it to you then can't  
continue to put more franchises in that negotiated area. There  
was a glitch in the law that covered auto parts that allowed for  
this. This corrects that glitch.

PRESIDENT ROCK:

Is there any discussion? Discussion? If not, the question  
is, shall House Bill 2045 pass. Those in favor will vote Aye.  
Opposed, vote Nay, and the voting is open. Have all voted who  
wish? Have all voted who wish? Have all voted who wish? Take  
the record. On that question there are 55 Ayes, one Nay, none  
voting Present. House Bill 2045, having received the required  
constitutional majority, is declared passed. 2079. Senator  
Jones. Read the bill, Madam Secretary, please.

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SECRETARY HAWKER:

House Bill 2079.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jones yields to Senator Smith. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill -- I mean House Bill 2079 provides that the Department of Corrections shall submit the Governor and the General Assembly's Planning Documents, detailing Department plan to meet the specific needs of adult female offenders. And House Bill 2079 is simply Senate Bill 709, as amendatorily vetoed by the Governor and accepted by the Senate by a vote of 57 to 2. I vote for your acceptance of this.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 2079 pass. Those is favor, 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 57 Ayes, no Nays, none voting Present. House Bill 2079, having received the required constitutional majority, is declared passed. 2117. Senator Savickas. Top of page 7. 2576. Senator Schaffer. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2576.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and Members of the Senate. Yesterday we amended

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this bill deleting everything after the enacting clause and putting several legislative proposals and some cleanup language on the bill. Principally, we put Senator Vadalabene's Senate Bill 787, which increased the cost of obtaining a vehicle license by two dollars. That money would be split between a acquisition development of bike trails fund for the Department of Conservation and approximately twenty-five percent of it would be used and earmarked for the Used Tire Management Fund. In addition, we put some cleanup language in, which was agreed to, I believe, by all parties. It will allow the new area in Hoffman Estates to be annexed to the Metropolitan Water Reclamation District. We also put an amendment on to allow a small portion of Palatine to be annexed to the Water Reclamation District, and we also put some language in here at the request of the Central Management Department for the State Employees' Suggestion Award Board, and we put some language in here, I believe, cleaning up some of the language on the alcohol- drug-related testing in case of accidents.

PRESIDENT ROCK:

Discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDENT ROCK:

He indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

And I realize that tires are not necessary on riverboats, but if I understand you correct, the only thing that your siphoning off of the dollar amount from the two dollars is the tire recycling. Is that correct?

PRESIDENT ROCK:

Senator Schaffer.

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SENATOR SCHAFFER:

We passed the bill, I believe, of Senator Welch's, which created the Tire Management Fund. As you know, we have kind of a crisis in what do we do with used tires. At this point, we can only recycle twenty-five percent of them and we need to figure out what to do with them, and this was a way to arrive at some money. And it's vehicle-related, seemed to make sense. Excuse me?

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

That's the only revenue that is being siphoned off of the two dollars, is the twenty-five percent. The money will go to tire recycling. Is that correct?

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

I'd like to think of it more as being recycled off, but yes, the other one and a half dollars will go into the Conservation Department's Trail Development Management for bike trails.

PRESIDENT ROCK:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes. I would like to ask Senator Schaffer a question.

PRESIDENT ROCK:

Indicates he will yield, Senator.

SENATOR VADALABENE:

Well. Yes, you mentioned Senate Bill 787, which passed both houses, and that bill was signed by the Governor, is that correct?

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Yes. This is, in effect, a cleanup of that bill you so nobly



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sponsored in the not too distant past.

PRESIDENT ROCK:

Senator Vadalabene.

SENATOR VADALABENE:

Well, you so nobly answered that. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Schaffer, you wish to close?

SENATOR SCHAFFER:

Roll call.

PRESIDENT ROCK:

Question is, shall House Bill 2576 pass. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2576, having received the required constitutional majority, is declared passed. 2733. Senator Karpel. 2-7-3-3. Hold. Senator Weaver, you want to go back to 1609 before we leave this Order? On the Order of House Bills 3rd Reading is House Bill 1609, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1609.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 1609 makes a number of changes in the General Obligation Bond Act, as well as the Metropolitan Civic Center Support Act. We've all listened to the some seven amendments that were adopted just a few minutes ago. If there are any questions, I'll be happy to answer them. Otherwise, I'd appreciate a favorable roll call.

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PRESIDENT ROCK:

Discussion? Any discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Only to satisfy a need, I believe, on legislative intent on the amendment that exceeds the twenty-million-dollar cap by - certain civic centers in the State of Illinois. In -- at the end of June, when the deals, I guess, were cut for civic centers, it was the intent at that time to allow these civic centers to exceed that amount, and I would just like to make sure that the legislative intent is passed on for the record this time, that we are hoping and wanting them to exceed that amount.

PRESIDENT ROCK:

Question is, shall House Bill 1609 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1609, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, we'll move to the next order of business. I'm sorry. Senator Philip.

SENATOR PHILIP:

Point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, sir.

SENATOR PHILIP:

I'd like to make an announcement. My chief of staff, Tom Taylor's wife just had a bouncing baby boy. Jordan Jeffrey, eight and a half pounds. The mother and baby boy are doing fine.

PRESIDENT ROCK:

Page 8 on the Calendar, Ladies and Gentlemen, is the next Order, and that is Conference Committee Reports. Those that have

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been filed this morning - and there are a number that have been filed - will be on a Supplemental Calendar, which the Secretary is in the process of preparing. So we probably have another ten or twelve conference committee reports that Members have filed and have requested that we address. We will handle these, and then await the arrival of the Supplemental. 416. Senator Rea. Senator Berman. Senator Rea. Madam Secretary, please. On the Order of Conference Committee Reports, bottom of Page 8, there's a report with respect to House Bill 416, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 416.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. House Bill 416 Conference Committee Report would -- this would provide for Senate Bill 112, which is -- which Senator Berman had sponsored, which sets new emission standards for State institutions of higher education. The Governor's amendatory veto was accepted in the Senate by a vote of 55. And also it includes Senate Bill 960, sponsored by Senator Berman, which establishes an emergency loan program for school districts certified to be in financial difficulty. The Senate accepted the Governor's amendatory veto on that by a vote of 55. And Senate Bill 1079, sponsored by myself, which establishes a rotating testing schedule for several subject matter areas, and puts five-hour time limit on State tests required of local school districts. The bill also makes newly formed school districts eligible for four thousand dollars per certified employee in incentives, and the Senate accepted the Governor's amendatory veto by a vote of 53. I would move for approval.

PRESIDENT ROCK:

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All right. Senator Rea has moved the adoption of the First Conference Committee Report on House Bill 416. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President and Members of the Senate, I rise for a point of personal privilege.

PRESIDENT ROCK:

State your point, sir.

SENATOR O'DANIEL:

In the gallery, just above the President's Podium, is a great friend of mine, a great congressman - former congressman, Congressman Ken Gray and a group from...

PRESIDENT ROCK:

And a good friend of all of ours. Kenny, welcome back to Springfield. Discussion on the Conference Committee Report? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rea. He indicates he will yield.

SENATOR FAWELL:

Could you tell me why we are looking at these bills again? Didn't we pass these and didn't we already pass the amendatory veto?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rea.

SENATOR REA:

Yes, we did. We -- we passed all these bills and the -- the Rules Committee found them in noncompliance, and so that's the reason we've had to come back and include them in this fashion. That's the House Rules Committee.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Could you quote in the Illinois State Constitution, what gives the Speaker the right to declare something like this as noncompliance, and therefore start this whole process all over again?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rea.

SENATOR REA:

No. I really can't, because you'd have to ask the Speaker on that.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Well, to the bill, I think all of us know again what's happening over in the House. There seems to be a Gentleman over there who not only seems to think that he's Speaker of the House, but he also seems to think that he is Governor of the State and the Chief Justice of the State of Illinois, and that in his great wisdom he has decided that he and he alone is going to decide whether a bill is out of compliance or not. Under the rules of the House and the Senate, as I understand them, if you don't like a bill, you vote it down. You don't hold it in committee, especially if it's been amendatorily vetoed and the sponsors of the bills have agreed to the amendatory veto, and we pass it over here. We send it over to the House. I don't see how in the world anybody over there, irregardless of what his station is in life, has the right to sit there and tell us in the Senate, "No, boys, you didn't do it the way I think it should be done, therefore, I'm going to make you do it all over again." I am going to request that the Members on my side of the aisle vote Present on this

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bill, and I think we ought to send the Speaker a good, long message.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Berman.

SENATOR BERMAN:

Well. Senator Fawell, I heard your arguments and I want you to know that I made those arguments two weeks ago, when somebody from the House called and said that two of these bills that are mine that are in here, were not in compliance. But I'm going to ask all of you to rise above principle. These are important bills. One deals with the area that we have debated for several years, dealing with the requirements for higher admission -- high education institution admissions. They are in total agreement with this Body, and I really, really don't want -- really want to get into the merits of the bills, because we're all in agreement with them. They've been -- concurred by unanimous vote here. I don't like this process any more than you, but at this hour, I just think that we have to be realistic. We want to deliver a message - let's do it with something that's not as important as these. They deal with higher education admissions. They deal with school districts that are in serious financial difficulty. I would ask that again, let's be realistic and practical. Pick something else to deliver this message to the Speaker, and add your Aye vote to this bill. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. My question goes to the Chair. This Conference Committee Report - how many votes will it take to pass?

PRESIDING OFFICER: (SENATOR COLLINS)

We will get back to your answer. We will proceed and get back

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to your answer. Senator Kustra. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Madam President and Members of the Senate. I find myself in the position which Senator Berman just stated. On the one hand, I -- I agree with Senator Fawell and the problem at hand regarding this new procedure adopted by Speaker Madigan. On the other hand, in looking over the bills, which we're about to vote on, I recognize that, for example, the Emergency Financial Assistance Law, first of all, it applies to school districts outside of Chicago. So, for all of the talk across the State about school districts' financial emergencies, I don't know on the last day of a veto Session whether we can afford to send a message to Speaker Madigan at the expense of what might be some school districts out there who need help. In my area, and I know in Senator Fawell's area, school districts have really been concerned about that student assessment time and all of the hours that have gone into those assessments. Teachers and school board members alike have asked us to alleviate the pain of those many hours taken up by assessments, and that's another one of these bills here. And, boy, I mean after all those hours that we put in on that Senate Education Committee trying to deal with the problem, I don't know how we can do anything other than act on it now, and find another way to send the message to the Speaker. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam Speaker -- President. I hate to rise in opposition to my -- my good friend and seatmate, the Lieutenant -- next Lieutenant Governor, but I do. I rise in support of Senator Fawell's position on this. In spite of the fact that these bills are very important, and in spite of the fact that they've been

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worked on for many hours, it is not our fault that we come to this situation. It is the Speaker's fault. And I just think that as long as we continue to let the Speaker of the House of Representatives run not only the House, but the Senate as well, and the Governor's Office, I think that we should be telling him that this isn't the way to go about it. If he has a disagreement with the Governor, then find some other way to work out his disagreement, but -- instead of always holding bills hostage, and always putting us in the position of having to cave in and go along with what he thinks is the way to run the State of Illinois.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dudycz, on your question, because it is contained immediate effective date before next June, it requires a three-fifth vote, which is thirty-six. Senator Rea, to close, please. Senator Rea.

SENATOR REA:

You've heard what Senator Berman had to say, and -- and I certainly support that. And we all supported these bills when they went out before. They're very important bills. I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 416. Those in favor will vote Aye. Opposed, Nay. VIO. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 43 Ayes, no Nays, 15 voting Present. Having received a constitutional majority, the bill is -- Senate <sic> Bill 416, having received the required constitutional majority, is declared passed. House Bill -- House Bill 1695. Senator Marovitz. Read the motion, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1695.



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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Madam President and Members of the Senate. This is the Clean Indoor Air Act. Recently - I think it was last week or the week before - the American Public Health Association met in Chicago, and at their meeting in Chicago, they asked why Illinois is one of only seven states that hasn't passed a Clean Indoor Air Act. I asked that question too, and I think a lot of us asked that question. A report issued by the Illinois Legislative Research Unit on October 16, 1989 - just two weeks ago - a report issued by our own Research Unit compared this bill, House Bill 1695, as we have amended it, to the highly restrictive laws on smoking in California, Florida, Michigan, Minnesota, New York, Pennsylvania, Washington and Wisconsin. This report suggested that this bill, House Bill 1695, as amended by the Conference Committee, is comparable in restrictiveness to the majority of the laws in these eight states. This bill, while it is not perfect, has many merits. It'll establish that nonsmoking is the policy for the State of Illinois. There are twelve hundred and seventy-nine municipalities in Illinois, and it's my understanding that as of this date, only twenty-five have -- have a smoking ordinance of any kind. Champaign and Urbana are the only communities south of I-80 that have enacted their own Clean Indoor Act ordinances. On the effective date of this Act, the remaining twelve hundred and fifty-four municipalities not previously covered, will be covered by a law that provides some protection for nonsmokers in Illinois. Under this bill, most public places and places of employment will become nonsmoking, unless a limited smoking area is designated and posted. Now, I would grant you that this bill doesn't contain all the provisions that everyone would like, but it's a giant step forward and I think it'll save lives -

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go a long way toward saving lives - immediately. By passing this bill, the General Assembly is providing a healthier environment for all Illinois citizens and joining forty-three other states that have passed clean indoor air legislation. And finally, I want to add for the record, for purposes of clarification, nothing in this bill should be interpreted to require that a designated smoking area must be established in a public place. Furthermore, in Section 9 of this legislation, that Section is clearly limited to any type of discrimination against individuals who have been given rights by this Act. Those who have carefully reviewed this bill will note that its primary purpose is to provide clean indoor air for nonsmokers. It is not intended, it is not intended to serve as the basis for any frivolous lawsuits. While this bill, as I said before, does not contain all the provisions that many of us would like, its passage will save lives immediately. To wait until a later time, with hopes of passing a perfect bill, is not realistic, and will only allow no protection for those people in the meantime. Unnecessary deaths of Illinois citizens provide more than enough weight to tip the scales in favor of accepting a compromise Clean Indoor Air Act now. This is that compromise, and is our opportunity to make a loud statement that nonsmoking is the policy of the State of Illinois. I ask for adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I think the imperfections of this bill can best be reflected in the incongruity of the sponsorship. Any time you can get Bill Marovitz and Pate Philip as chief sponsors, you know it's a real product of compromise, and frankly, there are a few people that are not happy, but as they say, it's the best we got, so I would urge the Body to go along with it.

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Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Madam Chairman and Members of the Senate. I'm going to vote Present on this bill for some of the reasons that Senator DeAngelis just stated, and I would just like to insert into the record what some people perceive to be the problems with this legislation, and why we think that tomorrow would bring a better piece of legislation. Of course, by tomorrow I mean next Legislative Session. First of all, there is in this bill a preemption Section, which absolutely and totally forbids any local governmental unit from ever dealing with this subject again and I don't really see any reason why our local communities cannot continue to work on the problem of smoking in the workplace and in restaurants and elsewhere, without having to be forbidden from doing so ever again by this General Assembly. That's precisely what this legislation requires. There's also a discrimination clause in this, which gives individuals the right to sue, if they feel they've been discriminated against. Tobacco company journals, which have pressed for some kind of compromise on this issue, have indicated in almost every case, that they must have preemption and they must have the discrimination clause. For that reason, there are some major health groups and associations across this country that today are pointing a finger at the State of Illinois and pleading that we do not adopt House Bill 1695. The American Cancer Society and the American Lung Association, two of the more prominent national health associations, are asking us not to pass this bill today and the reason they are doing that, at the national level, Senator Marovitz - I'm not talking about the State groups - the reason they are doing that at the national level is because they fear that once we pass this law, we will never be

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able to come back. Yesterday the United States House of Representatives expanded the smoking ban on all airline flights across the country. It is clear that those in favor of clean air are winning more and more battles, larger and larger battles. Now is not the time to capitulate and to compromise. Instead, I feel that next year we could come back and get the kind of law that all health associations across Illinois and all health associations in the United States could support. For that reason, I would suggest a present vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HAWKINSON:

Senator, I - before the prior sponsors decided to get off this bill for some of the reasons just stated, I had prepared a rather lengthy list of questions regarding the implementation of this bill. I'm just going to limit myself to one today, because, contrary to the last speaker, I think we are going to have to come back and make some changes, just in implementation. But I notice in the bill that -- that -- that a private enclosed office, occupied exclusively by a smoker, is excluded, even though it's visited - may be visited by clients or others who are nonsmokers. My question is, what if I have a private office and I'm a nonsmoker, am I not also permitted to allow my clients to smoke, if I choose to let them smoke in my privately enclosed office?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

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The answer to your question is yes, you are permitted to do that.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hawkinson.

SENATOR HAWKINSON:

Even though the Statute reads that the office has to be occupied exclusively by a smoker, I, as an office exclusively occupied by a nonsmoker, which is not covered by the language of the Statute, could allow my client to smoke, or my constituent to smoke.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

Private offices are not covered by this. According to -- to Section 3c, we're talking about public places and I -- you're defining yours as a private office, and that would not be covered.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hawkinson.

SENATOR HAWKINSON:

But I think if you look at your definition of a public place, you will see among the exclusions private enclosed offices occupied exclusively by smokers and -- and my -- the point I'm trying to make is, I think you're going to have to come back with some cleanup language and definitions. You probably ought to have it exclude private offices and not put those other qualifying words on it. My suggestion is that there are a number of other areas in this bill that are going to require a cleanup, come next year.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you. Will the sponsor yield to a question?

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PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR BERMAN:

Two of the communities in my legislative district are the City of Chicago and the City of Evanston. Each of them have nonsmoking ordinances. Does this bill prevent either of those municipalities - and they're both home rule units - prevent them from either making their own ordinances more stringent or less stringent or making any changes at all? In what way does this bill preempt them from future action?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

I'm glad you asked that question. This bill does - in no way preempts them from taking any future action to either strengthen or weaken their existing ordinance, as long as they have passed an ordinance by October 1st, 1989. So Chicago, Evanston can pass a tougher ordinance or -- or can weaken their own ordinance, if they choose to do so, if they have an ordinance that's been passed by October 1, 1989. There is no preemption of those municipalities whatsoever.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Marovitz, to close.

SENATOR MAROVITZ:

Thank you very much, Madam President. I want to make just a couple points, because one of the speakers on the other side of the aisle made a -- made a statement that is not true, and I want to read the list of people who are in support -- of this legislation -- who are in support of this legislation - and I spoke to most of them yesterday in person. The American Cancer Society. These are people in support of the legislation. The American Cancer Society. The American Heart Association. The

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Illinois affiliate. The Chicago Lung Association. The Illinois Department of Public Health. The Illinois State Medical Society. The Illinois State Dental Society. The Illinois Public Health Association. The Illinois Academy of Family Physicians. The Illinois Hospital Association. The Nursing Assembly of Chicago Lung Association. The Illinois Society of Respiratory Care. The Illinois Nurses Association. The Illinois Optometric Association. The Illinois PTA. Chicago Dental Society. Cook County Department of Public Health. The Metropolitan Chicago Health Care Council. The Illinois Association of -- Retarded Citizens. All in favor of this legislation. It is not accurate - a statement was made on the other side of the aisle that after this legislation passes, no municipality can ever address this question again. That is patently false. Any municipality that has passed a nonsmoking ordinance or a smoking ordinance prior to October 1, 1989, can amend their ordinance in any way, to make it more restrictive or less restrictive, and there is no preemption on those individuals at all -- on those municipalities at all. I want to make a point clear. When this legislation was first introduced, it had concurrent preemption language. Senator Kustra was the sponsor of this legislation when it came over to the Senate. This bill went to -- went to committee -- went to the Executive Committee, and in the Executive Committee, the -- additional more restrictive preemption language was put on this bill in the Executive Committee. I have the roll call of that committee. That amendment passed 20 to nothing. That more restrictive preemption amendment passed 20 to nothing. Everybody voted Yes, including Senator Kustra, on that -- on that amendment. Park Ridge -- Park Ridge, where Senator Kustra is -- represents, has passed a -- an ordinance dealing with smoking or nonsmoking on September 5th, 1989. So they are exempted from the preemption language in this bill, and Park Ridge can pass a more restrictive smoking ordinance

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or a less restrictive. They are not governed by any of the preemption language in this legislation. This is good compromise legislation, otherwise all these health groups wouldn't be for it. Let's pass it today. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall the Senate adopt the First Conference Committee Report to House Bill 1695. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 50 Yeas and no Nays, 6 voting Present. The Senate does adopt the First Conference Committee Report to House Bill 1695. The bill, having received a constitutional majority, is declared passed. House Bill 2030. Senator Luft. Read the motion, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2030.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Thank you, Madam President. The Conference Committee Report on House Bill 2030 deals with a subject matter that has been with us for numerous months and has -- been debated and actually voted on in some concept or form here. I will go briefly through the summary in an attempt to refresh everyone's mind. This report provides...

PRESIDING OFFICER: (SENATOR COLLINS)

Excuse me, Senator. Will you all clear the aisles, please and at least extend some courtesy to the speaker? Senator Luft.

SENATOR LUFT:

Thank you. This Conference Committee Report is a result of many months of work of one of the State's major business groups, and it deals with educational accountability and creates the



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School District Emergency Financial Assistance Law. I will summarize what it does, and as I stated earlier, I think most of us have some idea of what the concept is and what we're trying to achieve, but it provides for State loans to school districts in severe financial difficulty, establishes terms and conditions for the loans, also creates financial oversight panels for districts receiving that assistance, creates the School District Emergency Financial Assistance Fund in the State treasury, and authorizes the issuance of GO Bonds to fund such loans. House Bill 2030 Conference Committee also creates a Business Education Partnership Program and a Department of Public Accountability and establishes a grant program to reward successful teachers, administrators and districts. I'm sure there are lights flashing up there, Madam President, so I will stop in my explanation and try to answer any questions or let the debate begin.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Hall.

SENATOR HALL:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I was the House -- Senate sponsor on this bill, and that's why the bill has never been called, and I'm -- have moved off of it and Senator Luft is on that. I'm -- first I want to ask the question. Has the Conference Committee been passed around? I'd like to know that, and secondly, I would like to know how many votes it requires to pass this. I have not seen the Conference Committee one, and I've been watching these when they come around.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator, I will check and get back to you on that question. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Ladies and Gentlemen of the Senate. I rise in opposition to this bill at this time, and let me underline why I

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say this. I have been, I guess the word is, "intimately" involved in the development of this bill with the leaders of the Illinois Manufacturers Association, other business groups and education groups for a good number of months. My role, I had hoped, would be to bring the business groups and the education groups together so that they could agree upon the elements that are in here, because I think it's important that business feel, that they are welcome in and have an important role in our education system. We've been able to do that, by the way, in Chicago with the Chicago School Reform. Bringing business in to a very important role. However, unlike the Chicago School Reform Act, where business and the Chicago Teachers Union, the Chicago Board of Education, the parents, et cetera, all came together in great unanimity. That is not the case regarding House Bill 2030. The education people are -- are against House Bill 2030. The Illinois State Board of Education is against House Bill 2030, and I think without belaboring at this late hour, their reasons for their opposition. I think some of their opposition is well-founded, and I think that if we continue without passing this bill today, continue to work with the business community and with the education people, that we can, in the spring, get -- put together a bill that will meet both of their objectives and overcome their objections. Today, I urge a No vote on House Bill 2030.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. I urge support of this Conference Committee Report. This Conference Committee Report, in addition to what Senator Luft says, creates the Business-Education Partnership Commission to make recommendations. It's an advisory commission to make recommendations regarding financial oversight, review education

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reforms, develop local and regional business education partnerships, and suggest State and local responses to district facing student achievement difficulties. This commission will consist of twenty-four members, with three members each appointed by the Governor, with the consent of the Senate for the following groups: manufacturers, services and commerce, private employers associated with an interest in education, school employee unions. I repeat, school employee unions, school boards, school administrators and parent-teachers association, and this advisory commission would be repealed in 1998. How in the dickens are we going to prepare our young people to go into jobs. if we don't get business interested in education? This is a Business-Education Partnership, a commission that's part of this bill. I think this is a very good bill, but we've got to remember one thing, and in all due respect to educators, they may be the best educators in the world, but they're not the best business people, and - for the most part - and I can tell you right now, if we're going to do some good in training young people to get jobs, we better let business get involved, and as long as they're willing to get involved and are doing it on an advisory basis, they're not taking any of the prerogatives away from the school boards, and for heaven sakes, of the unions. They're only trying to help. Let's do some good and pass this bill. I certainly support the concurrence of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. I -- I truly believe that this is one of the most important votes that the Membership will vote on this year. I, too, have no -- no concern whatsoever having business involved in education, and I go back to the 1985 Reform Act and most

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businesses in the State were very much involved in putting together education reform. The particular organization that was involved in this bill was not, and I don't know know why that was the case, but -- but they were not. But I would remind you, going back to the year when Senator Philip and Senator Rock introduced the Resolution that created the Commission for the Improvement of Elementary and Secondary Education, my friends in the Senate, that was done as a result of "A Nation at Risk," that had just been released, that was critical of education all across this nation. Illinois did something different than most states did. The reason Senator Philip and Senator Rock introduced that Resolution and created that commission was to make sure that in an orderly way, Illinois dealt with educational reform, And we did that for two long years, and many of you were very intimately involved in that. To remind you, when we passed that bill, we addressed accountability. We were concerned about young men and women who were at risk of academic failure, and that's what this is all about, Ladies and Gentlemen. The bright young boys and girls are going to succeed despite the kind of school that they're in, but the ones that simply need that extra help are the ones that business and industry in this State are concerned about, and I applaud them for being concerned about them. But we passed educational reform, and we were heralded across this nation as one of those states who had really taken the bull by the horns, and we have in place a rather sophisticated mechanism of accountability. The way in which we evaluate teachers - surprisingly enough, that issue came from the Speaker of the House. That was his bill, and that is now in place and we are evaluating teachers. The report card, a very strong issue for Senator Schaffer, was an issue that I was concerned about a little bit, but it's doing the job. We are testing students at three, six, eight and ten, and those tests challenge not only the students, but they challenge the teachers

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and the administration and the school board and the community. And that what -- that's what accountability is all about. The Department of Accountability and the Partnership Commission that is created is, in my judgment, the wrong approach to use now. And yes, the education groups are opposed to this. They would suggest, rather, that we get business and industry involved at the local level, and that's where it should take place. There's no bill that we've dealt with this year that takes more away from local control than this bill does. That's wrong. And I would also suggest to you that a -- another very important issue here that has not been discussed, the City of Chicago, School District 299, my friends, - and listen to this - is exempt from this bill. They are not in this bill. We're talking about only the schools outside of the City of Chicago, and I would ask of you the question, "Why?" It doesn't make much sense to me. I have as much concern for the City of Chicago as I do any other school in this State, and we are all in this together or apart. It's a tough vote for some of you and I understand that; you've been banged on pretty hard. No one wants more accountability in education than I do, but I want to tell you that ship with that tall broad sail is moving ahead very rapidly in Illinois. We are a strong State, a proud State, and let's simply not replace that sail with one with holes in it that will slow down what we all want to continue to attain - a better education for this State's boys and girls. I would strongly request of you a No vote on this Conference Committee Report.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. I would begin by -- by noticing that in all of the talks against this bill, there seems to be a lack of specifics. I really haven't heard any of the opponents of this legislation tell us what great

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harm is going to come to schoolchildren across the State of Illinois if we are to pass this bill. Let's go back and remember that it was in the spring when the Illinois Manufacturers Association departed from its usual position, which I think you can safely say is opposing tax increases, and chose to support the tax increase for education. And they went to the leadership and they said, "If we're going to do that, we'd like to have some assurance that there's going to be a higher level of accountability in school governance in the schools across Illinois than we have right now." The leadership in some form agreed to a bill, the likes of which are before you today. The bill which the IMA pushed last spring was tougher than the one before you. The fact is, in response to what someone said earlier, the State Board of Education has worked with the IMA on this legislation, and what you have before you is an attempt to water down what some considered tough requirements in previous legislation. I've read over the staff report on this bill, and I think I understand what the business community of this State is trying to do. And while I stand as a friend of education, and while I certainly stand as a friend to school board members across the State of Illinois and public school education in general, I would just suggest to you that if any parent or taxpayer read the analysis of this bill that's before you right now, they'd be voting Aye on House Bill 2030. There isn't a thing in this bill that would threaten them. There isn't a thing in this bill that reverses anything we've done in education reform. What this does in some cases is move the accountability mechanism up a level or two. The State Board must establish a Department for Public Accountability. The State Board by 1991 should develop selection and award criteria for recognizing and rewarding superior teachers and administrators. We're going to be against that? We're going to say that that takes away local control? What difference does it make whether it's

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local control or State control, if we're trying to search for mechanism to award teachers and administrators who are doing outstanding jobs in the classroom and schools across this State? We're going to empower the State Board to issue certificates of probation or nonrecognition to schools or districts that fail to meet recognition standards. We -- we want to stop that? When -- when people continue to tell us they want our schools to be more accountable? I would suggest to you that this bill has within it measures which have the potential, if the State Board is willing to work with it, of improving our schools across the State, and for that reason, I would suggest that we lay aside some of the petty disputes and concerns within the education community, let's get together behind the business community and give them the support they deserve and the schoolchildren deserve, of House Bill 2030. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. This is literally a question to the sponsor. I cannot find a copy, and I am being told now that this has been substantially rewritten from a previous time. Were copies of the Conference Committee Report distributed?

PRESIDING OFFICER: (SENATOR COLLINS)

Yes. Senator, let me answer -- you asked tow questions. The first, had the Conference Committee Report been distributed. It had been distributed back in June. However, it has not been redistributed for this Veto Session. I have inquired whether or not we have a rule about that, and it has been on the desk and there is no rule saying that it had to be redistributed again. Now, on your second question, you asked how many votes it required. It does require three-fifths, which is 36 votes, because it does include in the content an effective date before July 1,

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1990. Now, Senator Hall.

SENATOR HALL:

Let -- answer Senator Netsch's question.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator. Senator Netsch.

SENATOR NETSCH:

Thank you, Madam President. One more question. I thought I heard Senator Kustra and one other speaker say that this had been significantly or at least had been revised from the last version that we had seen. Am I incorrect in that, or am I correct in that, and to whom do I address the question? Who's the sponsor of it right now?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR NETSCH:

Senator Luft.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR NETSCH:

I didn't hear you. All right, my question then, Senator Luft, is - I thought I had heard a couple of the speakers say that there were changes in the present version from the -- the House Bill 2030 that we had earlier seen. If that is the case, then even if I had a copy left from last June of the Conference Committee Report, it wouldn't help, because it's not the same one. Would somebody please clarify it?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

It is the same Conference Committee Report. However, this is substantially different. There were two main provisions taken out of the bill. One was the State takeover concept for a district



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that was failing, and the other concept taken out was the testing of grandfathering teachers. That is out.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Luft, do you wish to take it out of the record and come back to it in a few minutes? Senator Luft.

SENATOR LUFT:

Well, if you can -- Madam President, if you can explain to me, or someone can tell me the reason why I should, then I'm open to anything, but I don't, at this point, know why I should.

PRESIDING OFFICER: (SENATOR COLLINS)

We -- we do have the Conference Committee Report that we can pass it out, and you can come right back to it. If not -- Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The reason that I got off of this bill was that the leaders that I consider here on this Senate Floor, is education, in Senator Maitland and Senator Berman, along with the others. Now, the thing that happened is this. The reason that ...(inaudible)... and Senator says he hasn't explained it. I'm going to tell you what it does. It creates within the SBE the Department of Public Accountability, and specifies its responsibility. It authorize the State Board of Education to nonrecognize school districts or to place them in receivership under certain conditions. It revised teacher certification requirement. It establish a program for rewarding outstanding teachers, administration and districts for outstanding accomplishment. It expands the information for...

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall. Excuse me. Point of order from Senator Luft.

SENATOR LUFT:

Senator Hall, I would hope that you would listen. I told you

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just three minutes ago, that's out of the bill. That's no longer in the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall.

SENATOR HALL:

If you don't have the Conference Committee before you, the reason - and -- and you heard from Senator Berman and Senator Maitland, who are leaders in the education field -- I just want to tell you this. Illinois has sufficient legislation on the books to deal with accountability. The issue of accountability was one of the major components of legislation passed in 1985, and what it does - Chicago's completely taken out of this. This is for downstate, and also - and none of these elements such as school improvement plans are in the initial stages. The State Board of Education is opposed to this bill. The Regional Superintendents of Education are opposed to this bill. LUDA, Large Unit District Association, is opposed to this bill. ED-RED, Education Research Development, is opposed to this bill. And I tell you this: please don't put this on us. I ask that this bill be defeated. It's a terrible bill and we should go down to defeat.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR FAWELL:

There was a paragraph in the -- the Conference Committee in the original bill that frankly caused me to vote against the bill originally, and that paragraph, in effect, said that the school board was going to be the manager of the policy that the State Board of Education was going to form. Now I've been told that that

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was out, but I didn't hear anything in this rhetoric that's going around that it is out. You know, I personally would like to see a copy of the bill. I understand you're in a big hurry, Senator, but frankly I'm a little ticked right now too, and -- and I think I personally would like to see a copy of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Thank you. I'm sorry about your tick. It's my understanding - the people tell me that the provision that you just discussed, is not in the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Zito.

SENATOR ZITO:

If we need to, to move the previous question.

PRESIDING OFFICER: (SENATOR COLLINS)

There's only one more. Senator Vadalabene.

SENATOR VADALABENE:

That was exactly what I was going to say.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft, to close.

SENATOR LUFT:

Thank you, Madam -- Madam President. I'm sorry. Let me first thank Senator Kustra for bringing - what we should be talking about was the children. He's the only one so far that has talked about the children. Secondly, let me try to refresh your memory. When Sears was going to leave Chicago - when other companies were closing and leaving, one of the problems, they said, was that there was not a force available to provide them with the necessary individuals for the work force. Now I'm going to agree with Senator Maitland, that yes, we have taken major steps, but during all this time that we've been taking these steps, we've always

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said that, "Where's business?" You know, we need business's help. Well, let me tell you, this is it. These individuals got together a year ago, months ago, and tried to show us what they thought was important for them as employers in the State of Illinois. Now, who are they? Who are the businessmen? Well, they pay fifty percent or more of all the property tax in industrialized Illinois counties. They also pay sales tax, franchise fees, income tax, and I think it's about time that they could have something to say about the eight billion dollars that we spend K through 12. And then what I don't understand about some of my friends maybe from Chicago, that may be opposing this, I stood here and voted for reform for your school district last year. We're just basically trying to provide similar accountability for downstate districts. I think it's very important for our school system. I don't feel any qualms about supporting this. I know there's people opposed to it, and this may not be a perfect piece of legislation. But we've been here long enough to know that every time we pass something here, in the next Session we come back and find that we did make mistakes, and make our alterations. And this probably will have a shakedown cruise of a few months or a year. But I at least hope that we would give it the opportunity to succeed and to tell those people that worked in the business community the months and the years on this legislation that they are an important part of our community and we respect what they have to offer us, and I would urge that you vote Aye on the Conference Committee on House Bill 2030.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall the Senate adopt the First Conference Committee Report to House Bill 2030. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that -- on that question, there are 29 Ayes,

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26 Nays, 1 voting Present. Having failed to receive the -- the required constitutional majority, the motion fails. And the Conference Committee Report on House Bill 2030 is not adopted, and the Secretary shall so inform the House. Senator Luft.

SENATOR LUFT:

Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR COLLINS)

The sponsor has requested Postponed Consideration. Leave is granted. House Bill 2729. <sic> Senator Luft. Read the motion, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 2798.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Thank you, Madam President. The Conference Committee Report on House Bill 2798 is an agreed Conference Committee Report between the Commissioner of Banks, Commissioner of Savings and Loan, and the thrust of the Conference Committee is to accommodate the Financial Institutions Reform, Recovery and Enforcement Act, which was passed by the federal government, better known as FIRREA. It is very complex and very long. What I would like to do is to have Senator Zito acknowledge that there is an agreement by all parties, and then attempt to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Zito.

SENATOR ZITO:

Well, thank you, Madam President. Just to acknowledge the fact that there were a number of negotiations since we adjourned at the end of June, and this is a piece of legislation that has, in fact, received the support from every financial institution group in the State. It's an effort to address the concerns we have with S & Ls

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in this State in relationship to the federal bailout. I think Senator Keats would agree. This is an agreed Conference Committee Report, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for one question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR GEO-KARIS:

Is there anything in this bill that allows banks to sell insurance?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

No.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Keats.

SENATOR KEATS:

Just when you look at the length of the Conference Committee Report, for those of us who get extremely tense and irritable about long conference committee reports coming in at the last minute - Congress took this action in August and September. That's why they were caught. The groups have worked it out. There is nothing of great controversy, but it deals with the State response to what was the federal response to the Savings and Loan issue. So while it is long, and it's not had the kind of public hearing some of us would like, it's not terribly controversial, and it is truly the fault of Congress and the time they took the action.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Luft may close.

SENATOR LUFT:

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.I would only ask for an Aye vote on the Conference Committee Report on House Bill 2798.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall the Senate adopt the First Conference Committee Report to House Bill 2798. Those in favor -- 2798. The Second Conference -- I'm sorry. It's the Second Conference Committee Report. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, none voting Present, and the Senate does adopt the Second Conference Committee Report on House Bill 2798, and the bill, having received the required constitutional majority, is declared passed. House Bill 86. No. That's Senate Bill 86. Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I'm not going to say a lot about this bill. This is the agreed process on the Workmen's Comp. It has been worked out by all parties involved, but what I would like to do is answer any questions, first off. But more importantly, I want to thank business, labor, the attorneys, everyone who got together on this bill, and both staffs and -- and my -- my colleague on the other side of the aisle on -- on making sure that this bill got put together and that it's in the agreed bill process, and I ask for your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question -- Senator Hudson.

SENATOR HUDSON:

As a minority spokesman on the Senate Labor and Commerce Committee, just to echo what Senator Jacobs already said. I think the parties all around are to be congratulated. It's a bill we had

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hoped might have been acted on last June, but -- a few glitches, but those have been ironed out, and I certainly would encourage an Aye vote from everyone here on this important piece of legislation.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report to Senate Bill 86. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, none voting Present, and the Senate does adopt the First Conference Committee Report to Senate Bill 86, and having received the constitutional majority, the bill is declared passed. Senate Bill 632. Senator Welch. Read the motion, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 632.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. Senate Bill 632 as it appears on our Calendar - what appears on the Calendar has been stripped from the bill. It now contains four other pieces of legislation, all of which have passed the Senate, but have been held up in the House, due to a House Rule concerning Gubernatorial Vetoes. What this bill is now, is Senate Bill 10, which passed the Senate, and it's amendatorily vetoed -- that was amendatorily vetoed. We passed it 56 to nothing. What that Senate Bill 10 did, was until a repayment record has been established, no license to practice law should be issued or renewed for a person who has defaulted on a student loan. The bill also prohibit any student who is incarcerated from receiving a need-based monetary award. Secondly, Senate Bill 333, concerning bilingual education, has been added. What that bill



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does is require the State Board of Education to issue a substitute certificate to any applicant who has failed to qualify for a transitional bilingual certificate, but meets the substitute qualifications. The third bill was House Bill 1395, concerning special education...

END OF TAPE

TAPE 3

...which states that handicapped children placed in regular classroom settings shall be provided supplementary services. And House Bill 1555, concerning educational service center boards. The membership of those boards serving Class I and II county schools shall consist of three classroom teachers selected by the collective bargaining unit representatives. I'd be glad to try to answer any of the questions, and I would ask for a favorable vote.  
PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. First of all, I'd like to know what the effective date is on this bill is, and how many votes it will take to pass?

PRESIDING OFFICER: (SENATOR COLLINS)

I will answer you as soon as I see if it is in the bill. Further -- further discussion? Senator Macdonald. Senator Fawell.

SENATOR FAWELL:

Thank you very much. While we are getting that information, I would again like to point out this is one of those bills that the Speaker has decided, in his great wisdom, that we should pass --

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repass again. You know, I just would like to remind people on both sides of the aisle. There was a little bill that the Speaker sent over a little while ago - about a year ago. It was similar to this bill. It was about as thick. It was thrown at us at the last minute. We were assured over and over again, "Hey, there's nothing in this bill that's going to bother you boys - clean bill. You've all passed it before, don't worry about it." Then we all got home and we found out there was just one little line in it, and in that line it said, "Hey, municipalities, you're not going to get your sales tax any more." I think this is not a good idea for the Speaker to constantly do this. I think we should all be voting Present, on both sides of the aisle. If we want the Speaker to run the entire Senate, and the entire House, and the Governors Office, then why do we even bother to stay here? Why don't we just all pack up and go home and let him do as he darn well pleases?

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Madam President. I have been relatively silent during all of this discussion, but I cannot sit here any longer and not say what I have to say about the action of the Speaker of the House. The Speaker of the House was my seatmate at the Constitutional Convention, and he knows very well that the action that he has taken, particularly over this last year with a procedure that he has established in the House, is totally unconstitutional. And as a delegate who spent nine months at the Constitutional Convention producing the document that we are now operating under this State, I have to stand in strong opposition to the procedure under which we are acting. The President of the Senate has no say-so, the Minority Leader has no say-so, the Governor has no say-so, the Minority Leader of the House has no

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say-so. This State is operating and being managed totally by the Speaker of the House. It is unconstitutional. We have taken an oath of office to uphold the constitution of this State, and I say that the Speaker of the House has to be stopped. I urge your Present vote, regardless of which side of the aisle we sit on. The Speaker has to have a message sent to him, and it's about time that we take action in this Body.

PRESIDING OFFICER: (SENATOR COLLINS)

Now, in - in answer to your question, Senator Fawell. This bill requires only thirty votes, because the effective date is July 1, 1990. Now, Senator Welch, to close.

SENATOR WELCH:

To say that since everybody is so exorcised over on this side, why don't you pick one of your own bills to do this on, instead of picking on one of mine? Just take -- take your own. Well, then, maybe you should co-sponsor some...

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator -- Senator, would you wish - do you wish to close?

SENATOR WELCH:

Yes. I'm trying to. Thank you for recognizing me, finally, after I announced a point of order and was not recognized. I thank you for recognizing me to close, Senator. Let me just say that the four bills that are included in this particular package are all bills that we supported and passed over to the House. In particular, the bill concerning not giving scholarships to individuals in prisons was the amendatory veto of the Governor that we ended up accepting after a great deal of debate. If you want to vote Present, and let individuals who are currently in jail continue to receive scholarships at the expense of students who haven't committed crimes -- well, after all our big debate about grand juries and who is tougher on crime, this doesn't make

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a heck of a lot of sense to me. You know, go explain that to the student who didn't get his student scholarship and the fellow in jail did. Try to explain that one to him, that this was a point of -- of personal spite between the Speaker of the House and the Republicans over here. I don't think that makes much sense. If you want to send a message to Speaker Madigan, send him a letter, or -- or something else. You don't -- I think it would be a lot -- a lot clearer -- you could give him a message more concisely, and probably quicker, and we will get a page to deliver the letter. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall the Senate adopt the First Conference Committee Report to Senate Bill 632. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 30 Ayes, no Nays, 27 voting Present. I'm sorry. It is Senate Bill 632. The Senate does adopt the First Conference Committee to Senate Bill 632, and having received the required constitutional majority, the bill is declared passed. Senator Fawell.

SENATOR FAWELL:

I would like a verification, please.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell requests a verification of what vote?

SENATOR FAWELL:

Of the Aye votes.

PRESIDING OFFICER: (SENATOR COLLINS)

Of the affirmative vote. That is in order. Will the Secretary please call the -- the roll and the affirmative vote -- those voting in the affirmative.

SECRETARY HAWKER:

The following Members voted in the affirmative: Berman,

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

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell, do you question the presence of any of the Members?

SENATOR FAWELL:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Joyce on the -- here he is. Senator Joyce is standing right here by the Podium.

SENATOR FAWELL:

Senator Carroll.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll on the Floor? Senator Carroll...(inaudible)

SENATOR FAWELL:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco on the Floor? Here he is right in front, down by the well.

SENATOR FAWELL:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Lechowicz on the Floor? Is Senator Lechowicz on the Floor? Strike his name, Madam Secretary. Here he is. There he is, on the Floor.

SENATOR FAWELL:

Senator Kelly.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Kelly is in his seat, where everyone else should be.

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SENATOR FAWELL:

That's it.

PRESIDING OFFICER: (SENATOR COLLINS)

The roll has been verified. There are 30 Ayes, no Nays, 27 Present, and the Senate does adopt the First Conference Committee Report to Senate Bill 632.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Thank you, Mr. President. On the vote for Senate Bill 886, I was in the rear taking care of some business, and had I been on the Floor, I would have voted in the affirmative on that bill. Would you allow the records to so reflect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record -- the electronic -- record will so indicate. All right. We are momentarily waiting for a Supplemental Calendar, which will be down -- which is being printed, and as soon as it gets down here, we will go to the Supplemental Calendar. Not all of this Conference Committee Reports are printed as of yet, but as soon as the Supplemental Calendar comes down, we will begin working off of the Supplemental with the Conference Committee Reports that have, in fact, been printed. Senator Woodyard, for what purpose to you arise?

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. I have a resolution that's congratulatory, Senate, and it's a joint resolution, and I would like leave of the Body for immediate consideration. I think it's SJR 106.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body. (machine cutoff) All right. With leave of the Body, we'll go the Resolution Consent Calendar, where Senate Joint Resolution 106 currently reposes, and

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Senator Woodyard... (machine cutoff) All right. Senator Woodyard has moved the adoption of Senate Joint Resolution 106, which is a congratulatory resolution, which needs to go to the House. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Joint Resolution 106 is adopted. Senator Rea, for what purpose do you arise?

SENATOR REA:

Thank you, Mr. President. I would move to waive the necessary rules for immediate consideration of Senate Resolution 690.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rea, that resolution is yet to be read in. While we are on the Order of Resolutions, Madam Secretary, perhaps we ought to read it in. Resolutions.

SECRETARY HAWKER:

Senate Resolution 690 offered by Senators Rea, Demuzio and Davidson.

It is substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rea has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 690. Is there discussion? Senator Rea, there's been some inquiries as to what the subject matter of the resolution is. Senator Rea.

SENATOR REA:

Thank you, Mr. President. It has to do with a bill that's pending in Congress. Senate Bill 1708, and the bill would restore financial stability to the coal industry multiemployer retiree health program. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's my understanding that it's noncontroversial. Senator Rea has moved the adoption of Senate Resolution 6-9-0 -- has moved to suspend the rules for immediate consideration and adoption of

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Senate Resolution 690. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Rea now moves the adoption of Senate Resolution 690. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 690 is adopted. Resolutions.

SECRETARY HAWKER:

Senate Resolution 691 offered by Senator Ralph Dunn.

Senate Resolution 692 offered by Senators Fawell, Holmberg and all Members.

Senate Resolution 693 offered by Senator Topinka.

They are all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Secretary's Desk. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz. Okay.

SENATOR DUDYCZ:

Yes. Thank you, Mr. President. I would just like to recognize a special guest on the Floor. Standing beside me is the Chairman of the Chicago Board of Elections, Son of Polonia, Mr. Ray Jagielski.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Supplemental Calendar No. 1. It's been passed out. It's on your desk. It's not passed out. It's being passed out. Well, it's your guy on our side first, I -- what can I say? Tracey, I'm not complaining. All right. Supplemental Calendar No. 1. Secretary's Desk, Concurrence, is Senate Bill 734, Madam Secretary.



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SECRETARY HAWKER:

House Amendments 1, 2, 3, 4 and 5 to Senate Bill 734.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment -- this bill now is like earlier explained, where the House had decided that certain amendatory vetoes were outside the purview of the Constitution, and therefore use this as a methodology of providing for the language recommended by the Governor, but in a fresh act. House Amendment No. 1 would deal with the alcohol and substance abuse prevention and treatment program for deaf and hearing-impaired and made it permissive. House Amendment No. 2 deals with the non-English speaking residents by mandating coordination between CMS and State agencies to broaden the pool of employment applicants, requiring Public Aid, in conjunction with CMS, to outreach and train, expanding the types of information that human -- that DHR will seek from agencies on their affirmative action programs, and empowering CMS to make certain modifications for linguistic abilities. House Amendment No. 3 is basically that which was contained in Senate Bill 613 on drug-addicted newborns, and substance abuse amongst pregnant women. House Amendment No. 4 is for DPA to develop and implement a -- two demonstration programs for managed care delivery system to curb the costs for Medicaid recipients. And House Amendment No. 5 is for Public Aid to execute a study to discover what incentives may be necessary to attract nurses to practice in medical -- medically underserved areas. These again were all language suggestions of the Governor on various other bills. I would ask for concurrence in House Amendments 1, 2, 3, 4 and 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Here we go again. First of all, I would like to know if this bill was distributed. And I would like to know how many votes it's going to take to pass it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are you inquiring about the Conference Committee Report?

SENATOR FAWELL:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your question is, has the Conference Committee Report on Senate Bill 734 been distributed?

SENATOR FAWELL:

Yes. It's a concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I am just trying to get straight what you are asking for, Senator Fawell. Senator Fawell.

SENATOR FAWELL:

According to our staff analysis, this is a concurrence, and it has several bills in it that have been already passed by this Senate that have gone to the Speaker's Desk and who, in his mighty power, has decided, all by himself, that these are not to be looked at by the House, but instead put on another bill and sent back to us to play games again. I am asking you, number one, is the bill -- is the bill with the amendments -- has it been distributed? And how many votes will it take to pass this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, just a question of the Chair, parliamentary inquiry. Does the Senate -- do the Senate rules provide for distribution of House Amendments to Senate Bills?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

The answer to that question, according to the Parliamentarian, they do not.

SENATOR CARROLL:

So then there was nothing to distribute here on the Floor by way of House Amendments adopted to the Senate Bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

But the amendments become the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, I'm sorry. What?

SENATOR FAWELL:

The -- the bill as we originally passed it, deletes everything, and the amendments become the bill. We're talking about an entirely different bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell, it seems to me that in my fifteen years here, that when we are on the Order of Concurrences, the staff analysis on both sides of the aisle is furnished to the Members, and if they wish to include the exact copies of the Amendments that were adopted in the House for concurrence in the Senate, that has been the prerogative of the staffs in the past. There's nothing in our rules that would require that House amendments be passed out to the Senate Members on concurrence. Senator Fawell.

SENATOR FAWELL:

Is there anything in your fifteen years of experience that has every seen the Speaker pull this kind of shenanigans, and if so, I would like to know what past experience has led you to believe. And again, I would like to know how many votes it takes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell, the Chair doesn't engage itself in

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dialogue with the Members. It is only the Chair's prerogative to attempt to move the Session along in an orderly manner.

SENATOR FAWELL:

How many votes does it take? Question of the Chair, sir?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, I will be right back to you. ...(machine cutoff)... All right. Senator Fawell, the Parliamentarian has examined both the original bill, which had an immediate effective date. He has examined House Amendments 1, 2, 3, 4 and 5, which removed the immediate effective date, and therefore it will take 30 votes on concurrence. Senator Fawell.

SENATOR FAWELL:

Well, then I would still suggest that anybody that has any backbone and would like to tell the Speaker that he is not the Governor, the Justice of the Supreme Court, plus the Speaker of the House, ought to be voting Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We will send him a transcript. Further discussion? Senator Carroll, you may close.

SENATOR CARROLL:

I think we have explained...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon, Senator Collins. Your light is not on. Senator Collins.

SENATOR COLLINS:

I -- I rise in support of this bill. And Senator Fawell you supported, twice, the bills in -- on this list, and I am sure you are familiar with what is on there. It is not our responsibility over here to establish the rules of the House -- for the House to operate by. And maybe they don't operate the same as we do, but I think our responsibility here is to pass legislation that is in the common good of the people of the State of Illinois. You

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voted on these bills because you felt that, and -- and I think you should vote on them again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, by virtue of the fact that this went through the health committee, you know, I am prepared to kind of discuss any of these issues that are on here. We have indeed seen all of them. They have come through. There are a lot of important ones. I think it just gets down to a matter of personal choice, and do you want to send the Speaker a message, because he has absolutely violated and perverted the whole system. And I think we can all agree with that, or go on with this business and move this bill, which among other things has cocaine babies in it, and also would have some cost containment measures in terms of Public Aid. There are worthy measures, but I -- I think we can all make that decision individually on how we want to handle it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll, you may close.

SENATOR CARROLL:

I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendments 1, 2, 3, 4 and 5 to Senate Bill 734. 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? Take the record. On that question, the Ayes are 33, the Nays are 1, 23 voting Present. The Senate does concur with House Amendments 1, 2, 3, 4 and 5 to Senate Bill 734, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1136. Senator D'Arco

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on the Floor? Senate Bill 1379. Senator J.J. Joyce. Senate Bill 1379, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1379.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This is another one of those bills that the people want to send the Speaker a message on. I'd suggest you just write him a letter, though. But, this increases the general civil penalties for violations of motions of provisions of the EPA Act from ten thousand to fifty thousand, and increases from a thousand to ten thousand the additional fines for each day of the violation continues and expands bid-rigging and bid-rotating prohibitions to persons convicted of that charge in other states. Changes bidding requirements for the State contracts under five thousand dollars. It's something we have passed here. I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1379. 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 42, the Nays are 5, 8 voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1379, and the bill, having received the required constitutional majority, is declared passed. Senate Joint Resolution 25. Senator Madigan. Madam Secretary, Senate Joint Resolution 25.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Joint Resolution 25.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. Senate Joint Resolution 25 was passed to create an advisory board to study nursing -- or room and board facilities, other than nursing homes for the elderly. And that was passed unanimously by this Body. The House has added a couple amendments on this, changing the word "advisory board" to "Legislative study group." Made a couple other grammatical changes, and moved the reporting date from March the 1st to April the 1st, and I would ask for the concurrence on that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

Does this have anything to do with funding of Medicaid for nursing home reimbursement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicated no. Senator Watson. Further discussion? If not, the question is... (machine cutoff)... All right. All right. The question is, shall the Senate concur with House Amendment 1 to Senate Joint Resolution 25. 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

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that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Joint Resolution 25, and the resolution is declared passed. All right. With leave of the Body, we will take -- Senator D'Arco's ready on Senate Bill 1136, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1136.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is condominium legislation that unfortunately met the same fate as some of the other legislation we have been discussing. It now appears as a concurrence motion -- in the form of a concurrence motion, and I do move that we concur in House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

How many votes does this take, Mr. Speaker -- Mr. President? Or maybe I should say Mr. Speaker.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, as soon as we examine the effective date, we will get back to you with that information, and this is the Senate. ...(machine cutoff)... Senator Fawell, the Parliamentarian indicates that the Conference Committee Report contained within House Bill 313 is a provision that says that the effective date is January the 1st, 1990. I'm sorry. It's Senate Bill 1136 - I beg your pardon - that the effective date would be January the 1st of 1990. Therefore, it would require a three-fifths vote. Senator Fawell.

SENATOR FAWELL:

Well, you know. I don't know about the rest of you. I don't



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even know why we bother to stay here. Obviously, all we are going to do is play games. We're going to dance to the Speaker's tune. I realize I'm probably getting a little bit obnoxious, but, you know, I have been in politics since 1952. I don't like people telling me, as a Senator, what I'm supposed to do, especially if it is somebody in the other aisle, in the other part of the -- the Legislature. We have never done this on our side, and it just to me, somebody over there on the other side of the aisle should have some guts. Especially, perhaps those who went to the -- to the -- was in Con Con (Constitutional Convention), surely they know this is wrong. And maybe -- maybe I will appeal to their better nature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There's no provision in the rules to appeal to the better nature. Senator D'Arco, you may close.

SENATOR D'ARCO:

Thank you, Mr. President. I - I never was in Con Con (Constitutional Convention). But I just -- I am of the opinion, Beverly, that I want you to get out all your frustrations on this bill. And I want everybody in the Chamber to get out all their frustrations on this bill. So I want everybody in the Chamber to vote No on this bill, and that will send a message to the Speaker that we are serious about this, and we think he is abusing his authority as Speaker of the House of Representatives of the great State of Illinois. So, Beverly, this is the bill, right here before me. Everybody, vote No, and make my day.

PRESIDING OFFICER: (SENATOR LUFT)

All right. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1136. 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? Last time. Have all voted who wish? Take the record, please, Madam

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Secretary. On that question, the Ayes are 28, the Nays are 26, 2 voting Present. The Motion to Non-Concur <sic> fails. Middle of Page 2 on Supplemental No. 1, Conference Committee Reports. House Bill 313. Senator Jones. 313. House Bill 313. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 313.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. First Conference Committee Report contains language that would authorize the sale of retail liquor at 222 South College Street, which is Play it Again Sams, here in Springfield. Also at the golf course owned by the University of Illinois, and they will be required to carry Dram Shop Insurance and all those other regulations, as such. And I know of no opposition, ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Collins.

SENATOR COLLINS:

I would like -- I was trying to get your attention on a point of personal privilege, so I will wait and yield to Senator Jones, until this motion is -- is voted on, and then when we come back...

PRESIDING OFFICER: (SENATOR LUFT)

I will do that. Any discussion on Senator Jones' motion? Discussion? Discussion? Senator Karpel.

SENATOR KARPIEL:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he will yield.

SENATOR KARPIEL:

Senator Jones, who is the tenant of the property at 222 South

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College in Springfield? Just out of curiosity.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

You want to know who the tenant is? I believe it is a new-found Republican that realized that he made a mistake and wants to become a Democrat. I believe it's - what's his name again - Sam P.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpziel. Okay. Any further discussion? You wish to close, Senator Jones? All right, the question is, shall the Senate adopt the Conference Committee Report on House Bill 313. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 46, the Nays are 8, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 313. The bill, having received the required constitutional majority, is declared passed. The Conference Committee Report - oops, that's it - Conference Committee Report is House Bill 2756. Senator Jones. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2756.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. First Conference Committee Report on House Bill 2756 deleted everything that was in the -- the bill, and it put new language in, enabling legislation in for the Illinois Community College Board, which authorized them to use funds for facilitating the articulation of transition of minority students from community college into

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baccalaureate degree programs. Also it contains in there the language of House Bill 250, which was filed in compliance -- in noncompliance with House rules, but it does contain the Governor's amendatory veto, and that's all that the Conference Committee Report, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Keats.

SENATOR KEATS:

Thanks, Mr. President. For some of my Republican colleagues, you'll notice some of us have not signed the Conference Committee Report. Don't misunderstand that. It's just a question of trying to find us sometimes. People such as myself didn't sign. It's nothing personal; they just couldn't find me. So don't assume that we're opposed to it simply because they couldn't find us at the time.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. I -- I think, Senator Jones, or Senator del Valle, this is -- I don't believe there is any appropriation for this. Isn't this the one we debated a couple of weeks ago and -- and decided not to pass because there was no substantive language, so we killed the appropriation. And now we are coming back with the substantive language. Is that not correct? I simply would...

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

Yes, you are correct.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Maitland.

SENATOR MAITLAND:

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Well, I would just simply suggest to the Body that -- that now we are just the opposite from where we were a week go. This is -- there is no appropriation for this, and -- and this is a substantive language.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he will yield.

SENATOR WATSON:

In my analysis here - and I don't have the conference committee right in front of me, or the report - but it says here that it mandates high schools to make available instruction designed to prepare students for the world of work. I'd like for that to be explained.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

It's not mandated. All it says is that it should make available any mandate that was in the legislation. I understand it was removed by the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Watson.

SENATOR WATSON:

Well, the -- I do have a Conference Committee Report now in front of me, and it does say that "you shall," so I guess that is a mandate. It's not "may." What happens when we do these kind of things, Senator and Members, is that school districts back home have a tough time interpreting, I think, really what we mean up here. And I don't know how they are going to interpret this, and how the classroom instruction is going to be developed to teach

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students about the world of work and opportunities and things of this. I -- I just think we just got to -- sometimes the intentions of what we are doing here, trying to prepare students for post-graduation -- but I really sometimes think, maybe we just ought to back off and let those districts decide for themselves what type of instruction they are going to give.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

Yes. In response to Senator Watson, you're probably correct as it relates to the mandate in this bill in its original form. But the Governor, through his amendatory veto, removed that mandate as such. So therefore there's my apropos at this particular time.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Watson.

SENATOR WATSON:

The Conference Committee I have here - signed by some seven Members, is what I am looking at, Senator Jones. And it says "shall", and to me that is -- that's a mandate. I'd like for the Senator to respond to that. Maybe I've got the wrong Conference Committee Report.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

Well, it all depends on how you interrupt words. When you say "shall make available," that doesn't mean that it mandates that this particular program takes place. And the -- the amendatory veto measures as such, the Governor remove the requirement that they must do something. To read to you further, what the message says -- says, is "Elementary schools shall assure that students receive an instruction designed to assist students to make

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appropriate career choices. Secondary schools shall make available instructions designed to prepare students for world of work opportunity upon graduation." So he -- he changed that to take away the mandates.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Watson.

SENATOR WATSON:

I just beg to differ, and I -- when it says, "shall," to me that's telling them they've got to do it. And I know that's the interpretation that the districts is going -- they're going to have of the language, so we disagree on this, but I believe it's a mandate and we ought to vote No.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he'll yield.

SENATOR DAVIDSON:

Senator Jones, I don't know whether this should be directed to you or to Senator del Valle, but my understanding was that Senator del Valle had promised to -- if any monies was appropriated, it would be divided equally - fifty percent for Chicago and fifty percent for the downstate schools. And I can find that nowhere in this Conference Committee Report.

PRESIDING OFFICER: (SENATOR LUFT)

Senator del Valle.

SENATOR DEL VALLE:

Senator Watson -- Davidson, that is my understanding of the way the Illinois Community College Board is going to handle this, as I said last time.

PRESIDING OFFICER: (SENATOR LUFT)

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Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Senator del Valle, that's well and good, how you understand that Community College Board is going to interpret or not interpret it. But -- had dealt with some of those boards after they are appointed. They forget they're answerable to anybody, not even God. And if it's not in the bill after you had promised to do that, I -- I see no reason why that language could not had been inserted in this Conference Committee Report if you had made that commitment to do that. If that's not in there, I would urge we vote No and reject this and rewrite the Conference Committee on second time around.

PRESIDING OFFICER: (SENATOR LUFT)

Senator del Valle.

SENATOR DEL VALLE:

Senator Davidson. If there is - and when there is - an appropriation, we can put that into the appropriations bill.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Inquiry of the Chair. Inasmuch that this adds an immediate effective date for the minority articulation language and a January 1st, 1990, effective date for the career instruction language, I would like to know how many votes this bill will take to pass.

PRESIDING OFFICER: (SENATOR LUFT)

The Chair's prepared to rule that it will take 36 votes. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. I rise reluctantly, but vigorously, on this bill, because there is some underlying policy that I think we ought to be aware of. And that is this -- wonder



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if I could get the attention of the Body?

PRESIDING OFFICER: (SENATOR LUFT)

Would you give the Senator your attention, please?

SENATOR NEWHOUSE:

The underlying issue with this bill is whether or not, and when, we start to produce taxpayers. Now everyone on this Floor knows that around this State, we are having incipient tax revolts in almost every community that we can think of. Part of the reason for that tax revolution is that we are shirking our duty in creating taxpayers rather than tax consumers. Now I know the hour is growing late and everyone is getting tired, and the incentive to listen to debate is waning - it's on the wane. But the issue that we are dealing with is one that we are going to come back here and have to face up to when we say to taxpayers that we are again going to raise your taxes, rather than presenting them with a solution to the tax problem, and that solution is creating taxpayers. That's what's at bottom in this bill. Now there may be some problems that are of consequence that, under normal circumstances, one could understand. But we are going to be bound over the next year with responding to the question of how we reduce the tax burden to those of us who have to go back and report to those who vote for us, that this is what we are doing with your money, and this is the reason your tax bill is so high. But in this instance, we're going to have to tell them why that tax bill is going to go higher. That seems to me to be not just Hobson's choice, but without a choice. We've got to do something in this situation. I would suggest that, taken in that light, that some of us may want to reflect on the possibility that we are delivering the wrong message, that we are going in the wrong direction, and that to deny not just the opportunity, but the incentive, for our youth to become prepared for tomorrow. So that the burden that now is overwhelming for those of us who are in

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the adult stage, it will be much greater to our children as time goes by. I would suggest that now is the time to act, and give this bill -- get this bill out, and in the posture to begin to repair a great deal of damage that has been done, and is going to escalate. I would ask for an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR LUFT)

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

SENATOR JONES:

Thank you, Mr. President, and after that eloquent speech by Senator Newhouse, and Senator del Valle has explained his position on this Conference Committee Report, I think it's a good report, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

All right. The question is, shall the Senate adopt the Conference Committee Report on House Bill 2756. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 30, the Nays are 26, 1 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. Conference Committee Reports is Senate Bill 136. Senator Thomas Dunn. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 136.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. We have a flaw in this Conference Committee Report, and we are working on a second one. So I would ask that we have a No vote, so we can proceed with the second one.

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PRESIDING OFFICER: (SENATOR LUFT)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 136. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 18, the Nays are 18, 2 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. Conference Committee Reports is Senate Bill 487. Senator Friedland. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 487.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Supplemental Calendar is in error under the synopsis of Senate Bill 487. The original bill was amended into other legislation and has passed. Senate Bill 487, as it now stands, would allow a facility whose primary purpose is to burn tires to become a qualified facility under the purchase of sale of electric energy from local government solid waste energy facilities. With passage of House Bill 1085, the General Assembly provided for the regulation of waste tire sites. The bill further gave the environmental -- Environmental Agency and Energy and Natural Resources the authority to provide assistance in eliminating part of the problem. What we did not do is provide the incentive to attract to Illinois, firms who have the ability to convert tires to energy. If we do not act, tires will be shredded and landfilled, further consuming precious space. This legislation will provide the remaining alternative to attract energy-producing companies to Illinois, and this legislation will not have an

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impact on the budget. And the bill has been reviewed by the Department of Energy and Natural Resources, the Commerce Commission, the Department of Streets and Sanitation in the City of Chicago, Com Ed, and the Illinois Solid Waste Association. And there is no opposition from those groups, and I'd urge passage of the legislation. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 487. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 52, the Nays are none, 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 487. The bill, having received the required constitutional majority, is declared passed. Senate Bill 667 on the Order of Conference Committee Reports. Thomas Dunn. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 667.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T, DUNN:

Thank you, Mr. President. This is an omnibus criminal law cleanup. And it does several things, at the request of the Department of Correction, DCFS, State Police. And what it does is exempt the addresses of those employees from becoming public. It includes an aggravated battery of a child in the offense upon which fees may be assessed to defray the costs of court security, and extends from three to five years the time period in which a second such offense becomes a Class X felony. It allows for periodic, rather than a continuous, supervision of juveniles in

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detention centers, and it brings a -- a person bringing contraband into a penal institution by reason of arrest would have an affirmative defense to being arrested. It clarifies the definition of employee of a penal institution regarding the offense of such an employee bringing such contraband into the institution. And lastly, it has a provision in it for drive-by shootings, that we passed out of here last year, and makes it a Class IV Felony to discharge a weapon from a motor vehicle while not hunting. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 667. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the Conference Committee Report on 667, and the bill having received the required constitutional majority, is declared passed. The bottom of Page 2 is Senate Bill 853. Senator Joyce. J.E. Joyce. Read the bill, please -- motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 853.

PRESIDING OFFICER: (SENATOR LUFT)

Sorry. I'm sorry. Conference Committee Report is Senate Bill 1451. Senator Lechowicz. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1451.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Lechowicz.

SENATOR LECHOWICZ:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Conference Committee Report on Senate Bill 1451 strips everything that was originally in the bill. And Representative Mautino came to me about ten days ago and asked if we could use this bill to put in the contents of House Bill 1724, which was amendatorily vetoed by the Governor. And in this Conference Committee Report, the changes that the Governor made are contained in the report. It would create an Upper River Valley Development Authority Act. It would establish a corporate body to promote industrial, residential, and recreational development in the following counties: Grundy, LaSalle, Bureau, Putnam, and Marshall Counties. And it authorizes issuance of bonds, upon approval of the Governor, to finance such a development. Well basically what the Governor did is when the bill originally passed, he wanted to change the appointment procedure and who would be a member of the board. This conference committee reflects the Governor's action. Basically there would be -- the Director of the Department of Central Management Services would serve, as well as the Director of Commerce and Community Affairs, and of the remaining fourteen members, nine shall be appointed by the Governor, with the consent of the Senate. The final five members shall be appointed, one each by the county board chairmen of the participating counties, and the chairman of the board shall be elected by the board annually from the five members appointed by the county board chairmen. I know of no opposition to this proposal, and I ask for your support.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Fawell.

SENATOR FAWELL:

Could you tell me, Mr. President, how many votes this takes?

PRESIDING OFFICER: (SENATOR LUFT)

The Conference Committee Report specifies no effective date,

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therefore the Chair rules that it will take 30 votes for passage. Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1451. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1451. The bill, having received the required constitutional majority, is declared passed. Messages from the House.

SECRETARY HAWKER:

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

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

Senate Bill 1175 with House Amendment No. 1.

I have a like message on Senate Bill 1403 with House Amendment No. 1.

Senate Bill 1161 with House Amendments 1 and 2.

And Senate Joint Resolution 30 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR LUFT)

Secretary's Desk, Concurrence.

Senator Maitland, for what purpose do you seek recognition?

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. A point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR LUFT)

State your point.

SENATOR MAITLAND:

In the gallery on the democratic side of the aisle, are a group of ladies from McLean County who are Members of the

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Republican Women's Committee in McLean County. They're down visiting Springfield today, and in the Senate now, them to stand and I'd like them to stand and be recognized.

PRESIDING OFFICER: (SENATOR LUFT)

Will our guests please rise, please, and be recognized by the Senate. We're going to stand at ease for a few minutes while the system goes down, and then back up, I hope.

(SENATE AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEMUZIO)

There's been a request from Senator Luft with respect to Senate Bill 158 -- House Bill 158. It currently is on the regular Calendar, on Page 5. Senator Luft wishes to recall that bill for the purpose of Tabling the amendment. So with leave of the Body, we will go to the Order of -- Page 5, Senate Bills -- I'm sorry, House Bills 3rd Reading. Is leave granted? Leave is granted. On the Order of House Bill 3rd Reading is House Bill 158. Senator Luft seeks leave of the Body to return House Bill 158 to the Order of 2nd Reading for the purpose of Tabling an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 158, Madam Secretary. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Having voted on the prevailing side, I would move to Table Amendment No. 5 to House Bill 158. That amendment was riverboat gambling amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft has moved to Table... (machine cutoff) Senator Luft, having moved -- having voted on the prevailing side, moves to reconsider the vote by which Amendment



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No. 5 to House Bill 158 was adopted. Is there a discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The vote with respect to the adoption of Amendment No. 5 has been reconsidered. Now Senator Luft now moves to Table Amendment No. 5 to Senate Bill 158. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion carries, and Amendment No. 5 is Tabled. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. All right. We have an additional supplemental that is being printed and will be down momentarily, with Concurrences and a Conference Committee Report, and when it gets down here, we will proceed. So we will stand at ease for just a few minutes.

(SENATE AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Supplemental No. 2 is being passed out. If we could get some other pages down here to help. No, Senator Berman, you're a book - we want pages. On Supplemental Calendar No. 2 there are four concurrences. Senator Mahar. 1161. Senator Davidson, on 1175. 1403. Senator Lechowicz. And Senate Joint Resolution 30 - is Senator Topinka. And then there is a conference committee report with respect to Senate Bill 572. Senator Jacobs. (machine cutoff) All right. Senator Mahar on the Floor? Is Senator Mahar on the Floor? Senator Davidson on the Floor? Senator Lechowicz on the Floor? Senator Topinka on

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the Floor? Secretary's Desk, Concurrence. Senate Bill 1161.  
Senator Mahar. Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1161.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Is Senator Davidson on the Floor? Senator Davidson, do you wish to proceed? We are on Supplemental Calendar No. 2. Secretary's Desk, Concurrence, is Senate Bill 1175, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1175.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. Chairman and Members of the committee. This House Amendment to Senate Bill 1175 was to get the crime victims restoration fund - I'm not sure that's the correct name - but to get us in concert with the federal law so that we can have our crime victims participate in federal funding. And two, if you have an Illinois citizen who is in another state that doesn't have a crime victim law, that they can recover damages for the extent of their energies -- injuries et cetera, from out of the federal funds. There is a two-billion-dollar pot which the State is participating in. This allows us to do it. This is a worked-out agreement. We passed this and then held it in the House until the federal rules and regulations came down, and the Attorney General's Office and I, and our staff and the House staff worked this all out. This is all in concert, and I'd appreciate a

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favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 - I beg your pardon - shall the Senate concur with House Amendment 1 to Senate Bill 1175. Those in favor will vote Aye. Those opposed, Nay. The voting is open. (machine cutoff) Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1175, and the bill, having received the required constitutional majority, is declared passed. We are still on the Supplemental Calendar No. 2. Senator Mahar indicates that he is prepared. So with leave, we will go back up to the top of the page to Senate Bill 1161, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1161.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I have just been advised of the good work of the House, and now I am prepared to move forward to concur with House Amendments 1 and 2 to Senate Bill 1161. The amendments are mainly technical in nature - or are technical in nature - and noncontroversial. It specifies that city managers -- or that communities may specify conditions of employment for city managers. It provides some cleanup language to House Bill 379, which was passed and signed into law, and the cleanup language is at the request of the Illinois CPA Society and the Illinois Association of Fire Protection Districts. The final section increases a maximum penalty for the violation of park district ordinances from two hundred to five hundred dollars, and it solves a problem, at the request of the Kankakee Valley Forest Preserve

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District. I would move concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? If not, Senator Mahar has moved that the Senate concur with House Amendments 1 and 2 to Senate Bill 1161. 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? take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1161, and the bill, having received the required constitutional majority, is declared passed. Senator Topinka. Secretary's Desk, Concurrence. Senate Joint Resolution 30, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Joint Resolution 30.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, Senate Joint Resolution 30 is largely intact. However, they are changing the task force that will be created, so it will be answerable to the EPA and to the Department of Public Health, and will report its findings therein. It will be advisory in nature, and the EPA will give technical support to the task force. Those are the changes that were made, and I would ask for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka -- is there discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Joint Resolution 30. 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 Senate does concur with House Amendment

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1 to Senate Joint Resolution 30. And the resolution is adopted. All right. Can we have some order, please? Can we have some order? Senator Jones, can we have some order, please? Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I filed with the Secretary a motion to amend Temporary Senate Rule 5, and I would call attention to the Members that after discussions with Senator Philip and our counterparts in the House, we have submitted for the approval of the Membership, a set of deadlines for the next year of Session, and in addition have passed out a Calendar so that the Members can plan accordingly with respect to proposed Session days. But in order to effect that, I would ask that we would go to that order and consider and adopt the -- the schedule and timetable applicable to all bills in 1990.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Rock has moved to amend Temporary Rule 5 by deleting Rule 5c and substituting the printed documents that are before you on all your desks and before the Secretary. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The Temporary Rules are amended, and the schedule is adopted. Senator Rock.

SENATOR ROCK:

I think we better have a roll call on that. These deadlines are at some point going to restrict some people. So we better all know what we are doing. It's -- April 6th is the deadline for introduction, and obviously, given the fact that some of us at least will be pretty busy in February and March, we will be coming into Session constitutionally as we are required, on the 2nd Wednesday of January, and the Governor has indicated that that's the date he wishes to deliver his State of the State Address, and

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then we will be back on March 7th for the Budget Message. But I would ask for a roll call to approve this timetable and deadlines.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved to amend the Temporary Rules, Rule 5c, and deleting - I'm sorry - he moves to amend Temporary Senate Rule 5 by deleting Rule 5c and substituting, in lieu of, the dates that have been indicated by Senator Rock. Is there discussion? If not, those in favor will vote Aye. Those opposed will voted Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, No Nays, 1 voting Present. The rules -- the motion carries. Further -- Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I am sure everyone is aware the leaders from the House came over to visit with us, and we have attempted to work out an accommodation with the -- with respect to the Supplemental Appropriation Bill. There are probably only less than ten matters still pending before us, and I think the number's probably a little bigger in the House. House Minority indicates that they are going to break for a caucus, so we are again confronted with the dilemma of time and -- and the logistics, really the mechanics of getting the Supplemental Appropriation Report, which is in a Conference Committee Report, printed and duplicated and submitted to all Members. So I'd suggest that we do have some time. Perhaps the Members would like to get a bite of lunch or answer some phone calls or something. My suggestion is that we would stand in recess until 3:30 and come back, and we we'll attempt to address the business as best we can. And mechanically, it does not appear that that supplemental will get to us much before four or four-thirty. So all my plans about getting out of here by noon -- we were doing fine up until the

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House got involved in it, slowed us down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will stand in recess till the hour -- I'm sorry, Senator Maitland. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

A question of Senator Rock. Senator Rock, there is at least one bill on the Calendar that - that has to go - that I know of - back to the House. It's the IRAPP bill that deals with the technical cleanup of IRAPP, so that program can move forward. We need at some point to get that bill out of here and get it to the House, and it's Senator Karpziel's bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

It was held at the request of the sponsor. If she's ready to go, let's do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel. Indicates she -- Senator Karpziel. No. She is not ready. Senate will stand in recess until the hour of three-thirty.

(SENATE IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of six o'clock having arrived, the Senate will come to order. All of you that are in the sound of my voice in your office, we are beginning. All right. With leave of the Body, we will go to the Order of Resolutions. Resolutions.

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Senate Resolution 694 offered by Senators D'Arco, Newhouse and others.

Senate Resolution 695 offered by Senator Lechowicz.

Senate Resolutions 696 and 697 offered by Senator Jones.

They are all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following Joint Resolution, to wit:

Senate Joint Resolution 13 with House Amendment No.

1

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 731 with House Amendments 1, 5, 6 and 7

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 adoption of their amendments to a bill of the following title, to wit:

House Bill 1487

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of the following amendments:

Senate Amendments 3 and 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Introduction of bills.

SECRETARY HAWKER:



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Senate Bill 1486 offered by Senators Jacobs and Dudycz.

(Secretary reads title of bill)

Senate - pardon me - Senate Bill 1487 offered by Senator Barkhausen.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules Committee. With leave of the Body, we will go to the Order of House Bills 3rd Reading. On your regular Calendar, Page 5. Regular Calendar, Page 5, is House Bill 158. Senator Luft seeks leave of the Body to return House Bill 158 to the Order of 2nd Reading for the purpose of an amendment being Tabled. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 158, Madam Secretary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Having voted on the prevailing side, I would move to Table Amendment No. 8 to House Bill 158. That was the amendment sponsored by Senator Philip, and I make my motion with his best judgment in mind, and his approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 8 was adopted. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The vote is reconsidered. Senator Luft now moves to Table Amendment No. 8 to House Bill 158. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 8 is Tabled. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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3rd Reading. Your regular Calendar. Your regular Calendar.  
House Bills 3rd. Page 7. Page 7 of your regular Calendar.  
House Bills 3rd Reading is House Bill 2733. Madam Secretary,  
read that bill, please.

SECRETARY HAWKER:

House Bill 2733.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 2733, as amended, is the  
-- the compromise and the settlement on the IRAPP situation. If  
you want me to go through all the changes, I'd be glad to, but I  
did that yesterday, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? If not, the question is, shall House  
Bill 2733 pass. Those in favor will vote Aye. Those opposed,  
Nay. The voting is open. Have all voted who wish? Have all  
voted who wish? Senator Rock. Have all voted who wish? Take  
the record. On that question, the Ayes are 56, the Nays are none,  
1 voting Present. House Bill 2733, having received the required  
constitutional majority, is declared passed. Senator Watson, for  
what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to have leave of the Body  
to be added as a hyphenated co-sponsor to House Bill 1359, which  
would then read Rea - Watson. I'd like to have leave of the Body  
to do that, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill?

SENATOR WATSON:

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House Bill 1359, yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You have heard the request of Senator Watson to be added as a hyphenated co-sponsor to -- along with Senator Rea. Senator Rea-Watson on House Bill 1359. Is leave granted? Leave is granted. So ordered. Senator Ralph Dunn, for what purpose do you arise?

SENATOR R. DUNN:

Mr. President. I'd like to same request on 1359 -- be added as a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request from Senator Ralph Dunn. Is leave granted? Leave is granted. House Bill 2030. All right. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Thank you, Mr. President. While we're at a momentary -- here, I'd like to be added as co-sponsor to House Bill 1359, with...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is leave granted? Leave is granted. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, Members of the Senate. I'd like to be added as a hyphenated co-sponsor of House Bill 1359.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator O'Daniel is added -- if any additional Members wish to be added as a - is there any Members that do not want to be added? If any Members wish to be added as a co-sponsor, just come down and see the Clerk. I mean the Secretary. With leave of the Body, we will now go to the Order of the 3rd Supplemental Calendar. 3rd Supplemental Calendar. House Bill 1625 - I'm sorry - 1621. Supplemental Calendar No. 3. Conference Committee Reports. House Bill 1621, Madam Secretary.

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SECRETARY HAWKER:

1st Conference Committee Report on House Bill 1621.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate. The 1st Conference Committee Report on House Bill 1621, deals only with the subject of an effective date. As you will recall, within 1621 we passed, under the Legislative Article, the authorization to employ legislative assistance, and in addition to that, we also provided that Members can pay for out-of-district travel out of their district allowance. And we also afforded Members the opportunity to pay for congratulatory communications. There was some question raised by the Comptroller's Office as to the effective date, and so 1621 very simply says, beginning July 1, 1989. Beginning this fiscal year, all this stuff takes effect. And I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1621. 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 41, the Nays are 14, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1621, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1072, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1072.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

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SENATOR JONES:

Thank you, Mr. President and Members of the Senate. Senate Bill 1072, First Conference Committee Report, contains the Land Sales Act. And what we did in putting it in the conference committee is that the Governor's amendatory veto and that effect of the House override would have left that profession unregulated for six months. So we needed an immediate effective date in here, and also it does incorporate the Governor's amendatory veto language. Also included in here is language as related to the social workers act. When we passed the social workers -- social workers and clinical social workers act, there was a period for which those persons who applied for the social workers act fell through the crack, wherein they were qualified and applied for the exam, but the net effect of the new law left them ineligible to take the exam. So this is so the grandfathering provisions for those persons who made application. Also there is cleanup language for those political committees who wish to sell lottery tickets. We passed this law before, and this is just cleanup language as is relates to the political committees for those committees where they can sell lottery tickets. Not sell lottery tickets, but sell raffle tickets.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Dudycz.

SENATOR DUDYCYZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Dudycz.

SENATOR DUDYCYZ:

Senator Jones, on Page 21 of the Conference Committee Report, you have deleted a requirement in current law that a political committee is eligible for licenses to conduct raffles, only if it has been in existence continuously for one year prior to -- prior

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to the application. It's my understanding that as of right now, if this Conference Committee Report passes, licenses may be issued to political committees which have accepted contributions exceeding one thousand dollars and have filed a statement of organizations, and there is no time line there. So someone can form an organization -- a political organization tomorrow, and be eligible to hold a raffle the following day. Why are you doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, this language is putting it at the suggestion of the State Board of Elections, and they - they felt that -- the prior language may have been unconstitutional, so therefore, if a political committee reached that threshold of a thousand dollars, then that political committee would qualify as such, rather than have in there a specified time period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Well, Senator Jones, I think we're -- we're setting a very dangerous precedence here. You will have, at the passage of this bill -- this Conference Committee Report, you will have dozens, maybe hundreds of individuals forming political organizations for the sole purpose of having raffles, raising money for themselves. I don't think we want to do that. It's my understanding that there is currently floating around the Second Conference Committee Report, that deletes this provision, and I think that we could all find it acceptable. But right now, I think that it would be wise for all of us to reject the First Conference Committee Report of Senate Bill 1072 and just vote it down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Jones.

SENATOR JONES:

In response to you, Senator, one - to make a flamboyant statement like that, that's not really so, because in order for one to do such, each -- each committee must be filed with the State Board of Elections. They in turn must get a license to do such, so therefore you're not going to have that. Only the legitimate political committees -- I know you're not concerned about one raising a lot of money against you, because you are sort of, you know, civil service, they tell me. But, however, that's not going to happen. They have to get a license from the State Board of Elections to do such, and this language was recommended by the State Board of Elections, and I think they know what they are doing, and that's the reason why I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Could I have a ruling from the Chair if this last amendment is germane to the entire bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell, it is a Conference Committee Report. (machine cutoff) Senator Fawell, we will have to check it. Senator Fawell.

SENATOR FAWELL:

Well, according to our analysis, it's in violation of Rule 43, and it has not been on our desks for twenty-four hours. It's not germane.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, now, Senator Fawell, I'm not so sure we want to get into that. But, if you want to go there -- Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

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Point of parliamentary inquiry. How many votes will it take to pass this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll check and see if it has an immediate effective date. We will be back in touch with you there too. I am told the Parliamentarian indicates it will take 36 votes. And it has an effective date of prior to July 1 of next year, and therefore, it would take 36 votes. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Mr. President and Ladies and Gentlemen of the Senate, I'm not going to address Senator Fawell's question, because, if you want to play that game, we can play it on every bill that comes forward. But I think we should really address this issue that's before us, and forget about the twenty-four hour rule, or else we are all going to be here tomorrow and the following day as well. I don't personally believe that political organizations should be in competition with 501(c)3, charitable organizations, as far as bingo and charity. When we passed the Bingo Bill and we passed the other Charitable Games Act, that was supposedly for a good worthwhile purpose -- 501(c)3 -- charitable organizations. I will be opposed to expanding that provision that's contained in this Conference Committee Report, and I would strongly recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, for what purpose -- Senator Jones.

SENATOR JONES:

Well, in response to those persons who have concern regarding the raffle, let me say this. That legislation was passed by this Body and will go into effect come January, 1990. Now in order for the State Board of Elections to do its job, they recommended this cleanup language. Also incorporated in this Conference Committee



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Report which is also licensure, is the Land Sales Act, which must take place, because if we do not concur in this report, then you are going to have a profession out there which we have deemed necessary to be licensed, to go unlicensed. Now we can play games all we want, but on the election portion of this as relates to raffle, it's something that this Body passed. It is already law. This is just cleanup language so that the State Board can do the job in administering the law that we passed. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There has been a request for a roll call. The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1072. 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 14, the Nays are 36, 1 voting Present. The bill, having failed to receive the required constitutional -- I mean the motion having failed to receive the required constitutional majority, is declared lost. Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I request a Second Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has requested a Second Conference Committee Report. Senate Bill 1322, Madam Secretary. Senator Rigney. Senate Bill 1322, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1322.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

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Mr. President, Senate Bill 1323, I believe, is about the third cleanup of the sales tax cleanup legislation that we've had around here now for quite some time. It's really technical in nature. I don't think it's controversial in its form; it just addresses several things that apparently were oversights in some of the original legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1322. 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 Senate does adopt the First Conference Committee Report on Senate Bill 1322, and the bill, having received the required constitutional majority, is declared passed. Supplemental No. 4. Supplemental Calendar No. 4. Secretary's Desk, Concurrence, is Senate Bill 731, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1, 5, 6 and 7 to Senate Bill 731.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman. I move we concur in -- in the Conference Committee and in House Amendments No. 7, 6, 5 and 1. Excuse me. 1 was deleted by the 6th amendment, so we are looking at, as I understand it, 5, 6 and 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

1, 5, 6 and 7.

SENATOR JACOBS:

1, 5, 6 and 7. Okay. Thank you, Mr. Chairman -- I mean Mr. President. A little slip there. This bill basically just

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contains some cleanup language in regards to Fire Protection District Act, and University of Illinois Act relating to firemen who are elected state officers of the statewide labor organizations. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Watson.

SENATOR WATSON:

May I ask the speaker -- or I may ask the sponsor a question. Well...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

Our analysis says, Senator Jacobs, that this is a backdoor referendum on Amendment No. 6, for the Rockford Park District. Is that correct? Backdoor referendum provision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Yes, Senator, that is correct. It permits the Rockford Park District to levy a property tax of .15 percent for the purpose of recreational programs and the first seven and a half cents is without referendum, the remaining seven and a half cents requires a frontdoor referendum, and it's for the Rockford Park District.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

SENATOR GEO-KARIS:

Does this only apply to Rockford? It doesn't apply to my county, because we have enough taxation. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

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SENATOR ZITO:

Thank you, Mr. President. Senator Jacobs, I'm sorry I can't find the Conference Committee Report. Can you briefly -- just briefly explain what the changes -- or what you're attempting to do with the fire protection districts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you. The portion with the firefighters is -- is the firefighters who are elected state officers of statewide labor organizations shall be granted leave to perform their responsibilities as elected state officers of statewide labor organizations. As an example, excuse me -- excuse me -- okay, that is deleted from -- from that act, and I -- I just got this myself, Senator, so I am not sure here. But -- but that portion has been removed. I might add that No. 5 deletes all, which is -- is really a deletion of the first amendment, but it does delete the first amendment and deletes everything before that, and then becomes from that point on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? Senator Jacobs, you wish to close? Question is, shall the Senate...

SENATOR JACOBS:

Get it out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendments 1, 5, 6 and 7 to Senate Bill 731. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 24, 1 voting Present. The Senate does not concur ...(machine cutoff)... All right, and

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the motion to concur fails. Senator Jacobs.

SENATOR JACOBS:

Postponed consideration until I find a little bit out -- more about what the heck the bill's about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jacobs has requested postponed consideration. Postponed consideration. Senate Joint Resolution 13. Senator Jones. Supplemental Calendar No. 4 is Senate Joint Resolution 13. Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. Senate Joint Resolution 13 which passed this Body last spring, but it comes back with an amendment. Everything is intact. Only difference is -- with the amendment is -- it changed the reporting date until June 30th, 1990, and it makes the joint committee an advisory committee, and I ask for a favorable vote that we concur in the House amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I wonder if the sponsor would explain the reasoning behind the House amendment, which in effect, seems to make this committee an advisory group to the Department of Insurance. In other words, are we going to have legislators who are going to become instance experts in health insurance and advise the Department of Insurance? Is that what this is all about?

END OF TAPE

TAPE 4

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

No. That is not so, Senator. What is does, in essence, is that it not only be legislators, but there'll be public members on there, labor persons and so forth, and also those persons who are involved in health care in the State of Illinois. So the Department of Insurance, which -- they will be deeply involved in this -- in this Joint Resolution, as we look at the affordability and the availability of health care in the State of Illinois, and any recommendations come out of there would be in conjunction with the Department of Insurance. And so that's the reason why it's mainly advisory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you. Members of the Senate, I -- the Assistant Director of the Department was on the Floor a few minutes ago. I don't see him on the Floor right now, but expressed to me a concern about the reporting date that's contained in this Resolution. Certainly there's no problem in our -- looking into the problems of affordable health insurance. I think we're all interested in that subject, but -- so I'm not -- can I ask you this? Did he speak to you about this, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I just talked to Rick Carlson. If you -- if that's the Assistant Director, as he's standing over there, and he asked me, he -- he did mention some concern about the advisory for his department. He mentioned nothing to me about the reporting date as

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relate to this amendment, and I would hope that if he was in the House that he would've dealt with that. I mean, to come on the eleventh hour, this has been around for quite some time and, you know, he could have easily said, "Jones, can we do something about the reporting date?" He didn't indicate to me, and I talked to him no more than fifteen, twenty minutes ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Just one issue, Mr. President, and I point out to the Members, that -- that this Resolution, which has been kicking around here, I guess, for awhile, now will come out requiring that this become a -- an advisory panel to the Department of Insurance and has a reporting date of March 1, 1990. Now, that's -- that's pretty quick, in order for the Department to come up with anything substantive by March 1, 1990, so I would have some reservations about it, although certainly it's a laudable study that needs to be done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, Senator Schuneman - and I don't want to mislead this Body, 'cause my -- my intent is all well and good. However, the House sponsor informed me that the amendment, which would've made it an advisory panel as well as change the reporting date, and if it does not contain any change for the reporting date, then -- then I don't want to move on -- on the -- the amendment until such time as I can clarify whether that amendment does what it actually is supposed to do. But I was informed by the House sponsor that's what it does. So, Mr. President, let's take this out of the record temporarily, till I find out if that amendment actually does what it's supposed to do.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Secretary's Desk, Non-Concurrence is House Bill 1487, Madam Secretary.

SECRETARY HAWKER:

Senate Amendments 3 and 8 to House Bill 1487.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. I would move that the Senate recede from Amendments 3 and Amendment -- Amendment 8 to House Bill 1487. Amendment 8 is merely the earlier July 1, 1982, sunset clause. We have a July 1, 1993, sunset clause in there that will remain. All that does is take out the earlier - six month earlier - sunset clause so we don't have two sunset clauses in the bill. And Amendment 3 is the amendment which would authorize the State's -- the Attorney General to go after any felony discovered incidental to the investigation for drugs. The problem with that amendment, we have been hearing, is that the State's Attorneys are adamantly against it. They feel, and the House feels, that it is too broad, it is too expansive in the power that it gives to the Attorney General, and if, indeed, the Attorney General wants a grand jury for drugs, then let it be a grand jury for drugs and drugs only. The State's Attorneys don't want their power impeded. They still have the power to indict, investigate and get grand juries impaneled for any offenses found while the drug trafficking, racketeering and money laundering investigations go on. So this doesn't impede them, it doesn't step on the State's Attorneys. That's why we're asking that we recede from Amendment 3, and I would ask that that motion be carried.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator -- Senator Hawkinson.



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SENATOR HAWKINSON:

Thank you, Mr. President. I'd have no problem receding from Senate Amendment No. 8, because we've got another sunset date on the bill, but I would strongly oppose the Motion to Recede from Senate Amendment 3. In the House, the sponsor of the bill attempted to concur with Senate Amendment 3, and made some points that I think this Body ought to recall. And that's Representative Homer, who is a former State's Attorney, as am I, and served in adjoining counties. And contrary to the arguments you just heard, Representative Homer made -- made these arguments: number one, this amendment would only extend to incidental felonies that are part of the drug investigation. This amendment would in no way expand the authority of the investigation beyond the drug crimes. It's not a radical departure from the intent of the bill, because it only deals with incidental felonies. An example that he gave - and I gave others when I rose in support of this amendment in our debate earlier - but an example that he gave would be if, during the course of a drug investigation, you found that the -- that the defendant had a weapons violation, the grand jury and the Attorney General ought to be able to proceed with that investigation, and if the Attorney General sought to, he could still turn over the prosecution to the State's Attorney. There's nothing in this amendment that would prohibit that from happening. The final argument that Representative Homer made in speaking for a concurrence, was also close to an argument I made in supporting this amendment earlier, and that is that it could be too cumbersome to turn over this prosecution to a State's Attorney if it's intricately tied to the investigation of the drug offense. And the argument that I made earlier was that if you have the same evidence and you've turned up, for example, a crime of violence or a contract to kill or something in the course of a drug investigation, if the same evidence is required to prosecute the

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crime, and you're forcing separate prosecutions and separate investigations, you could run into double jeopardy problems, perhaps, and other problems. So I suggest that we refuse to recede. There's plenty of time, and they've probably already got a conference committee in the works. I think we ought to oppose the motion at least as to the Motion to Recede from Senate Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, Senator Hawkinson eloquently stated most of what I wanted to -- to say. It's -- really is apparent that the House has taken leave of all their senses when they refuse to concur in this very sensible amendment that we put on, and I feel very strongly that we ought to refuse to recede, and I urge all of you to vote No on the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question? Was it Representative Homer who sponsored the bill in the House? Well, Mr. President, Ladies and Gentlemen of the Senate. Mr. Homer is a former State's Attorney and he fought valiantly for a concurrence on the bill with this amendment in it. Why does Mr. Marovitz want to weaken the bill? For heaven's sakes, if you have a drug-related murder uncovered, why not take it all in once feild swoop? I suggest you're trying to weaken the bill, and again -- again I bring up the fact that if you're trying to weaken the bill, then you're only having a bill for political reasons, and not for valid reasons.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I -- I'll have to read the transcript. I could barely hearwhat she was saying myself. Further discussion? Senator

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Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the Motion to Recede from Senate Amendments 3 and 8, and I am frankly a little surprised at Senator Hawkinson, because he is usually even more eloquent than he was. He outlined what I'm sure were very eloquent arguments on -- by the House sponsor, a former State's Attorney, but he didn't tell you the conclusion. The conclusion was it got 22 votes. As eloquent as Representative Homer is and was, it got 22 votes. It's almost seven o'clock. I hope there is no doubt in the mind of anyone that if, indeed, we refuse to recede from this amendment, which the House has absolutely rejected, that there will be a conference committee report back before us. My judgment is, this amendment will not be in it, given that House vote, and so we are deferring delaying a vote which everybody knows is inevitable, will happen probably two hours from now. There are many, as I read the roll call earlier, 53 or 54, it seems to me, who voted in favor of this proposition that yes, there ought to be a Statewide Grand Jury to deal with drugs. I don't think anybody's going to deny that. There ought to be one. Whether you vote now or two hours from now, this is the point I'm attempting to make. And consider if you will, that House -- Senate Amendment No. 3, on a Motion to Concur, got 22 votes in the House. Even when it comes back, this is not going to be in there. So as reasonable people, what we ought to do is recede from this amendment, and get on with our business. And I would urge an Aye vote on the Motion to Recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz, you have -- you have made a motion with respect to receding from both Amendments, 3 and 8. I'll point out that the board will not take both -- both of those numbers, for some reason or another. So.

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Senator Marovitz.

SENATOR MAROVITZ:

I -- I might add then, how would you like me to handle it, 'cause I did make a motion to -- to recede from both.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that -- that is your motion. I just wanted to point out to the -- to the folks on the board, that both -- both numbers did not show up. You are receding from Amendments 3 and 8.

SENATOR MAROVITZ:

Right. The -- my colleagues on the other side of the aisle make the point about the importance of this amendment, Amendment 3, but there wasn't a single Republican in the House of Representatives who thought that this Amendment No. 3 was a good amendment. There isn't a single Republican in the House of Representatives that wanted to support this amendment. Not a single one. So, if you want -- so, what that tells me, Senator Geo-Karis, is if you want to kill the bill, and you don't want a grand jury for drugs, so be it. You take your vote, you take your chances. Okay? But the fact is -- the fact is this is your chance to pass the Statewide Grand Jury for drugs. They don't concur with that amendment. I want to point out one substantive problem with the amendment. The amendment, as worded, says, "for any felony discovered incidental to an investigation of the preceding offenses," meaning a drug offense. The problem with the amendment is, there doesn't ever have to be an indictment for drug trafficking or drug racketeering or money laundering. A mere -- merely an investigation can open up the Pandora's box to give the Attorney General the power to any and everything, without ever indicting on drug trafficking, without ever indicting on drug racketeering, without ever indicting on the money laundering. It's too broad. It's too expansive. It's too vague. That's what the House -- thought. I agree, and that's why I think we ought to

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recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate recede from Senate Amendments 3 and 8 to House Bill 1487. 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? Last call. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 28, none voting Present. The Motion to Recede from Senate Amendments 3 and 8 fails. Senator Marovitz.

SENATOR MAROVITZ:

I would now move that we refuse to recede from Amendments 3 and 8, and that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved that the Senate refuse to recede from the adoption of Senate Amendments 3 and 8, and that a conference committee be appointed. All those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion carries. Secretary shall so inform the House. Conference Committee Reports is Senate Bill -- All right. We are -- we are on Conference Committee Reports, Senate Bill 85. Madam Secretary.

SECRETARY HAWKER:

First Corrected Conference Committee Report on Senate Bill 85.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones. I beg your pardon. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I do realize that Emil Jones and I are identical twins. However, our names are spelled just a little bit different. I would like to just state that Senate Bill 85 is a First Corrected Conference Committee Report. In the first amendment -- in the

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first report, I would have rather handled that, because that would have somehow caused a problem with two and a half billion dollars. Well, I never dealt with anything that big, so they removed that, and by the correction there appears to be no problem, and this -- basically, what it really does is to exempt full-time students serving as golf caddies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- is there discussion? If not, the question is, shall the Senate adopt the First Corrected Conference Committee Report on Senate Bill 85. 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 Senate does adopt the First Corrected Conference Committee Report on Senate Bill 85, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 856. I beg you pardon. Take it out of the record. Senator Weaver, 856 is having to be reprinted, and we'll come back to it right away. We'll go back to the main Calendar. Message from the House and then we'll go to the main Calendar.

SECRETARY HAWKER:

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

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

House Bill 1072 with Senate Amendment No. 3.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of the following Amendment No. 2.

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Secretary's Desk. All right. Main Calendar, Page 5 is -- House Bills 3rd Reading is House Bill 158, Madam Secretary.

SECRETARY HAWKER:

House Bill 158.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 158 is a combination of events. There are five or six amendments that have been added to this bill. I will read the amendment, the amendment sponsor, and a brief synopsis of what the amendment does, and if there's any questions, I will try to answer them. Everyone should know, or remember what we did. Amendment was added by myself that allows the Department of Commerce and Community Affairs the grant units of local governments the right to purchase property for prisons. That was myself, Senator Demuzio and Senator Watson. Senator Rock added an amendment that establishes a health insurance subsidy of fifty percent of the premiums for annuitants in the county health plans. Senator Zito permits an authority to utilize land or property not physically contiguous to a civic center property. Senator Fawell lowers the population threshold in regard to court fees to include DuPage County in the same fee structure as Cook County. Senator Luft added an amendment which allows civic centers to exceed the statutory twenty million dollar authority, and Senator Schaffer had the Salem Civic Center Act. I would attempt to answer any questions. If not, I would ask for a favorable vote on Senate Bill -- House Bill, I'm sorry -- 158.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 158 pass. Those in favor will vote Aye. Those opposed will

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vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. House Bill 158, having received the required constitutional majority, is declared passed. Senate -- the Conference Committee Report on Supplemental No. 4, which is Senate Bill 856, will be down momentarily. Senator Weaver on the Floor? Senator Weaver, while you were off the Floor, I made mention of the fact we want to -- we want to go to 856. The Conference Committee Report is printed. It will be down here momentarily, and you know how the Members are - they all like to read those things - so as soon as we get it, we'll proceed. So let's just stand at ease for a minute here. Supplemental -- on Supplemental No. 4. Supplemental No. 4. Senator Weaver on the Floor? All right. We are -- we're ready. On Supplemental Calendar No. 4 is Conference Committee Reports. At the bottom of the Supplemental Calendar is Senate Bill 856, Madam Secretary.

SECRETARY HAWKER:

First Corrected Conference Committee Report on Senate Bill 856.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the First Corrected Copy of Conference Committee on 856. The original bill was stripped, and it's used as a vehicle to solve several problems. The -- they're basically technical problems relating to two bills which passed back in June. Provides for the sale of three easements by IDOT. Increases the amount of money going to the Cycle Riders Training and Safety Program. It allows the Illinois Commerce Commission to reduce the amount written on the face of a check, if the amount of the check is too great. It resurrects several provisions of the



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Senate Bill 1325, and contains the provisions of House Bill 1782 - Senator O'Daniel's - with the Governor's recommended amendatory veto language. Contains the noncontroversial transportation-related parts to House Bill 530, Severns and Hawkinson's bill. It provides for six months of quick-take power to an airport authority in Madison County for the taking of seventy-five acres of land, and it removes a reverter from an earlier land transfer in Ottawa. If there are any questions, why, I'll try to answer them, or maybe I'll need some help from those who have some interest in these corrections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there -- discussion? There's a number of speakers. Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Will the sponsor answer a question, if he can or whoever?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Karpziel.

SENATOR KARPIEL:

Senator Weaver, why are we -- why are we transferring more money from the Road Fund to the Cycle Riders Safety Training Fund? Did we find that that -- that we need more money in that for that or is that for some other program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

This language does not increase the motorcycle registration fee; it only increases the amount transferred from the Road Fund to the Cycle Rider Training Fund in the amount of -- from four to six dollars on January 1st of '92, and from six to seven dollars on January 1st of '94, from seven to eight dollars. They're -- currently, between seven hundred and fifty and eight hundred

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thousand is annually transferred from the Road Fund to the Training Fund. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator -- if not, Senator Vadalabene.

SENATOR VADALABENE:

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

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he'll yield. Senator Vadalabene.

SENATOR VADALABENE:

Yes. Senator Weaver, you mentioned quick-take seventy-five acres of land in Madison County. Could you tell me what that is, or where it is, and why?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Weaver.

SENATOR WEAVER:

Well, this is a recommendation of Representative McPike, that they needed to acquire another seventy-five acres for the airport district and they're requesting a provision of six months for the quick-take powers on seventy-five acres. Now, I don't know exactly where that is, but I presume that it's contiguous to the airport there, where they have already used quick-take power to -- to acquire some land. It's in Bethalto, I think.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Vadalabene.

SENATOR VADALABENE:

Was the reason for the quick-take action due to the failure of the recognition of the landowner or owners to come to some kind of agreement, and consequently the quick-take power came into effect?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Weaver.

SENATOR WEAVER:

Well, I presume that's the situation, Senator Vadalabene.

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Normally they don't ask for quick-take power if they can negotiate out a -- a reasonable price for acquisition.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Vadalabene.

SENATOR VADALABENE:

Were there any homes involved in this quick-take power?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Weaver.

SENATOR WEAVER:

I understand there's no homes involved, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Weaver, you wish to close? All right. The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 856. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 52, the Nays are 2, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 856. The bill, having received the required constitutional majority, is declared passed. On your desk you're going to find Senate Calendar Supplemental No. 5. The three sponsors of the bills that we'll be dealing with would be Senator Netsch, Senator Rea and Senator Jones. So if you will be in your seats, we can proceed. Supplemental Calendar No. 5. Secretary's Desk, Non-Concurrence, House Bill 1072. Senator Netsch. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 2 to House Bill 1072.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Netsch.

SENATOR NETSCH:

Thank you -- thank you, Mr. President. I move that the Senate

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recede from Senate Amendment No. 2 to House Bill 1072. This is a bill that the Lottery Department had requested us to pass for them, which deals with the prizes when there is no ticket available. It passed substantially here. The amendment was effectively drafted, in that it did not eliminate Senate Amendment No. 2 before it went over there. Senate Amendment No. 2 is a major income tax increase, and I think it behooves us to recede from that amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? If not, the question is, shall the Senate recede from Amendment No. 2 to House Bill 1072. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 57, the Nays are none, none voting Present. And the Senate recedes from Amendment No. 2 to House Bill 1072. The bill, having received the required constitutional majority, is declared passed. Conference Committee Reports, House Bill 1359. Senator Rea. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1359.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I move to concur on Conference Committee Report 1 for House Bill 1359. I -- I have received many calls from farmers in my district, and I know that many of you have done also, and there have been many concerns expressed in regards to the ATVs by especially farmers and private landowners, and these individuals feel that the registration fee is unfair to them, since they use ATVs on their land only, and this would exempt private landowners from having to register the ATVs. This

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legislation primarily is to help farmers and private landowners to use ATVs exclusively on their own land. And I would move for adoption of the Conference Committee Report.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he'll yield. Senator Jacobs.

SENATOR JACOBS:

So this no longer, Senator Rea, has any of the express warranty language in the Conference committee. This strictly deals with the -- the all-terrain vehicles. Is that correct?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Rea. Senator Rea.

SENATOR REA:

Yes, this Conference Committee Report actually becomes the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I'd like to rise in support of this legislation for several reasons. Most of us in downstate Illinois have gotten a lot of calls, letters, concerns about this particular piece of legislation and the implementation that's going on now by the Department of Conservation. The problem with the bill and what's happening is, the agriculture community and the farming community are being asked to really subsidize those people who are using these ATVs for recreational purposes, because the -- the revenue that's being generated from the fee and the registration of the ATVs is actually going to buy ground and

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recreational tracks and this kind of thing, so that those people who want to use ATVs on those type of tracks can actually use them. Really, the farming community should not have to -- to subsidize that, and I don't -- and I think this is an excellent idea, and I appreciate Senator Rea and his efforts here. And I also want to make another comment. Our staff sometimes probably doesn't get the recognition they deserve, but two people here that work for us, Lisa Groesch and Al Kroner, our staff, and your staff on the Democrat side, have done an outstanding job of putting this together in a short period of time and getting the language -- that's right, Lisa, we appreciate it very much, and I thought that we ought to mention that. Appreciate your support.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Rea, you wish to close?

SENATOR REA:

Thank you, Mr. President. I would just simply ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LUFT)

All right. The question is, shall the Senate adopt the Conference Committee Report on House Bill 1359. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 57, the Nays are none, none voting Present, and the Senate does adopt the Conference Committee Report on House Bill 1359. The bill, having received the required constitutional majority, is declared passed. Conference Committee Reports, Senate Bill 97. Senator Jones. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 97.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

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SENATOR JONES:

Thank you, Mr. President. Conference Committee Report on Senate Bill 97 contains the provision of Senate Bill 791, which when passed this Body, was amendatorily vetoed by the Governor, and due to the rules in the House, it couldn't be heard, so it -- it contains that bill along with the Governor's amendatory veto. It -- it contains language in here as it relate to the Insurance Brokers Act to close a loophole so a person who has taken an exam and fell through the cracks, that that person doesn't have to go through another insurance examination. I know of no opposition, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 97. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 57, the Nays are none, none voting Present, and the Senate does adopt the Conference Committee Report on Senate Bill 97, and the bill, having received the required constitutional majority, is declared passed. 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 recede from their Amendment No. -- Amendments No. 1 and 2 to a bill of the following title, to wit:

Senate Bill 1136.

I am further directed to inform the Senate that the House of Representatives requests the First Committee of Conference.

PRESIDING OFFICER: (SENATOR LUFT)

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Senator Dunn moves to accede to the request for a conference committee. Thank you, Senator Dunn. We now have before us Supplemental No. 6 that is being passed out, so if you're within the sound of my voice and you're interested in a bill that creates a statewide grand jury, I'd appreciate you hurrying to the Chambers. (machine cutoff) Supplemental Calendar No. 6. Conference Committee Reports, House Bill 1487. Senator Marovitz. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1487.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate within -- within range of my voice and earshot, including some of my larger and taller friends and closer friends. This is the Statewide Grand Jury Bill that we're seeing for the umpteenth time, but this is the last time that we're going to be seeing it. And I would -- I think everybody understands what this bill is, and there's been a lot of pontificating about politicking, but this bill is about a very serious subject. This bill is about drug trafficking and drug racketeering and money laundering, and it's one thing to talk politics and to exchange remarks on either side of the aisle, but the fact is this is a chance for this General Assembly and this Body to make a definitive statement about drugs in our society. It's easy to toss the words like politics around, but the fact is, if we want to do something about it, this bill in this form on -- on adoption of Conference Committee Report --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me. Will there be no demonstrations.

SENATOR MAROVITZ:

They're coming out of the woodwork. Literally.



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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz, could you stop with -- could you start at the top of the page again, please?

SENATOR MAROVITZ:

Gee, I don't know where I was, Mr. President. I lost my page. Is there a page around? This is the point, Ladies and Gentlemen, when we have to make a stand, and this is your last opportunity to vote on whether or not you want a Statewide Grand Jury to get at drugs, drug trafficking, drug racketeering, money laundering -- and get at the profits and eliminate the profit motive from drug deals. There have been efforts in this State many times before, under many Attorneys General, to create a Statewide grand jury. The current Attorney General tried it in '82, in '85, for environmental dumping. We tried it again in '89; it lost in the House. But this is it. It's here before us, and the people of the State of Illinois are watching. They're watching Republicans. They're watching Democrats. They're watching candidates for Comptroller, and they're watching candidates for Lieutenant Governor. And they're going to watch how those candidates vote on this issue regarding drug dealing, drug trafficking and money laundering. You can make all the excuses you want, but this is the opportunity to pass this bill. If it doesn't work, there's a sunset clause. January 1, 1993. So there's no excuse that somebody's going to take advantage of it. We don't know who the next Attorney General will be - whether it will be a Democrat or Republican - but the fact is, whoever it will be will have an additional tool needed to get at the profits of drug deals, and we'll all be happy when he or she gets at those profits, regardless of what party they belong to. So let's remember -- and I hope that we can put party politics aside and all the pontificating we've done in the last several days aside and do the right thing, and try and get rid of the motive for drug dealing in

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the State of Illinois. And I move for adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will not.

SENATOR GEO-KARIS:

Will he or will he not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Now, there's a -- is this the First Conference Committee Report? Is this the First Conference Committee Report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

This is the First Conference Committee Report, just as the board reads.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will you please tell me - you not only have receded from Senate Amendments 3 and 8, but you also say in this Conference Committee Report that you're also deleting Section 11 of the bill, and I'd like to know what Section 11 of the bill is that you're deleting now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

All that does is change the location of the effective date of

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the bill. It doesn't make any substantive change at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

That is not true, Senator Marovitz. I'm appalled that you would say something that's not so. I've got the bill right here. Now let's be honest with each other. If I'm wrong, I'm going to apologize to you, but I'm getting Section 11 right now to see what's what on this thing. (machine cutoff) You are deleting all the venue provisions, aren't you? When you deleted Section 11, in addition to deleting Sections -- Amendment 3 and 8?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Your staff and our staff are going to check, because it's just a question of numbering, I think. Your staff is not certain. My staff isn't certain, 'cause numbers were changed in various amendments, so we're going to check. If you have another question, but let me reiterate what I said. This bill is not going to be presented to you with any venue change whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Then I suggest you take it out of the record till you find out what you've really done to this darn bill, because you want us to support this bill. You're telling us -- you're intimidating our candidates if they don't support them, when you know this bill is faulty the way it is. And I'll tell you right now, Senator, I told you, I voted for this bill and then you conveniently found out that you didn't want those amendments in there, so you had them knocked out in the House. Well, I'll tell you, you weakened the bill to begin with. Now, if you weaken the venue provisions,

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you're not giving us a fair bill. And I don't care what you want to say. You can intimidate me all you like. Go back to Lake County and say I didn't support your rotten bill, 'cause it's rotten the way it is. You have not kept faith with us completely.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen. I beg your pardon. Senator Marovitz.

SENATOR MAROVITZ:

May -- there's a point of information, and I think that the Body ought to be very clear. Senator Geo-Karis has just been handed the correct amendment, so, in fact, no venue provisions have been removed from the bill. The numbers are correct and the bill is as was stated, and I will accept you apology.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate. If I'm wrong, I apologize, but I'll tell you, when you start saying you're going to take the profiteering out of the bill, you know very well we already have Statutes on the books right now that take the profiteering out of drug profiteers. You know it and I know it. This bill is not perfect, but if we don't vote for this bill, we will be perceived as we're helping the drug traffickers. Well, I hate drug traffickers. In fact, I wish they would do like they do in Singapore and Malaya. Well, they don't get another chance. They're dead if they're trafficking drugs. However, I'll tell you right now. I hope that the Governor will use his amendatory veto and make this bill stronger, because you sure have weakened it when you took out Amendments 3 and -- particularly Amendment 3, which was the one that says, if there's felony murder in the course of investigation, there it is. So let's hope that the Governor will use his amendatory veto wisely, but I don't see

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why you didn't perfect this bill before you brought it to us. I still feel it's -- it's not the best bill, even though I'm going to probably vote for it and gag on it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. No demonstrations, please. Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, I am going to reluctantly support this too, even though I am convinced, like a lot of my colleagues, at least on this side of the aisle, that it's not as strong as it should be, as a result of having receded from the amendment that we discussed a while ago, and as a result of our being unsuccessful in including the other two amendments relating to wiretap authorization and official misconduct. But let me just say that I am -- that I am really very concerned about the Attorney General's approach to this whole issue. Not only is he a newcomer on the scene of the anti-drug fight after some seven years in office, but if you look, as I -- as I did for the first time today, at the -- at the fiscal note that he filed, he suggests that he's going to be able to handle the responsibilities vested in him by this legislation by taking twenty lawyers from other parts of State Government, and turning them overnight into drug prosecutors. He says that, "There are four hundred lawyers on the State payroll who cannot practice in the courts because they are not in the Attorney General's Office... I propose to take twenty of those lawyers and assign them within the Attorney General's Office to a Drug Abuse Task Force which will coordinate the fact-finding presentation of evidence to the Statewide Grand Jury and follow-up prosecution under the Drug Forfeiture Act. These twenty lawyers will be able to handle one thousand drug cases a year." Who is he trying to kid? He's going to take twenty lawyers - he's going to take some lawyer from the Illinois Arts

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Council and the Department of Mines and Minerals, and send them unarmed out to do battle against drug traffickers and drug profiteers who are preying on our citizens? Let's get serious, folks. If he really -- if he really strongly believes in this legislation, let him come before us and tell us that he wants the money that will give him the tools to actually do this job. This is -- this is really pretty darn ludicrous, but like Senator Geo-Karis before me, I have some confidence in our Governor, that he will put this legislation in the form which all of us, I hope, will feel more comfortable in supporting it, and then I think the focus will be on the other side of the aisle to see -- to see whether they are really concerned about the drug problem and whether they will then support this legislation. But for now, I will support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, -- Senator Rock.

SENATOR ROCK:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz may close. There were no additional speakers.

SENATOR MAROVITZ:

I would just solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on House Bill 1487. 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? Senator Rock. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does adopt the bill -- I'm

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sorry. The bill -- the Senate does adopt the First Conference Committee Report on House Bill 1487, and the bill, having received the required constitutional majority, is declared passed. (machine cutoff) Conference Committee Reports on Supplemental Calendar No. 7. There are two conference committees on Supplemental Calendar No. 7. Senate Bill 136, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 136.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This previously passed as House Bill 1-9-2-6. What it does is to extend the notice and public hearing requirements of the Truth in Taxation Act to a taxing district whose levy exceeds by one hundred and five percent the extension of the final aggregate levy from the preceding year. It also requires collections from counties utilizing electronic data processing equipment to add to property tax bills the dollar amount of the taxes due, which is allocable to taxes levied under the Illinois Pension Code or to any other taxes levied by a municipality or township for public pension or retirement purposes. This also decreases the Annual Privilege Tax on coin-operated amusement devices to fifteen dollars from twenty-five dollars annually, and provides for a half-year licensing cost, eight dollars. It exempts forest preserve district property from taxation in counties with a population of less than three million, and it increases the annual per capita grant and the annual area grant to cooperative public libraries -- public libraries and multi-type libraries from 1.38 to 1.5313 and from 48.739 to 54.03.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Rigney.

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SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

Indicates he'll yield.

SENATOR RIGNEY:

Do we still have in there the language about requiring county treasurers to list pension costs for every tax unit in the -- in the county?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T. DUNN:

I -- I'm sorry. I heard the first part. Would you repeat it?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Rigney, would you repeat your question, please?

SENATOR RIGNEY:

Well, as I understood it, there was language at one time in this thing that said that the county treasurer would have to make a breakout of all the pension costs for all the various units of -- of government, you know, for every township, every school district, every fire district. That's still in there. I'm sorry about that. I -- I think that is cumbersome, to say the least. I think it's going to be quite a burden on our various county treasurers to try to assemble that kind of information, and furthermore, I don't think it's even -- should be the treasurer's job.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he'll yield.

SENATOR DeANGELIS:



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Senator Dunn, is there an appropriation somewhere for that library grant?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T. DUNN:

Yes, there is, and the formula has been changed to correspond to it.

PRESIDING OFFICER: (SENATOR LUFT)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I know that's what you're doing here, but is there appropriation somewhere to cover this?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T. DUNN:

Yes. It's over two million dollars.

PRESIDING OFFICER: (SENATOR LUFT)

Senator DeAngelis.

SENATOR DeANGELIS:

I no speaka da English. Where?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T. DUNN:

I'm informed it's in the approp bill. If you'll wait a second, I'll give you the specifics.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I guess my question would be to Senator Netsch, because my analysis refers to language from House Bill 1926, which amends the Truth in Taxation Act to define the aggregate levies and change notice requirements, and further is

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says that the amounts due to pension costs be listed separately on each tax bill. I'd like to have that explained, if I -- if I may, please.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Netsch, would you like to explain? Senator Dudycz, would you --

SENATOR DUDYCZ:

Yes. Yes. I'm referring to a portion of the Conference Committee regarding your bill, Senator Netsch. House Bill 1926, amending the Truth in Taxation Act, defining the aggregate levies and the change notice requirements, and also the part that requires the amounts due to pension costs to be listed separately on each tax bill. I don't understand that. Could you elaborate for me?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Netsch.

SENATOR NETSCH:

If I heard your question correctly, are you referring to language at the bottom of Page 9 of the Conference Committee Report?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dudycz.

SENATOR DUDYCZ:

Well, I'm referring to what the analysis states, that it -- that the Conference Committee language restores -- or it restores language from your bill, 1926, which amends the Truth in Taxation Act, defining the aggregate levies and change notice requirements. Now if you want, we can look at the Section, but it specifically refers to your bill. I just would like an explanation of it.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Netsch.

SENATOR NETSCH:

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You talked about two separate things, but I think that if it's the bottom of Page 9, that was an amendment that was originally added in the House to the Truth in Taxation bill, which we passed out of here and we eventually concurred in it, and it is now part of this. And basically what it does is to try to let the taxpayers know that part of their tax levy for the units of local government that is attributable to pension costs, and it requires that to be pulled out and listed on the tax bills. I think that's the part to which Senator Rigney was referring also.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he will yield.

SENATOR WOODYARD:

The question is, in the provision regarding placing the -- the pension fund on the tax bill or that Truth in Taxation, is there any provision in the -- in the Conference Committee Report that exempts State Mandates Act from reimbursement -- for reimbursement at the counties for doing this? It seems the County Clerk's Association and several other associations of local government are concerned about the cost of breaking -- breaking that out.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T. DUNN:

There is no exemption.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Woodyard.

SENATOR WOODYARD:

Thus -- would it be your legislative intent, if there is additional cost to the local units of government, that the State

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would reimburse the counties thus, for that additional cost in breaking out the pension funds to be able to place -- be placed on a tax bill?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T. DUNN:

That's fair. That's my intent.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR LUFT)

Sponsor indicates he'll yield.

SENATOR JACOBS:

Senator Dunn, I guess I'm a little confused here and just -- I know you can straighten me out. On the amusement device fees on Page 3. There -- it currently states a privilege tax of fifteen dollars, crossing off twenty-five, and then a privilege tax of eight dollars, crossing out thirteen. Is that a reduction from what is already in -- in place, or is that a reduction from what it was going to be raised to?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Dunn.

SENATOR T. DUNN:

Yes, it's a -- it's a reduction of what's in place.

PRESIDING OFFICER: (SENATOR LUFT)

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

SENATOR T. DUNN:

I urge a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

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All right. The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 136. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Madam Secretary. On that question, the Ayes are 47, the Nays are 6, 2 voting Present, and the Senate does adopt the Conference Committee Report on Senate Bill 136. The bill, having received the required constitutional majority, is declared passed. Conference Committee Reports, Senate Bill 1072. Senator Jones. Read the motion, please, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 1072.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. Would you kindly take this out of the record temporarily. We are awaiting a Corrected Conference Committee Report.

PRESIDING OFFICER: (SENATOR LUFT)

Take -- we'll take this out of the record temporarily. 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 recede from their Amendments 1 and 2 to a bill of the following title, to wit:

Senate Bill 1402.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Berman moves to accede...(machine cutoff)...for a First Committee on Conference. Thank you, Senator Berman.

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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 adopt the First Committee -- the First Conference Committee Report on Senate Bill 487. I request a Second Committee of Conference to consider the differences between the two Houses in regards to Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft moves that the Senate accede to the request of the House. Message from the House.

SECRETARY HAWKER:

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

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

Senate Bill 1096 with House Amendments 1, 2, 4 through 11, 13, 14 and 17 through 20.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk. All right. Supplemental Calendar No. 7. Supplemental Calendar No. 7. Senator Jones, on Conference Committee Reports is Senate Bill 1072, Madam Secretary.

SECRETARY HAWKER:

Senate Bill -- pardon me -- Second Conference Committee Report on Senate Bill 1072.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. President and Members of the -- of the Senate. Senate Bill 1072, Second Corrected Conference Committee Report, the language that dealt with the raffles has been removed out of the bill and all the Conference Committee Report contains is the language to take care of those persons for social workers

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who fell between the cracks as far as them -- those persons who applied to take the examination for social workers and it would deny. Also the cleanup language that the -- through the Governor's amendatory veto act on the land sale registration. All that's incorporated in the bill, in the Conference Committee Report, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Let me just ask you a simple question. On this bill, we just had Land Sales Act, are you referring really to the real estate brokers' licenses or what have you that are necessary?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

No, it doesn't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What's the purpose of it? That's all I'm asking.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, this is the License Act, under the Department. It -- it doesn't have anything to do with license brokers as such. This is the legislation that you have, you know, voted for, but the Governor, through his amendatory veto - if we acted on that, then we would go six months with the -- persons in Land Sales Act,

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being not licensed as such. So, therefore, that's the reason why we had to do it in the Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR FAWELL:

How about putting the heat on? I'm freezing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we've only got a couple matter left. I'm hoping we can expedite. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. For the Members on this side, this is the bill that earlier had the change in the raffle provisions for political parties. That has now been taken out of the bill. The other issues that are in the bill are agreed upon, and I would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the Second Corrected Conference Committee Report on Senate Bill 1072. 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 Senate does adopt the Second Corrected Conference Committee Report on Senate Bill 1072, and the bill, having received the required constitutional majority, is declared passed. Supplemental -- Supplemental Calendar No. 7. I beg you pardon. It's No. 8. Supplemental Calendar No. 8. Senate Bill 1096, Madam Secretary.

SECRETARY HAWKER:



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House Amendments 1, 2, 4 through 11, 13, 14 and 17 through 20 to Senate Bill 1096.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in all the -- all the amendments that were stated by the Secretary. I'm seeing these amendments for the first time, most of them, so what I'm going to do is to read through them, tell you who the House sponsor of the amendment was, and give a very brief description. So if there's any questions, we'll come back to that. Amendment No. 2 was the original bill. That was a bill that was introduced by the Chamber of Commerce, and it was a -- an accountability bill - links the performance and budgeting process. That passed out of this Body without, I believe -- no dissenting votes. Amendment No. 4 was Representative Capparelli. Amends the Build Illinois Act to include the Metropolitan Pier and Exposition Authority. It adds the Metropolitan Pier and Exposition Authority to those agencies, boards and entities of State Government authorized to expend appropriations under the Build Illinois Act. Amendment No. 5, by Representative Breslin, amends the State Salary and Annuity Withholding Act and the State Employees Group Insurance Act. It includes State contractual employees among those for whom payroll deductions are permitted for the purchase of U.S. Savings Bonds. Amendment No. 6, Representative Bowman, requires that the Governor introduce an appropriation bill containing his recommendations for elementary and secondary and higher education, and requires that all Governor's budget bills be introduced not later than the day of submitting his budget recommendations, rather than two Session days after. Representative Turner is Amendment No. 7. The Trust Fund may be used - this is the Affordable Housing Act. The Trust Fund may be used to make grants

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for the provisions of technical assistance, outreach, and building an organization's capacity to develop affordable housing. Amendment No. 8, Representative Dunn, allows in-house attorneys to maintain an action for retaliatory discharge. If we come back to that, my assumption is that Senator Berman will explain that. That is Amendment No. 8. Amendment No. 9, Representative Wolfe, removes five hundred and seventy-five thousand limit on building construction by the State Universities Retirement System, and authorizes the sale of bonds to finance a new SURS building. I don't know what SURS is, to be honest with you. State Universities Retirement System building. Let's see. I -- I should read you a little bit more on this one, because it removes the five hundred and seventy-five -- it authorizes an issuance of ten million dollars of bonds to finance the building that I talked about earlier. Okay. That's it. Amendment No. 10 is Representative Parke. Allows management personnel to participate in the State Employees Suggestion Award Program. No. 11, Representative Giorgi. The Lottery law amends and this -- the Lottery -- for Lottery games involving the purchase of a Lottery ticket, prizes may be claimed only by a presentation of a valid Lottery ticket. It's my understanding that a court case -- in a court case, it was declared that someone could get a prize without the ticket. Don't ask me how. Amendment No. 13, Representative Cullerton, establishes a health subsidy of fifty percent of the premiums for annuitant in county health plans, subject to certain maximums. I think that is the same amendment we passed out that Senator Rock offered on another bill. No. 14, Representative Cullerton, extends sunset date from 7/1/90 to 7/1/92 on a provision which allows employees to establish additional benefits by making optional extra contributions. No. 17, Representative Homer, that is the same one that we passed out of here twice for the civic centers, which allows them to go over the twenty million dollars. No. 18 is

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Representative Cullerton. It's the Chicago Firefighters Article, the Pension Code, corrects and makes retroactive to 1/1 language enacted last summer, increasing minimum retirement annuities from four hundred to four hundred and seventy-five per month. Annual cost of fifty thousand nine hundred and fifty-six dollars. And Amendment No. 20, Representative Cullerton, amends the Chicago Firefighters Article again. Corrects and makes retroactive to 1/88 language enacted last summer increasing minimum retirement annuity from four to four seventy-five per month, and deletes the provision enacted last summer to allow a coordinator of physical fitness at Chicago Police Department to join the Police Fund. I would now attempt to answer any questions or artfully dodge them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. After listening to that long discourse, I think I remember way back, in another lifetime, when Senate Bill 1096 was nothing more than a proposal of the State Chamber of Commerce that Senator Luft and I were trying to pass. It dealt with accountability at that point, and I think that a Committee Amendments 1 and 2 or the Amendments 1 and 2 still deal with that, but with all of the other things added, I just don't particularly like this particular part of the process, and I would ask leave of the Body to remove my name as a sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra seeks leave to be removed as a sponsor. Is leave granted? Leave is granted. Further discussion? Senator Rea.

SENATOR REA:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Sponsor indicates he will yield. Senator Rea.

SENATOR REA:

Senator Luft, on Amendment 5, is that the same as the IEA had introduced on the community colleges?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- I'm sorry. Senator Luft.

SENATOR LUFT:

Yes. It is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

One question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he --

SENATOR BARKHAUSEN:

Senator Luft, do I -- I gather from --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hold on -- hold on. Pardon me. Senator Luft.

SENATOR LUFT:

Please -- would you please take this bill out of the record?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. (machine cutoff) We'll go to the Order of Resolution. Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution 107 offered by President Rock.

(Secretary reads SJR 107)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. For everybody's information, we are only awaiting copies of House Bill 1211, which is the Supplemental that the Governor

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and many of us are interested in. And so I would move the -- move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 107, which is the Adjournment Resolution, and as soon as we conclude the Supplemental, I will move to adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, you can't have -- Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I don't object to it. It just occurs to me by the time the bill comes in, it might be 12:01, and you might want to say Friday, don't you?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the -- to -- for -- to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 107. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution 107. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Joint Resolution 107 is adopted. (machine cutoff) All right. If you will -- Supplemental Calendar No. 9. Supplemental Calendar No. 9 is House Bill 1211, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1211.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- all right. Was there leave for Senator Carroll -- Senator Carroll.

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SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1211 is the FY'90 Supplemental Appropriation for fall of '89. I know that copies of the script have been circulated. Want to thank not only Senator Hall, but Senator Etheredge and Senator Maitland, for the effort put in to try and put together a supplemental appropriation that allows us to live within our fiscal constraints. This would appropriate in total, some one hundred forty-one million of General Revenue Funds and ninety-four million from other funds, about half of which were requests of the Governor, and half of which were legislative priorities of various kinds. It is a two-hundred-page piece of legislation. I think everyone has read the content, at least those parts in which each Member were most interested in. Let me just identify as we do in June. Excuse me. Based on the Revenue estimates, absent this legislation, the available balance on June 30th would have been three hundred seventy-one million dollars in General Revenue Funds. Should the Governor sign each of these bills into law, that would leave us an available balance of two hundred thirty million dollars. Twenty million dollars under that which his March budget book suggested was a safe level, and clearly within the available revenues of the State of Illinois. This provides the funding for many of the agencies of State Government as asked for by the Chief Executive, as well as, as we've said, priority items of the General Assembly in most areas of State Government. Rather than go through the detail, I would be available to attempt to answer questions. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1211. Those in favor will vote Aye. Those opposed, Nay. The voting is

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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 41, the Nays are 12, 2 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1211, and the bill, having received the required constitutional majority, is declared passed. Madam Secretary, have there been any objections or additions to the Resolutions Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Resolutions Consent Calendar has been passed out, on your desks. Senator Berman moves the adoption of the Resolutions Consent Calendar. All those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. All right. Introduction of bills.

SECRETARY HAWKER:

Senate Bill 1488 offered by Senators Luft, Weaver, Jacobs, Barkhausen, Zito and Keats.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules Committee. All right. Can we have -- the Senate will come to order. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Allow me just for a moment -- I've just spoken with the House. A little earlier this evening we had quite a heated conversation with the House, when they were prepared to adjourn. We -- Senator Philip and I strongly suggested they ought not do that. They have not done that, obviously. As a matter of courtesy, I called them and told them we had effectively concluded our business. They have

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asked - I might say both leaders have asked - that 1096 be run, one amendment at a time. There are some they're interested in, there are some they are not interested in. All right. That will afford them the opportunity to recede from what we don't like. I told them as a matter of courtesy, we would do that, so with leave of the Body, I would like to do 1096. Then we have a death resolution for one of our former Members, and we are effectively concluded. I have asked Senator Luft if he would, to please call 1096. Take it one amendment at a time, and let's do the best we can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll return to Supplemental Calendar No. 8. On the Order of Concurrence, on Supplemental Calendar No. 8, is Senate Bill 1096, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1096.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I would move to concur in House Amendment No. 1. House Amendment No. 1 is eliminated by House Amendment No. 2, so if we would just concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft has moved that the Senate concur with House Amendment 1 to Senate Bill 1096. I assume -- all those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 -- you have to have a roll call. All right. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1096. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44 -- 46, the Nays are 1, none voting



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Present. The Senate does concur with House Amendment 1. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate adopt Amendment No. 2 to Senate Bill 1096. This is the Chamber of Commerce provision that went out originally on 1096. Requires that in July of 1992 and for each fiscal year thereafter, the budget shall include the performance measures of each department's accountability report and the budget advisory panel's findings and recommendations. I would move for the adoption of the amendment, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Luft, does the bill also -- the amendment also create a division of minority and female employment opportunity in the Department of Labor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Luft may close.

SENATOR LUFT:

Senator Schaffer -- Senator Schaffer, your analysis may read that, but I am told that the corrected copy of the amendment does not include the provision that you just stated. That's what I'm told.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendment 2 to Senate Bill 1096. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted

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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 Senate does concur with House Amendment No. 2. Senator Luft.  
SENATOR LUFT:

Thank you, Mr. President. I move for the adoption of Amendment No. 4. This amendment amends the Build Illinois Act to include the Metropolitan Pier and Exposition Authority. It adds the Metropolitan Pier and Exposition Authority to those agencies, boards and entities of State Government authorized to expend appropriations under the Build Illinois Act. I'd move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate concur with Amendment No. 4 to Senate Bill 1096. 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 39, the Nays are 14, 1 voting Present. The Senate does concur with House Amendment 4 to Senate Bill 1096. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move for the adoption of House Amendment No. 5. House Amendment 5 was offered by Representative Breslin. It includes State contractual employees among those for whom payroll deductions are permitted for the purchase of U.S. Saving Bonds. Amends the State Employees Group Insurance Act to include in the definition of a retired employee any public community college employee who is receiving a retirement annuity or disability benefits. I'd move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

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A question of the sponsor, if I may. Are retired college -- community college employees that you would like to put in the insurance program, do they include former board members?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I -- I don't -- I'm not certain that a board member would be categorized as an employee, unless that board member was designated as an employee in the -- by the community college.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Well, there are currently community colleges in the State whose board members are participating, for whatever reason and under whatever circumstances, in the insurance programs of those community colleges. Therefore, would those people, if they either lost during an election or retired and were no longer on the board, would they fall under this provision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

We believe that if they buy in, they may qualify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, it occurs to me that there are potentially thousands of retired community college employees that are now going to be added to the State Employees Group Medical Program. Who's paying the premiums? Is the State paying it? Are the community colleges paying it? Are the retired employees paying it, and what are the cost implications of what we're doing here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Luft.

SENATOR LUFT:

I don't have an answer for that, Senator Schaffer. Let me tell you the definition in the bill. It says that, "Such term also includes a retired employee of any public community college organized pursuant to the Public Community College Act who is receiving a retirement annuity or disability benefits under Article 15 of the Illinois Pension Code."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. We're being asked at this final hour to approve a measure that's been kicking around this Legislature for several years, that has supporters and it has people who are opposed to it, but I think, unless we know who's going to pay for this benefit, we surely shouldn't oppose this -- or shouldn't approve this matter at this late date. Let's delay it. We can do it in the spring, when we know what the implications of the -- of the matter are. I think we should not approve this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. I'm not sure that I can shed any light on this, because I'm not sure this is the identical language that this Body passed out of the Senate as Senate Bill 145 in 1987. The House killed it. We passed it again this year in whatever that was, 2369 or something like that, and due to -- to the provision that the Governor amendatorily vetoed in changing an effective date, we couldn't get the bill back. This is the only place that this bill is at the present time, and what it does, it opts the retired community college

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teacher into the -- to the Retired Health Insurance Program. The cost -- the last cost figures I had on this thing was around three and a half, four million dollars. It puts them into the bargaining position by Central Management Services, the same as all of the other university retirees are. As I say, the Governor had signed this bill and the only -- or I'm sorry. He amendatorily vetoed only the -- the effective date, and -- and whether that sheds any light on it, whether this is identical to that, I don't know, but we certainly have passed this on several occasions, and I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I'm told that Senator Woodyard is absolutely correct, and that trustees do not get paid, therefore, they cannot get pensions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of -- of this amendment. I think Senator Woodyard clarified the situation. All we're trying to do here is to extend the same benefit to community college retirees that is now enjoyed by retirees from our State universities. This is the same bill that -- that went to the Governor's Desk. The Governor -- Governor decided to change the effective date by six months, and because of that change, and because it got held up in the House rules, we're dealing with it in this form, but we've passed this once. Let's pass it again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman for --

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm sorry to -- to rise a second

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time, but I think the problem with -- with this is, that -- that nobody really knows what's in this amendment. At least the sponsor has indicated that he doesn't know who's going to pay for these benefits, and that's key to the whole issue. Now, there is another bill that has already passed the Legislature that will allow the employees and retirees of all units of local government to buy health insurance for their employees from the State, but that program is not yet set up and going. So I don't see that there's any problem in delaying it at this time, until at least we know who's -- who's required, by this bill, to pay the cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I just want to also stand in favor of this amendment. I would agree with Senator Woodyard and that -- Woodyard, that this strictly gives us an even playing field and -- and, you know, we just passed a couple amendments that went through very easily that are going to do more than this. We're going to have some more on this bill, they're going to do more than this, and I just think it's a good bill and we should pass it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LUFT:

Only to point out, Mr. President, that this is the identical language, I am told, to House Bill 2369, which the Senate passed 59 to 0. There is an appropriation of two and a half million dollars. The money is being spent presently, I am told, so I would move for the adoption of the amendment, and hope that everyone would support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Question is, shall the Senate concur with House Amendment 5 to Senate Bill 1096. 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 48, the Nays are none, none voting -- I'm sorry. On that question, the Ayes are 48 Yeas, no Nays, 5 voting Present. The Senate does concur with House Amendment 5. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would hope the Members would recognize that I'm seeing these amendments for the first time also. They just got here from the House, but I would move that we adopt Amendment No. 6, which was offered by Representative Bowman. It requires that the Governor introduce an appropriation bill containing his recommendations for elementary and secondary and higher education. Requires that all Governor's budget bills be introduced not later than the day of submitting his budget recommendations, rather than two Session days after. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Luft has -- the question is, shall the Senate concur with House Amendment 6 to Senate Bill 1096. 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 47, the Nays are 5, 1 voting Present. The Senate does concur with House Amendment No. 6. Senator Luft.

END OF TAPE

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SENATOR LUFT:

Thank you, Mr. President. I move for the adoption of Amendment No. 7, which is offered by Representative Turner. It amends the Affordable Housing Act. Allows the Trust Fund to be used to make grants for the provision of technical assistance, outreach, and building an organization's capacity to develop affordable housing projects. I would move for the adoption of Amendment No. 7 to Senate Bill 1096.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate concur with House Amendment 7 to Senate Bill 1096. 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. The Senate does concur with House Amendment No. 7 to Senate Bill 1096. House Amendment No. 8. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move for the adoption of Amendment No. 8, and ask that Senator Berman make the explanation on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is the bill similar to Senate Bill 13 that we have passed twice already in this Body, dealing with the right of retaliatory discharge for the attorneys -- in-house attorneys that are fired because of failure to break the law. The only difference in this one from the previous forms was to clarify that it does not apply to municipal law departments or to corporate -- to self-standing law firms. I solicit your Aye



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vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Berman has moved the -- the question is, shall the Senate concur with House Amendment No. 8 to Senate Bill 1096. 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 38, the Nays are 12, none voting Present. The Senate does concur with House Amendment No. 8. House Amendment No. 9. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I move for the adoption of House Amendment No. 9, offered by Representative Wolf. The amendment removes the five hundred and seventy-five thousand dollars limit on SURS spending for building construction. It authorizes SURS to issue bonds to finance any project, provided no more than ten million in bonds is outstanding at any time, and prohibits use of employer contributions to the State appropriations to pay the bonds. And the bonds do not constitute an obligation of State debt. I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator -- Senator Schuneman.

SENATOR SCHUNEMAN:

...(machine cutoff)...Mr. President, in an earlier discussion with the Minority Leader, he indicated that no one ever talked to him about this project, which involves the State Universities System having authority to issue bonds up to ten million dollars to build or refurbish an existing structure, and indicated his opposition to this proposal at this time. So you should know that what this does is authorize bonds to the University Retirement System - ten million dollars. Apparently, there's no agreement on it.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Luft may close.

SENATOR LUFT:

I would just move for the adoption of the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendment No. 9 to Senate Bill 1096. 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 24, the Nays are 26, 2 voting Present. The motion with respect to concurrence on House Amendment 9 fails. Senator Luft, on Amendment No. 10.

SENATOR LUFT:

Thank you, Mr. President. I'd move for the adoption of House Amendment No. 10, which was sponsored by Representative Parke. The amended is the amendatorily veto version of House Bill 2123, which was sponsored by Senator Davidson and Representative Parke. It failed in the House by a 54 to 1 vote after having been determined to be in noncompliance. The Governor removed a portion of the bill concerning prompt payment of claims by administrative service organizations that administers self-insurance health plan. I'd attempt to answer any questions. Otherwise, I'd move for the adoption of Amendment No. 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 10 to Senate Bill 1096. 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 47, the Nays are 3, none voting Present. The Senate does concur with

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House Amendment No. 10. Senator Luft, on House Amendment 11.

SENATOR LUFT:

Thank you, Mr. President. House Amendment No. 11 offered by Representative Giorgi amends the Lottery Law. It simply states for Lottery games involving the purchase of a Lottery ticket, prizes may be claimed only by presentation of a valid Lottery ticket. It prohibits honoring of claims which are based on the assertion that the ticket was lost or stolen. The Lottery ticket cannot be a winning ticket if it is altered, mutilated, or fails to pass validation tests. Attempt to answer any questions. Otherwise, I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen. Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

These amendments are obviously coming pretty fast and furious at this point. I know we dealt with what sounds like a similar provision in, I believe it was Senator Netsch's bill awhile ago. Is this identical to the earlier legislation we passed sponsored by Senator Netsch? And if so, do we really need to pass this as well?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes. It is identical.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Maybe Senator Netsch or Senator Luft could tell us whether the

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earlier legislation is already on its way to the Governor's desk at this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

We passed it. I have no idea what happened to it after left the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Simply suggest that maybe nineteen amendments on this bill will be enough, and perhaps we don't need this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is -- Senator Luft, do you wish to close? The question is, shall the Senate concur with House Amendment 11 to Senate Bill 1086 -- 1096. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 25, none voting Present. The -- the Motion to Concur fails. Senator Luft, on Amendment No. 13. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 13, offered by Representative Cullerton, is a duplicate amendment that we passed out on 158, which established a health insurance subsidy of fifty percent of the premiums for the annuitants in county health plans, subject to certain maximums. I would only suggest that if we're going to kill these amendments that we think are duplicative, we better have made sure that they passed in the House. Otherwise, like on the last amendment, you just fouled up the whole Lottery system for the State of Illinois. So I would move that -- for the

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adoption of Amendment No. 13 to Senate Bill 1096.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor, and perhaps this isn't fair to ask -- a question that you can answer, Senator. But for the record, we would like to know, since this provision would authorize the payment of health insurance premiums out of the Pension Fund money for the employees of Cook County, if you or someone from your side of the aisle can -- can indicate whether or not this has the approval of the Cook County Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I'm told by the highest authority that it has the approval of the Cook County Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- Senator Schuneman.

SENATOR SCHUNEMAN:

Well, unless he wants to name the highest authority, I think there might be a little discussion about that. Well, Mr. President, I think that is correct, and that's my understanding, too, that the -- the Cook County Board has agreed to this provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall the Senate concur with House Amendment 13 to Senate Bill 1096. 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 36, the Nays are 10, 1 voting Present. The Senate does concur with House Amendment No. 13. House Amendment 14. Senator Luft.

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SENATOR LUFT:

Thank you, Mr. President. This Amendment No. 14 was sponsored by Representative Cullerton. It amends the Cook County Article of the Pension Code, and extend -- it extends sunset date from 7-1-90 to 7-1-92 on provisions which allows employees to establish additional benefits by making optional extra contributions. I'm told there is no cost to the System.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, do you know, again on this one, does the Cook County Board agree with this provision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I'm sorry, Mr. President, I have --

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman, would you restate the question, please?

SENATOR SCHUNEMAN:

Does the Cook County Board agree with this provision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I'm told the answer to that question is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Schuneman.

SENATOR SCHUNEMAN:

This appears to be a window of opportunity for probably one employee. And I would tend to agree that the cost probably is low. The question, I guess, is whether we ought to do it for one employee.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendment 14 to Senate Bill 1096. 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 41, the Nays are 9, none voting Present. The Senate does concur with House Amendment 14. House Amendment 17. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This is Representative Homer's amendment that I had him put on. We put it on a bill that has now passed the House and is on the Governor's desk. So you can do with this whatever you wish.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall the Senate concur with House Amendment 17 to Senate Bill 1096. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 18, 1 voting Present. The Senate does...(machine cutoff)...all right. The -- on that question, the Ayes are 34, the Nays are 18, 1 voting Present. The -- the fails -- Senate fails to concur with House Amendment 17. House Amendment 18. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Amendment 18, offered by Representative Cullerton, corrects language in a bill that was passed here last spring, I'm told. It makes retroactive to January 1, 1988, language enacted, as I stated, last summer, increasing the minimum retirement annuity from four hundred to four hundred and seventy-five per month at an annual cost of fifty thousand dollars -- fifty thousand nine hundred and fifty-six dollars. I'd move for the adoption of the amendment.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

We agree.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- question is, shall the Senate concur with House Amendment 18 to Senate Bill 1096. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does concur with House Amendment 18. All right. Senator Luft, on House Amendment 19. Senator Luft, on 19. 19. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This, too, is an amendment that Representative Homer offered, that has already passed the Senate, passed the House, and is on the Governor's desk. So whatever we wish to do. It had to do with civic centers exceeding the twenty-million-dollar cap.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson. All right. Question is, shall the Senate concur with House Amendment No. 19 to Senate Bill 1096. 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 32, the Nays are 6, 1 voting Present. The motion with respect to concurrence, fails. Senator Luft, on Amendment No. 20 -- House amendment.

SENATOR LUFT:

Thank -- thank you, Mr. President. Amendment No. 20, offered by Representative Cullerton, is the same as Senate Bill 18, which was the corrective language on the minimum retirement. The only



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difference is that this also deleted provisions enacted last summer to allow a coordinator of physical fitness at the Chicago Police Department, who is a civilian, to join the police fund. It also exempts this provision from the State Mandates Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Brookins.

SENATOR BROOKINS:

Senator Luft, would you repeat that explanation again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Amendment No. 20 corrects the maxim <sic> and makes retroactive to January 1, 1988, language which was enacted by this Legislature last summer, which increased minimum retirement annuities from four hundred to four hundred and seventy-five per month for the Chicago firemen, which had a total cost of fifty thousand nine hundred and fifty-six dollars. It also deletes provisions in that legislation enacted last summer which allowed a coordinator of physical fitness at the Chicago Police Department, who was a civilian, to join the police fund. It also exempts this provision from the State Mandates Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

It deletes that civilian -- civilian. Is that correct? Take them out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR BROOKINS:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

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SENATOR SCHUNEMAN:

Simply to point out to our Members, Mr. President, that the provision in this amendment that exempts these Chicago pension funds from the State Mandates Act is important to us, because we don't want to see the State having to pay for these particular pension benefits. So I would urge your adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt House Amendment No. 20. 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 47, the Nays are 4, none voting Present. The Senate does concur with House Amendment 20 to House <sic> Bill 1096. All right. ...(machine cutoff)... On that question, then, the Senate does concur with House Amendments 1, 2, 4, 5, 6, 7, 8, 10, 13, 14 and 18 and 20, and nonconcur...(machine cutoff)...and nonconcur with House Amendments 9, 11, 17 and 19.

END OF TAPE

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Supplemental Calendar No. 10. Senator Geo-Karis, you might be right. Supplemental Calendar No. 10 is House Bill 1548, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1548.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

If you want to ask questions for ten minutes, be my guest.  
House Bill --

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PRESIDING OFFICER: (SENATOR DEMUZIO)

This is the time for filibusters. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. First Conference Committee Report on House Bill 1548 does two things. The first part -- on the first part of the bill -- I could read this line by line. On the first part of the bill, it addresses the provision regarding the eligibility for a particular student that is now nineteen years of age, would otherwise not fall within the guidelines of the Illinois High School Association's requirements. But this bill, being narrowly drawn, addresses a particular problem that Representative Brunsvold has in his district. It has an effective date of January 1 or the -- the -- the requirement is effective January 1, and sunsets on July 1 of 1990. The second part deals with the Chicago Reform Act and the nominating commission which is empowered to make recommendations to the Mayor of the City of Chicago for the permanent school board that will take place next year. If you recall in the original bill that we passed, Senate Bill 1840, we had a nominating commission in which one person came from each of twenty-three districts, which were three high school districts and twenty elementary districts, so that you had twenty-three representatives from the communities throughout the City of Chicago, and five nominees or five members appointed by the Mayor, for a total of twenty-eight. Since the time that we passed that bill, the interim school board has reduced a number of school districts. This bill is to recreate the same number of members on the nominating commission, through a process of two for every elementary district and three from each high school district, so you still will have twenty-three people from the community and five from the Mayor's office, for twenty-eight. And if you'd like, I'll take you all through that all over again. I'll be

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happy to respond to questions. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank goodness, there are a number of speakers. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Well, Senator Berman, you certainly must have said some thought-provoking things, because you've turned on all kinds of lights over on this side of the aisle. I only rise as the Minority Spokesman on Education to say that we have reviewed the language dealing with Chicago reform, and you're absolutely correct. We ought to make these changes. And I would urge an Aye vote on Conference Committee Report, House Bill 1548.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. I -- I rise in support of -- of this report, also, because the nominating committee meets before we come back down in January, and this is something that has to be addressed. Many of the people from the communities and groups who worked very hard over the years on this school reform package, felt that the community and parents, at this point, feel that they've now been shortchanged. And so I think it is very wise, in order to make sure that the nominating committee is constructed or based on the original intent of the law, for us to take action right now to make sure that the same number of members are on the nominating committee, before they meet in December to nominate those members for the board. So I would also ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. First of all, I'd like to inform my colleagues in the Senate that there are about five minutes left -

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or according to my watch about four minutes left for a very special occasion to one of our Members. I'm not talking about the extra day stipend -- or the extra day's compensation. My seatmate here, Bob Raica, is finishing his fourteenth anniversary today. In about -- his wife is a little upset with him - he's not home - but just want to -- like to wish him a happy wedding anniversary, Bob, or whatever's left of it. Well, that took care of about a minute. But seriously, I have a question. Senator Berman, on Page 3 of the -- of the Conference Committee Report, the section -- the new section that says, "Each subdistrict council is encouraged to elect to the school board nominating commission persons who are representative of the racial and ethnic composition of the student population and the geographic distribution of that student population within the attendance centers located within the subdistrict." Could you please, you know, explain what -- to me what that means in your -- specifically in districts like yours - in your community and mine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm sorry. Senator Dudycz, would you repeat that question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

First of all, I'd like to congratulate Bob Raica on his anniversary. Second of all, Senator Berman, Page 3, -- on the new section where it says, "Each subdistrict council is encouraged to elect to the school board nominating commission persons who are representative of the racial and ethnic composition of the student population," what I'm trying to get at is are we talking about members of the local school councils - the school boards - being chosen based upon the racial population, ethnic population of the

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students, or of that particular community?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No. As I read this - and if you'll look very carefully as I'm sure you will - on lines 4 and 5 the racial and ethnic composition relates to the term "student population"; so that if in your district, for example, everyone was Asian and only one non-Asian, they would expect that an Asian would represent that district. It's the next sentence -- two sentences, lines 6 and 7, that deal with geographic distribution; so that, although you -- all of the power brokers in your district lived within your block, they don't want everybody else to be disenfranchised in the consideration of the very minute selective process that would be involved in choosing that person. So that this is a combination of both the student population representation through ethnic composition, and geographic distribution throughout the attendance centers within the total framework of the subdistrict. Do you get that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Absolutely not. I don't understand what you're talking about, Senator. What I want to know, seriously, is -- are we talking about the members of these --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Excuse me, Senator Dudycz. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I have a death resolution that I'd like to offer at 12:01, so I would move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, Senator Rock has moved the

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previous question. There are Senators Geo-Karis, Rigney, Jacobs.  
Senator Dudycz.

SENATOR DUDYCYZ:

Senator Berman, seriously, I mean, I really would like that  
answered. If you can, give me a K Mart version of what you said  
earlier.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Simply put, this is the same kind of reflective language that  
has been in the -- several positions in the original bill that we  
passed to reflect the ethnic and racial composition and geographic  
distribution throughout the districts throughout the City of  
Chicago.

MIDNIGHT

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