

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come order -- will come to order. Our guests in the gallery will please rise. Members will be at their seats. The prayer today is by the Reverend Barrie L. West, Holy City Baptist Church, Springfield, Illinois. Reverend West.

THE REVEREND BARRIE L. WEST:

(Prayer by the Reverend Barrie L. West)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that reading and approval of the Journals of Thursday, May 16th; Monday, May 20th; Tuesday, May 21st; Wednesday, May 22nd and Thursday, May 23rd, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as placed by Senator Kelly. Is leave -- those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. It's so ordered. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 44, 244, 284, 351, 352, 354, 555, 580, 589, 785, 832, 894, 916, 1121, 1141, 1203, 1321, 1587, 1981, 1982, 2010, 2295, 2342, 2465, 2489 and 2594.

Passed the House, May 23rd, 1991.

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

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

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 15 with...

Adopted by the House May 23, 1991. It is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Committee Reports.

SECRETARY HAWKER:

Senators Demuzio and D'Arco, Co-chairmen of the Senate Committee on the Assignment of Bills, reports the -- the assignment of the following bills to committee: Agriculture and Conservation - House Bills 338, 528, 1207, 1260, 1430, 1744; Elementary and Secondary Education - House Bills 455, 478, 601, 605, 770, 1097, 1815 and 2042; Energy and Environment - House Bills 619, 1184, 1448, 1475, 2019, 2022 and 2056; Executive Appointments - House Bill 2; Executive - House Bills 119, 772, 1196, 1644, 1945, 1996 and 2633; Higher Education - House Bills 1884 and 2558; Insurance Pensions and Licensed Activities - House Bills 1245, 1364, 1688, 1700, 2139 and 2329; Judiciary I - House Bills 554, 628, 687, 1053, 1446, 1684, 2006, 2208, 2211, 2396 and 2453; Judiciary II - House Bills 147, 480, 606, 1101, 1340, 2125 and 2521; Labor - House Bill 179; Local Government - House Bills 472, 592, 796, 811, 942, 1118, 1254, 1333, 2147 and 2148; Public Health, Welfare and Corrections - House Bills, 677, 678, 734, 1160, 1216, 1283, 1314, 1353, 1408, 1804, 1852, 1855, 2392, 2458 and 2578; Revenue - House Bills 1109 and 1134; State Government Organization and Administration - House Bills 1843, 2005 and 2512; Transportation - House Bills 5, 121, 341, 685, 718, 1228, 1286 and 1960. Assigned on May 24, 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY HAWKER:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senate Resolution 1427 <sic> (427) offered by Senator Demuzio and all -- and other Members.

Senate Resolution 428 offered by Senator Collins.

Senate Resolution 429 offered by Senator Karpziel.

Senate Resolution 430 offered by Senator Topinka.

Senate Resolution 431 offered by Senator Topinka.

Senate Joint Resolution 59 offered by Senator Karpziel.

And Senate Joint Resolution 60 offered by Senator Topinka.

They're all congratulatory and death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body we'll go to the Order of House Bills 1st -- Consent Calendar on these resolutions. With leave of the Body, we'll go to order of House Bills 1st Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 7 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 136 offered by Senators Leverenz and Luft.

(Secretary reads title of bill)

House Bill 316 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 373 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 376 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 378 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 384 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 386 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 388 offered by Senator Carroll.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)  
House Bill 393 offered by President Rock.  
(Secretary reads title of bill)  
House Bill 394 offered by President Rock.  
(Secretary reads title of bill)  
House Bill 395 offered by President Rock.  
(Secretary reads title of bill)  
House Bill 477 offered by Senators Raica and Savickas.  
(Secretary reads title of bill)  
House Bill 493 offered by Senator Jones.  
(Secretary reads title of bill)  
House Bill 500 offered by Senator Berman.  
(Secretary reads title of bill)  
House Bill 505 offered by Senators Carroll and Woodyard.  
(Secretary reads title of bill)  
House Bill 533 offered by Senator Berman.  
(Secretary reads title of bill)  
House Bill 545 offered by Senator Savickas.  
(Secretary reads title of bill)  
House Bill 629 offered by Senator Topinka.  
(Secretary reads title of bill)  
House Bill 630 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 631 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 632 offered by Senator Weaver.  
(Secretary reads title of bill)  
House Bill 633 offered by Senator Topinka.  
(Secretary reads title of bill)  
House Bill 634 offered by Senator Topinka.  
(Secretary reads title of bill)  
House Bill 635 offered by Senator Schaffer.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)  
House Bill 636 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 638 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 639 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 640 offered by Senator Watson.  
(Secretary reads title of bill)  
House Bill 641 offered by Senator Schaffer.  
(Secretary reads title of bill)  
House Bill 642 offered by Senators Maitland and Etheredge.  
(Secretary reads title of bill)  
House Bill 643 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 644 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 645 offered by Senator Schaffer.  
(Secretary reads title of bill)  
House Bill 646 offered by Senator Weaver.  
(Secretary reads title of bill)  
House Bill 647 offered by Senator Maitland.  
(Secretary reads title of bill)  
House Bill 649 offered by Senator Weaver.  
(Secretary reads title of bill)  
House Bill 650 offered by Senator Schaffer.  
(Secretary reads title of bill)  
House Bill 651 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 652 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 653 offered by Senator Donahue.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)  
House Bill 654 offered by Senator Fawell.  
(Secretary reads title of bill)  
House Bill 655 offered by Senator Fawell.  
(Secretary reads title of bill)  
House Bill 656 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 657 offered by Senator Fawell.  
(Secretary reads title of bill)  
House Bill 658 offered by Senator Schaffer.  
(Secretary reads title of bill)  
House Bill 659 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 660 offered by Senator Donahue.  
(Secretary reads title of bill)  
House Bill 714 offered by Senator Hawkinson.  
(Secretary reads title of bill)  
House Bill 743 offered by Senator Woodyard.  
(Secretary reads title of bill)  
House Bill 760 offered by Senator Topinka.  
(Secretary reads title of bill)  
House Bill 766 offered by Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 794 offered by Senator Jacobs.  
(Secretary reads title of bill)  
House Bill 797 offered by Senator Davidson.  
(Secretary reads title of bill)  
House Bill 808 offered by Senator Demuzio.  
(Secretary reads title of bill)  
House Bill 816 offered by Senator Jacobs.  
(Secretary reads title of bill)  
House Bill 847 offered by Senator Daley.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)  
House Bill 857 offered by Senator Demuzio.  
(Secretary reads title of bill)  
House Bill 882 offered by Senator Hall.  
(Secretary reads title of bill)  
House Bill 883 offered by Senator Hall.  
(Secretary reads title of bill)  
House Bill 886 offered by Senator Maitland.  
(Secretary reads title of bill)  
House Bill 887 offered by Senator Berman.  
(Secretary reads title of bill)  
House Bill 914 offered by Senator Karpziel.  
(Secretary reads title of bill)  
House Bill 922 offered by Senator Fawell.  
(Secretary reads title of bill)  
House Bill 1048 offered by Senator Alexander.  
(Secretary reads title of bill)  
House Bill 1073 offered by Senator Smith.  
(Secretary reads title of bill)  
House Bill 1074 offered by Senator Smith.  
(Secretary reads title of bill)  
House Bill 1075 offered by Senator Smith.  
(Secretary reads title of bill)  
House Bill 1076 offered by Senator Smith.  
(Secretary reads title of bill)  
House Bill 1183 offered by Senator Luft.  
(Secretary reads title of bill)  
House Bill 1235 offered by Senator Berman.  
(Secretary reads title of bill)  
House Bill 1312 offered by Senator D'Arco.  
(Secretary reads title of bill)  
House Bill 1551 offered by Senator Watson.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)

House Bill 1572 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 1620 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 1628 -- pardon me -- 1629 offered by Senator Fawell.

(Secretary reads title of bill)

House Bill 1661 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 1695 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 1696 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 699 <sic> (1699) offered by Senator Jones.

(Secretary reads title of bill)

House Bill 1805 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 1842 offered by Senators Severns and Macdonald.

(Secretary reads title of bill)

House Bill 1891 offered by Senator del Valle.

(Secretary reads title of bill)

House Bill 1892 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 1910 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 1925 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 1929 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 1956 offered by Senator Watson.

(Secretary reads title of bill)



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

House Bill 2057 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 2078 offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 2106 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 2128 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 2162 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 2201 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 2254 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 2337 offered by Senator Ralph Dunn.

(Secretary reads title of bill)

House Bill 2349 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 2451 offered by Senator Alexander.

(Secretary reads title of bill)

House Bill 2488 offered by Senator Leverenz.

(Secretary reads title of bill)

House Bill 2531 offered by Senators del Valle and Thomas Dunn.

(Secretary reads title of bill)

House Bill 2553 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 2557 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 2592 offered by Senator Savickas.

(Secretary reads title of bill)

House Bill 2605 offered by Senator Fawell.

(Secretary reads title of bill)

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

1st Reading of the bills.

PRESIDENT ROCK:

Committee on Assignment. All right. With leave of the Body we will move to Page 9 on the Calendar. On the Order of Senate Bills 3rd Reading. We will now proceed to the Order of the consideration of the Agreed Bill List. Mr. Secretary, please read the bills, commencing at Page 9, on the Agreed Bill List. Read the bills for a third time.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 42.

(Secretary reads title of bill)

Senate Bill 78.

(Secretary reads title of bill)

Senate Bill 106.

(Secretary reads title of bill)

Senate Bill 259.

(Secretary reads title of bill)

Senate Bill 267.

(Secretary reads title of bill)

Senate Bill 378.

(Secretary reads title of bill)

Senate Bill 424.

(Secretary reads title of bill)

Senate Bill 460.

(Secretary reads title of bill)

Senate Bill 487.

(Secretary reads title of bill)

Senate Bill 510.

(Secretary reads title of bill)

Senate Bill 551.

(Secretary reads title of bill)

Senate Bill 556.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)

Senate Bill 591.

(Secretary reads title of bill)

Senate Bill 601.

(Secretary reads title of bill)

Senate Bill 623.

(Secretary reads title of bill)

Senate Bill 713.

(Secretary reads title of bill)

Senate Bill 753.

(Secretary reads title of bill)

Senate Bill 778.

(Secretary reads title of bill)

Senate Bill 832.

(Secretary reads title of bill)

Senate Bill 873.

(Secretary reads title of bill)

Senate Bill 915.

(Secretary reads title of bill)

Senate Bill 930.

(Secretary reads title of bill)

Senate Bill 961.

(Secretary reads title of bill)

Senate Bill 965.

(Secretary reads title of bill)

Senate Bill 978.

(Secretary reads title of bill)

Senate Bill 988.

(Secretary reads title of bill)

Senate Bill 993.

(Secretary reads title of bill)

Senate Bill 1059.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)

Senate Bill 1097.

(Secretary reads title of bill)

Senate Bill 1202.

(Secretary reads title of bill)

And Senate Bill 1443.

(Secretary reads title of bill)

3rd Reading of the bills.

PRESIDENT ROCK:

All right. The next roll call will be on the final passage of the bills just read by the Secretary. And the question is, shall this series of bills pass. Those in favor will vote Aye. Opposed, vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 56 Ayes, no Nays, none voting Present. The Nays and the Present votes are as recorded in the office of the Secretary of the Senate, and this series of bills, having received the constitutional majority, by record vote, is declared passed. And the record vote for each bill passed, shall be entered in the Journal. Senator Maitland, for what purpose do you arise, sir?

SENATOR MAITLAND:

Thank you, Mr. President. I ask leave of the Body - I was standing at my switch in conference and had I been on the job, I would've voted Aye on the Agreed Bill List.

PRESIDENT ROCK:

The record will so reflect. All right. Ladies and Gentlemen, we'll begin on Page 7 on the Calendar where we left off last evening. That is on the Order of Senate Bills 3rd Reading. Commencing with 1233. So that's Senators Butler, Berman, Jacobs, Etheredge, Philip, Philip and Geo-Karis, in that order. We will go through Senate Bills on 3rd Reading, probably for the last

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

time. All right. We'll begin on the bottom of Page 7. Madam Secretary, on the Order of Senate Bills 3rd Reading is Senate Bill 1233. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 1233.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, Senate Bill 1233 establishes a noise-monitoring system at airports having a half a million operations or more per year. Obviously there is only one airport in the State of Illinois meeting that category. We're talking about a noise-monitoring system for O'Hare Field. This system would be comprised of noise-monitoring stations which will be in operation twenty-four hours a day, three hundred and sixty-five days a year. These stations will automatically transmit via-dial-a-phone to a small computer and the data will be sorted out. We will have a data base from which, a -- a -- an accurate measurement of the noise at the field can be ascertained. The stations would be put on -- in -- on schools and residential areas, hospitals - other public buildings. The system now in use -- the system now in use takes a guesstimate based on -- based on the computer models. Takes one day out of the year and projects that one day to establish some sort of a -- a -- a map. Please keep in mind that the data we're using today is 1986 data, which was released in 1988. So we're using three-year-old -- five-year-old data to try to judge what the problem really is. If I were asked why we need this, I would have to tell you that there are some very well-intentioned people trying to find solution to this problem. But the basic problem is that there is

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

great suspicion that the numbers we're working with are merely -- are merely self-serving numbers. And I can tell you that we can, I think, reach some accommodation. But there are some four hundred thousand people out there who are very suspicious. There is absolutely no trust in the process. And I think this monitoring system is a very small step that will show we care. Frankly, this Senate has done absolutely nothing for those four hundred thousand people in the last twenty years. This should show that we care. Now keep in mind, no harm is going to come to O'Hare. Not one operation is going to be stopped. The noise and the pollution is going to continue until we can work out some kind of compromises. No jobs are going to be lost. The airlines will continue to profit. All this bill really is is -- is hope for those four hundred thousand people. Now let me be quite frank in saying the communities will no longer accept this status quo. Ninety-three thousand people -- I repeat, ninety-three thousand people voted against any expansion of O'Hare, last November. And I think the message in there is that they need to be shown that somebody cares that there's -- that they can trust. O'Hare is forever. It's going to be there long after you and I are long gone. But -- and those four hundred thousand people will never ever -- ever -- ever again have a quality of life most of us enjoy. It's gone. I live in a house that was built in 1924. I moved into it in 1953. And my life will never ever be the same again. It's gone. Now for those cynics among us who say that perhaps those people should never have lived -- or never have moved into that area, may I remind you that two hundred and twenty thousand people lived at that airport the day -- around that airport the day the first jet plane flew. Everyone of those homes are financially and physically harmed forever. This noise-monitoring system is the first step, I think, towards finding some solution to -- to establishing some trust. Can't we

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

at least give those four hundred thousand people some hope that somebody in government really cares? Please - Senate Bill 1233 is the least we can do. Thank you.

PRESIDENT ROCK:

WAND-TV and WCIA-TV have requested permission to shoot some videotape. Without objection, leave is granted. Discussion, on 1233? Senator Demuzio.

SENATOR DEMUZIO:

Senator, I just understand that this is going to cost in excess of a million dollars. It's not in the Governor's budget. You indicated in committee that you were attempting to find a funding mechanism for this one-million-dollar in excess cost. Could you just tell us where the money is coming from and what the position of -- of the administration is with respect to your bill?

PRESIDENT ROCK:

Senator -- Senator Butler.

SENATOR BUTLER:

Senator, you are absolutely correct. In the -- as the bill came out of committee, I said that we would attempt to find the funding for this. I have been working with the Department of Aviation. There is some indication there may be some federal funds available for this. What I'd like to do is move this on to see whether or not -- keep it alive until we can be sure that funds are available.

PRESIDENT ROCK:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you. Will the Senator yield for a question?

PRESIDENT ROCK:

Indicates he will yield, Senator Brookins.

SENATOR BROOKINS:

Thank you. You say your house was built in 1924?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

Senator Butler.

SENATOR BUTLER:

Yes, sir.

SENATOR BROOKINS:

And you moved in in 1953?

SENATOR BUTLER:

Yes, sir.

SENATOR BROOKINS:

Was the airport there then?

SENATOR BUTLER:

The -- the airport as we know it today was not there. My home was in a quite zone, about 1960 - the middle of the '60s there was another runway added, that no one knew was going to be added. So my home, when I bought it, was in a quite zone.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Thank you. Let me ask you this. The airport has caused your community to profit greatly. Could you estimate what the economic advantage of O'Hare being in that community has brought to your community, tax base and et cetera -- business wise?

PRESIDENT ROCK:

Senator Butler.

SENATOR BUTLER:

That's hard to measure, because most of the communities most heavily impacted by the problem out there are primarily residential. Now it's true the home values have gone up, but in most of those communities values have not gone up at the same rate that the more quieter residential areas have gone up.

PRESIDENT ROCK:

Senator Brookins.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR BROOKINS:

Thank you. To the bill, Mr. President. Here are people that have moved in around an airport that has been there and in existence for some time. The community has profited and profited greatly because of the airport there. And now because they have profited so that they feel so comfortable, they have decided that they no longer -- no longer want to tolerate the noise that the airport has brought to them. Though they will not refuse to take the benefits which airport has taken -- has brought to them. I see no reason for this bill. I would have never moved up under an airport knowing that the noise was going to be there in the first place. So, therefore, I don't see why they're here in Springfield now saying, "hey we don't want these benefits. We don't want that." Let's take the airport and move it to my community, which I understand one is coming -- going to be, and let us profit from it. Let us have the jobs and the economic advantages and the low tax rates and et cetera that they airport has brought to your community. I see no reason why you should be unhappy knowing in 1953, when you moved into your home, that airport was there, that the airport was going to profit and it was going to be noisy. I would also suggest to you that here in the near future with the new technology that is being found and coming aboard, you will be in a quieter zone. So if you will just hold out a little while, until we develop the new technology we will have it quiet in your area. Thank you very kindly.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President and Members of the Assembly. My district also is impacted very much by -- by O'Hare Airport. When that airport originally was put there, it was called Old Orchard, and -- and frankly some of us, including

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

myself, are old enough to remember when it was called Old Orchard. It was small airport. It had little planes. It was only during World War II when it eventually became a major airport because the City of Chicago bought it. City of Chicago put the runways into the County of DuPage. They didn't direct the airport and the airlines over Chicago. They directed it over the suburbs. Now they're talking about putting another runway over the suburbs. All this bill does is says, give us at least some information on how noisy it is. I don't think that that's an unreasonable request. We're not saying the noise is going to go away, because we are well aware of the fact that it's not going to go away. But it seems to me that's not an unreasonable request. It isn't going to cost anything unless he can find the money to do it, and I ask that -- that the Body seriously consider voting Yes. And I'd like to have a roll call vote on it, because frankly some of the Democrats on the other side of the aisle have told me that they are State Senators and are concerned about these kinds of problems.

PRESIDENT ROCK:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Just to respond briefly to Senator Brookins. You know, Senator Brookins, Park Ridge has a population of thirty-nine thousand. That's only about ten percent of the area surrounding O'Hare Airport. And it's not just his community that profits, your community and my community, the City of Chicago profits greatly from the benefits of the O'Hare Airport. All that he is trying to do is to establish this noise-monitoring system which affects much of our community, including my neighborhood. Many times at night I'm waken up -- I'm woken <sic> up by flight diversions. Airplanes landing and -- and -- or landing and taking off from O'Hare and being diverted over this City, going over my

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

community - my neighborhood - and the noise is very, very loud. We're -- let's talk about the four hundred thousand citizens, that's -- that's ninety percent - well he has ten percent of -- of the problem - and the surrounding areas, the suburban areas, as well as the City of Chicago is effected. I would seriously urge you to vote Yes for it.

PRESIDENT ROCK:

Further discussion? Senator Butler, to close.

SENATOR BUTLER:

Thank you, Mr. President. In response to Senator Brookins, I should point out once again that were two hundred and twenty thousand people living in those communities the day the first jet plane flew. There were no jets when I moved in that house. So to -- to claim that we moved in and enjoyed all the big profits and then now are complaining is dead wrong. The tax rate also, I would trade taxes with you, frankly. We have gone up rapidly and large. Finally, let me just close my saying O'Hare is forever. I don't know what everybody's worried about. It's going to go on. There's no way the suburbs or any group of individuals could kill that field. It's there. All we're saying is let's make it as palatable as possible to all those people. We need -- we need to show some concern, we need to start someplace and this, in my humble opinion, is a very humble start and I would urge everyone to vote for it, please.

PRESIDENT ROCK:

Question is, shall Senate Bill 1233 pass. Those in favor will vote Aye. Opposed will vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the 37 Ayes, 14 Nays, none voting Present. Senate Bill 1233, having received the required constitutional majority, is declared passed. On the Order of Senate Bills 3rd Reading,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senate Bill 1234. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in the gallery -- in the President's Gallery -- on a number of very fine very distinguished visitors from the Archdiocese of Greek Orthodox Church from the Diocese and St. Peter and Paul's Church, James and Tina Zoumboulis, from Mt. Prospect; Nicholas and Mary Samaras, from -- from Mt. Prospect; Nicholas and Georgia Nirgiotis, from Wilmette; Theodore -- Dr. Theodore Kamatos and Emily Kamatos from Lincolnshire; Michael and Fran Palmer from Northbrook, Illinois; Peter and Helen Anast, from Glenview; James and Georgia Barris of Northbrook; Bessie Allans from Wilmette, Illinois and Mrs. Georgia Barris is the President of the Diocese Women of the Greek Orthodox Church of Illinois and I'd like for you to know that they're represented by Senator Keats and Senator Barkhausen, and we're delighted to have them with us, visiting Springfield for the first time, in this Senate. And they're in the President's Gallery, please help me welcome them.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Thank you. To have leave to have Senator del Valle added as a joint hyphenated co-sponsor to Senate Bill 1338, and to have him to handle that bill on the Floor for me, because I'll be off the Floor momentarily in a meeting pertaining to Senate business.

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

All right. The Lady seeks leave to show Senator del Valle as the co-sponsor of 1338 and asks leave that he be -- that he handle the bill when it's presented. Leave is granted. 1234. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1234 creates the Judicial Advisory Council made up of fourteen Legislative Members. We've amended it so that the appointments are equal Democrats and Republicans. It's to provide a formal bridge between the Legislative and Judicial Branches of Government to address our mutual concerns. Be glad to respond to any questions.

PRESIDENT ROCK:

Question is, shall Senate Bill 1234 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 1 Nay, none voting Present. Senate Bill 1234, having received the required constitutional majority, is declared passed. 1235. Senator Jacobs. Read the bill, Madam Secretary, please. Bottom of Page 7. The bottom of Page 7, Ladies and Gentlemen. On the Order of Senate Bill's 3rd Reading is Senate Bill 1235. Read it, please.

SECRETARY HAWKER:

Senate Bill 1235.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. We're not going to get into a lot on this. Will be willing to answer any questions. This is the fireworks bill. Twenty-one to purchase. Twenty-one to sell. The funding will go to the General Fund, other than that which goes to the Fire Marshall's Office. I do understand we've got a technical problem with this, which we will be willing to clean up in the House, because we did put back in the Fireworks Regulation Act, and that may be in conflict with this Act. Like to get it out of here and keep it working and ask for your support.

PRESIDENT ROCK:

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Unfortunately, I have to rise in opposition to this bill. And I would hope that the Member should -- would listen and understand what we're doing with this bill. We're actually legalizing the sale of fireworks in this State. And I really think this is step backward from the standpoint of providing safety -- public safety to children of this State. Each and every one of us received a letter from the Prevention of Blindness Organization - when this bill came out of committee, stating their opposition and the reason why. All of us remember the sad facts of when fireworks were legal in this State and a number of accidents that happened. And unfortunately it's an untold story and how these -- how these kids have to survive with the loss of fingers, the loss of an eye and here we have a proposal now to legalize this in this State. I was absolutely dumbfounded in committee when this matter came before us and I would hope that Membership would take the personal

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

safety of the children involved and vote this proposal down. I have no objection to fireworks being conducted by proper, safe organizations where the public safety is of the paramount importance. But under this bill, it'd be available to the children of this State and unfortunately you say -- they amended it to make it twenty-one, you and I know exactly what transpired. I would recommend a No vote. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Well thank you, Mr. President, Ladies and Gentlemen of the Senate. This is kind of a difficult bill for me and I think for many of us in downstate. I live on a border of two states, Iowa and Missouri. I've got fireworks coming out my ears. There's tents all across the river, so we have them all the time, and it's a great concern for that in our area and downstate. But I think to legalize this at this time is a little -- it's wrong. Now, the bill the way it's written is technically wrong in many respects. It's created a new Act and we did not repeal the old Act, so in essence, we have two fireworks Acts on the books and they basically conflict in many regards. It's poorly written and I think that if this passes, which I hope it doesn't, but if it leaves the Senate, I hope that the sponsor will make sure that it's cleaned up in the House and that the Fire Marshall's Office, the Department of Public Health, the sponsors of this thing will sit down together and make this work, and make it -- make it -- have it be written properly. We've have a great deal of conflict on whether the Fire Marshall's Office is for this or against this, or what's going on. Right now they're neutral and I kind of object to that as well. But at this point for all of you -- purposes, they are neutral and I would move for its -- I would hope that we could defeat this.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes. Thank you, Mr. President and Members of the Senate. I rarely get up on the Floor to talk for or against a bill. However, I would like to make this observation. I am a border district to Missouri, and if you come around to -- to the state -- my district in the next two or three weeks, you'll see thousands and thousands and thousands of cars going over into Missouri and bringing those fireworks back into Illinois, back to those same children, Senator Lechowicz, cars loaded with children, bringing those fireworks into Illinois. I think that Senator can get this bill into the shape that it should be in, but don't -- don't think that you are preventing fireworks to be sold and delivered in Illinois and stopped. This is a big business industry for Missouri and there's no reason why the State of Illinois shouldn't enjoy those dollars, and I support this bill.

PRESIDENT ROCK:

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Well for the same reasons that Senator Vadalabene used, I rise in support of this bill. I have a hundred and twenty-five miles of Indiana border along my district, and -- and the cars go to Indiana just in droves to buy Class C fireworks and it's going to happen and I don't see any reason to be hypocritical in thinking that it's not going to -- to happen. People are going to use fireworks. When I first came over here, I thought that we had enough gambling on the books, and since then, I -- I certainly realized that evidently we didn't. People were -- are going to do that, and -- and now we've expanded this -- that. Certainly people are going to use fireworks and this is at least a method of -- of gaining



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

some revenue from it and limiting that to just the Class C. So for those reasons, I certainly urge your support for this bill.

PRESIDENT ROCK:

All right. Nine additional people have sought recognition, I would ask the Membership to please try to keep their remarks brief. Senator Butler.

SENATOR BUTLER:

Yes. Mr. President. One sentence that summarizes my attitude. When I was a youngster, my best friend was blinded by a firecracker.

PRESIDENT ROCK:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and Members of the Senate, I too, have a border district and I -- I can see there's a great deal of interstate traffic. Of course, one thing that has been pointed out, that still doesn't make it legal, just because you bought it in Missouri or Iowa or Wisconsin, it's still illegal in this State. A number of years ago this Body lowered the drinking age to eighteen -- nineteen, and oddly enough the nineteen- to twenty-one-year-olds really handled it pretty well. But what we didn't realize when we lowered the drinking age is we also lowered the illegal drinking age. And for the first time we saw fourteen- -- thirteen-year-olds, we saw alcohol a problem in the grade schools. I would suggest to you there is a comparison in this bill. If we legalize quote "Class C Fireworks" who are we kidding that the M80s and the big stuff won't be under the counter and being sold illegally. It's going to happen. It happen across the borders right now. We all know that. I wake up on the holidays and that different times to the roar of an M80 on a rather regular basis, and I know what it sounds like, and I know we have them. We will, by the passage of this bill, be greatly

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

expanding the illegal use of major fireworks throughout the State by condoning the legal use quote, unquote "less dangerous fireworks." Every fourth of July, I think we all know that you can count on a story in the paper or on the radio or TV the day after the holiday about one or two people that had been severely injured by fireworks. But remember when they were legal it wasn't one or two people, it was a dozen or more. That's what you're voting on. How many people will be blinded or crippled. That's what this roll call is on.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT ROCK:

Senator Jacobs there's a question being put. Sponsor indicates he will yield, Senator Watson.

SENATOR WATSON:

Thank you. Would you give me the definition of a Class C Firework?

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Class C Fireworks basically falls in the realm of what they call morning glories, which is a -- a wooden type of sparkler. It includes roman candles; it includes bottle rockets; it includes the small fire crackers with less than five grams, a lot less powder in those than what we sell in order to reload the shotguns of our State.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Well thank you. I rise in support of the legislation. One

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

thing when we think of fireworks, a lot of us think of the big displays and the cherry bombs and the M80s and the ash cans and all of that. We're not talking about legalizing that type of firework. Now you go -- like Senator Vadalabene said, you go over to Missouri - and I did this several weeks ago - and ask those folks over there who are selling fireworks, I said "How many people from Illinois come over here to buy fireworks?" Equally - equal number of people from Illinois and Missouri purchase fireworks at the fireworks stand right across the river in St. Louis in Missouri. We might as well take advantage of the revenue that could be generated from this, because people are using them now. In the next several weeks we're going to see - and I'll tell you, in my area and in my town and in my back yard probably, we will see an illegal display of fireworks going on, because I'm a fireworks nut. And I just - why not just legalize it and let the people have a good time on 4th of July and let the revenue flow to the General Revenue Fund that will come from this. So I rise in support.

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

It's sort of a interesting position. It's legal to have an assault weapon. It's legal to have 357 magnum, but it's illegal to have a firecracker. That's a logical position I really wouldn't want to try to explain.

PRESIDENT ROCK:

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

SENATOR JACOBS:

Thank -- thank you, Mr. President. We will keep the close fairly short. First of all, just let me add to what -- what Senator Keats just said. It does seem a little strange in this

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

State that at the age of sixteen we allow a -- a -- a youth of sixteen years old to get behind two tons of steel to drive down the road at 65 - 75 - 85 miles an hour. We -- we brag up - which we all got one from the Illinois Rifle Association - of our fourteen-year-old heroes from Illinois who won shooting contests, so we can allow them to have a gun, but for -- heaven forbid don't let them have that little firecracker. Nobody is here to hurt anyone, but I'm here to tell you that anyone who believes what they're hearing on July 3rd in my district and throughout the rest of the districts in this State are not firecrackers and they are just the backfires of cars, have got another thing coming. I think we should legalize it, get the taxes from it, and go on about our business. Thank you.

PRESIDENT ROCK:

Question is, shall Senate Bill 1235 pass. Those in favor will vote Aye. Opposed, vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 26 Nays, none voting Present. Senate Bill 1235, having failed to receive the required constitutional majority, is declared lost. Top of Page 8, Ladies and Gentlemen. On the Order of Senate Bills 3rd Reading. Senator Etheredge. 1237. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1237.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

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

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senate Bill 1237 would establish a -- three pilot learn-fair programs around the State of Illinois. The bill would require a series of reports to the General Assembly on the progress of these programs and it also would automatically sunset the programs after a period of two school years, unless the General Assembly acts affirmatively to extend the program. I'd be happy to respond to any questions, if there are none, I would ask for a favorable roll call.

PRESIDENT ROCK:

Discussion? If not, the question is, shall Senate Bill 1237 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. Senate Bill 1237, having received the required constitutional majority, is declared passed. 1239. Senator Philip. 1282. On the Order of Senate Bills 3rd Reading is Senate Bill 1282. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1282.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1282 amends the Private Detective and Private Alarm and Private Security Act of 1983. If you had -- if you were licensed before July 29th of 1986 and had two licenses, you'd be able to continue to do that. I think it only affects one detective agency in the State of Illinois, a guy that happens to be in my district, he has two young sons that -- that want to continue in his business and he would appreciate -- able -- having

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

a -- two licenses. Any questions, I'd be happy to answer them and I would certainly appreciate a favorable vote.

PRESIDENT ROCK:

Discussion? Senator Smith. Okay. If not, the question is, shall Senate Bill 1282 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1282, having received the required constitutional majority, is declared passed. 1284. Senator Geo-Karis. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1284.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, all this bill does is require the court in the proceeding involving child support to assign the tax dependency exemption to the parent paying the majority of support unless good cause is shown otherwise. The court shall make a finding of how it determines which parent pays the majority of support by itemizing specific expenses attributable to that child or children. I ask for a favorable roll call.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall Senate Bill 1284 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 53 Ayes, 2 Nays, none voting Present.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senate Bill 1284, having received the required constitutional majority, is declared passed. 1285. Senator Watson. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1285.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This particular piece of legislation was offered by the Department of Transportation and puts the State law in to conformance with federal law in regard to the Motor Carrier Safety Regulations Act. Right now the Department of Transportation and the Office of Motor Carriers of the Federal Highway Administration has indicated that we could possibly lose some federal funding if we don't comply with the grants in regard to interstate and intrastate commercial transportation. An amendment was added to the bill which clarified some of the definitions within the Act, and I know of no opposition and ask for your favorable support.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall Senate Bill 1285 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1285, having received the required constitutional majority, is declared passed. 1-2-9-7. 1297, Madam Secretary, read the bill, please.

SECRETARY HAWKER:

Senate Bill 1297.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. This is an administration bill coming to us from the Department of Public Aid, I believe. And it amends the Illinois Parentage Act to allow the court to order DNA testing in order to determine parentage. With the amendments that we put on from Senator Berman, we very clearly state that the judge would be in charge of passing on his authority to an expert who would be able to -- to appoint this expert to appoint therefore other tests that might be helpful and would be scientifically up to date to allow the court to get the best conceivable information on the testing available at this time to determine parentage. The judge, again I stress, would have the control to pick the expert, and that expert then would have the control to pick other experts or to go to the extent that he needed to get the tests that were necessary. And that's what the bill does.

PRESIDENT ROCK:

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Fortunately most of us don't have any exposure to this subject matter. But it deals with the question of paternity and more specifically what is involved is who pays child support payments back to Public Aid. That's the question here. And let me suggest that there were some amendments that I suggested to Senator Topinka, but there was one key amendment that the Department rejected, and I want to bring that to your attention and that's why I stand in opposition to the bill. The Department



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

of Public Aid has a sole-supplier contract for the testing of the question of paternity. What that means, Ladies and Gentlemen, is that the Department of Public Aid has one testing company, a company that all it does is perform the contracts that the Department of Public Aid gives it to determine through genetic tests the likelihood of paternity. Now if you're -- if you're an accused, if you're a defendant in a case, you have a substantial stake in the question of whether you are or are not the alleged father of the child that's receiving Public Aid benefits. The tests that are given are given by a single company contracted with by the Department of Public Aid. The problem with this bill is that the -- the bill removes from the court the power to dictate the tests that shall be given by this contracting company -- by the testing company. That, Ladies and Gentlemen, makes all the difference in the world. Because tests can be given that will in effect determine that you're guilty and you have to build your own case to disprove your guilt. That's not - I would suggest to you - the American system. A person is not guilty unless -- until proven so and all of the resources of the State are being stacked against the accused. I ask that one amendment be put back into the bill that's already in the law, that's removed by this bill, and that is give the judge the power that he presently has to mandate the tests - the full range of tests - that are being given. The Department refused that. So what they're asking for through your Aye vote is an endorsement of stacking the deck against the accused. That bothers me, it ought to bother you. I urge a No vote.

PRESIDENT ROCK:

Discussion? We have about twelve people who wish to talk. Senator Brookins.

SENATOR BROOKINS:

Thank you. Last night or this morning one about -- early

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

last night I received a call from two Cook County Judges, one supervisor of the 1st Judicial District in Cook County and the other a judge that sits on the parentage courts. And they informed me that normally they order a Type 4 type examination, which will consist of twenty-four tests; or a Type 3, which consists of twenty genetic testing systems. Now, the judges informed me that with this bill that takes that ability from them to order the type of test that they need to make a -- a fair judgement. And that this bill is bad. These are two judges that do sit in those courts in Cook County. It is my understanding that they did write to the Supreme Court to ask them to intervene and also to you, Mr. President. So I rise in opposition to this bill to let folks on this side of the aisle know that it is not a good bill; it will take away the ability of the judge to name the type of examines that they need. Furthermore, it was also informed that these exams are given in North Carolina by a company outside of Illinois that charges somewhere in the area of five hundred and some dollars for the exams. Once they are needed to testify in Chicago, or in the State of Illinois, they must be flown in, lodged, et cetera, at a greater expense than the test can be given in Illinois or in Cook County. So I urge a No vote on this matter.

PRESIDENT ROCK:

Further discussion? With leave of the Body, Illinois Public Radio has also requested permission to record the proceedings. Leave is granted. Further discussion? Senator Jones.

SENATOR JONES:

Well, I'm voting for the bill.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President. I serve - as many of you

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

know - on the -- on the child support commission. The test that she is talking about is the test that has been proven time and time again, is about 99.99 percent accurate on picking out who is the father. One of the big problems we've always had in the past is that one of the defenses that the men used to put up about whose child was this that suddenly appeared out of nowhere, was that, "Yeah it could have been mine, but it could have been Dick, and it could have been Harry's, and it could have been Tom's, and it could have Jim's." And then Dick, Harry, Tom and Jim would come in and say yeah it could have been mine, too, and there the State and the women was allowed to have the privilege of supporting that child from now until eternity. What this bill does and what this test does is tell us who the father is. I think this is a good bill for us to have to go through all this nonsense constantly. If a man is the father he ought to be man enough to stand up and admit that he's the father and take his responsibility upon his shoulders, not try and dump it upon the State. This test does work. There's more than enough proof to prove that it works and I think we ought to support this bill.

PRESIDENT ROCK:

Further discussion? Senator Topinka, to close.

SENATOR TOPINKA:

Well, Mr. President and Ladies and Gentlemen of the Senate. This is kind of a technical bill, because as you know we're getting into the -- the areas of medical technology, which go far and beyond those things that many of us may have learned in school. Go far and beyond what many of our Cook County judges or any other judges may really have a handle on, because it is advanced -- it is state of the art and Senator Fawell is correct. Some of these tests have been proven out that they can give you a ninety-nine percent reading. It pretty hard to refute. In answer to what Senator Berman brings up, this is -- this is one of the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

areas of the law where -- where parties that are contending with one another cannot get experts to come in and testify. This bill allows for that, it is very specifically written into that and this all done under the judges discretion and that is maintained. The judge has the discretion as to which company or which expert to choose. He doesn't have to take the Illinois Department of Public Aid's sole contractor, which by the way happens to be cheaper and that's why very often it is used, because it is cheaper. But there are very few companies that do do this test. So we are limited right off as to who could be asked to do this anyway. It is just not that common a test that can be done, because of techniques and expertise and costs, so it is limited. We're not stacking the deck, because any party under order of the court can get independent experts on this. In fact, it opens it up probably in to a fairer type of a hearing. I would -- I would just contend that I love my judges dearly, but most of them are not exactly skilled in some of the scientific -- techniques of where medical technology is going. I think this would be of help to them, rather than a hindrance, and I would ask for your positive vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 1297 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 34 Ayes, 21 Nays, 1 voting Present. Senate Bill 1297, having received the required constitutional majority, is declared passed. 1310. Senator Schuneman. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1310.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Bill 1310 is an administration bill of the Department of Insurance. As far as I know, there's no opposition to the bill. It was on the Agreed Bill List and I removed it in order to add a technical amendment. The bill makes a number of technical changes, some of which were suggested by the Auditor General. It changes the basis of valuation of insurance investments. Repeals the requirement for the Department to publish a workers' compensation booklet. It changes some of the cancellation provisions. It changes the date on which certain pension reports must be filed with the Department. I would be happy to try to answer any questions. If not, I'd move for approval of the bill.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall Senate Bill 1310 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 57 Ayes, no Nays, none voting Present. Senate Bill 1310, having received the required constitutional majority, is declared passed. 1315. Senator Philip. 1317. Senator Weaver. 1328. Senator Luft. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1328.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Thank you, Mr. President. Senate Bill 1328 has a host of amendments which related to a host of bills that were initially introduced. I will try to move through here quickly and attempt to answer any questions. One of the amendments was Senator Donahue's that attempts to qualify all mobile homes for the homestead exemption. Senator Rigney had a bill asking for an automatic thirty-five hundred exemption, not -- in the homestead exemption. The bill also allows for nonresident beneficiaries of trust estates to file composite returns, excludes homeowners and political organizations from payment of estimated taxes. Increases accrued penalty for redemption between thirty and thirty-six months. Deletes the partial redemption of separate undivided interest in delinquent tax sales. And repeals the abatement language for Eagle Creek. I'd attempt to answer any questions, otherwise I'd ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Discussion on this, Senator Jacobs? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Just real quick. Would the Senator yield for a question?

PRESIDENT ROCK:

Indicates he will yield.

SENATOR JACOBS:

Senator, this homestead exemption that is now on this bill, what is that going to cost local governments?

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

The cost itself cannot be determined because we don't what the levies would be. The EAV would be -- reduced by approximately seven hundred and forty million dollars.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Well, if -- if we reduce the EAV by seven hundred and fifty million dollars assuming the six-dollar tax rate, we're talking about what 4.2 or forty-two million -- forty-two million, something like that? I that's a tremendous hit. I -- I don't have any qualms with you getting your bill out, Senator, but I sure as heck hope that that particular amendment is -- is reconsidered over in the House, cause I think it's too big of a hit on local government that we're already trying to put limit on anyway.

PRESIDENT ROCK:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I -- this bill has some good things in it, but it certainly - as Senator Jacobs has said -- has some devastating things for local government. I don't know -- it seems like Senator Rigney has something against local government. First he wants a cap on it and then he takes away some more income. I -- I think the amendment that he put on, can be very damaging. And I must say that I had a very small amendment - really a bill in local government -- or in revenue, which would have had exemption for a blind and disabled veteran and that was considered too expensive in this year when we really have a shortfall. This one would be a much bigger hit and it disturbs me a great deal.

PRESIDENT ROCK:

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

SENATOR LUFT:

Thank you, Mr. President. The Revenue Committee offered this bill for everyone to apply an amendment to if they wished. I'd

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

just ask for a favorable vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 1328 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 2 Nays, 1 voting Present. Senate Bill 1328, having received the required constitutional majority, is declared passed. 1330. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1330.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

The Calendar is correct in stating that it requires mothers and fathers social security numbers on birth certificates. The purpose being to be able to track down nonpaying parents for child support purposes.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall Senate Bill 1330 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1330, having received the required constitutional majority, is declared passed. 1331. Senator Smith. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1331.

(Secretary reads title of bill)



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1331 merely requires the Department of Public Health to use available federal funds to fund Pediatric Trauma Care Projects. The Department shall use the federal funds to provide grants for improvement of pediatric care. And I have urged the Department to apply for these funds which were previously not being used. And there is no cost to the State. The Department is in agreement with this expanding service to children, and I certainly move and urge the adoption of 1331.

PRESIDENT ROCK:

Discussion on 1331? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, I really have to commend Senator Smith for an outstanding job of working with the Department, putting together a good bill and if I could join you as a co-sponsor on that bill, I would be delighted if you would be so moved.

PRESIDENT ROCK:

All right. Lady seeks leave to be shown as a co-sponsor. Question is, shall Senate Bill 1331 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1331, having received the required constitutional majority, is declared passed. 1338. Senator del Valle. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1338.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 1338 amends the Illinois Insurance Code. And it permits the Department to destroy records relating to complaints and rate filings after seven years, rather than two years. I urge an Aye vote.

PRESIDENT ROCK:

Discussion? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Madigan.

SENATOR MADIGAN:

The Calendar shows, Senator Collins as the sponsor, and I believe that Senator del Valle has been added as a sponsor to it, and I know that Senator Collins has worked awfully hard in trying to put this bill into good shape. My question of the sponsor is, is this bill going to remain when we send it over to the House -- is this bill going to remain in its shape that it's in now, or is this bill getting wheels?

PRESIDENT ROCK:

Senator del Valle.

SENATOR DEL VALLE:

My understanding, Senator Madigan, is that this bill has been agreed to with the Department and I don't know of any plans -- I'm not aware of any plans to do anything else with the bill.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Well, only to say that the Department of Insurance, I understand, has signed off on the provisions that are in the bill at this time, and so I think that we should support the bill in its present form.

PRESIDENT ROCK:

Question is, shall Senate Bill 1338 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 1 Nay, none voting Present. Senate Bill 1338, having received the required constitutional majority, is declared passed. 1349. Senator Joyce. Read the bill.

SECRETARY HAWKER:

Senate Bill 1349.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. Joyce:

Thank you, Mr. President. Senate Bill 1349 increase the State Disposal or Tipping Fee to ninety cents per cubic yard from sixty cents per cubic yard. I'd be happy to answer any questions.

PRESIDENT ROCK:

Discussion? Discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes. Mr. President. I rise in opposition to this bill. It was heard in Energy and Environment Committee and it was the feeling of many of us that there really isn't a need in this - at least in this particular year, to increase the tipping fees that are -- that are suggested in this bill. The economy really is, right now, is not such that I think that it's a good idea and therefore I would ask for opposition to this bill.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

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

SENATOR J.J. JOYCE:

Thank you, Mr. President. Well, I think that as we're going into this we're doing more and more recycling, the tipping fees are going down, as you know the yard waste is not going into our landfills. That decreased the tipping fees and the amount of waste going into landfills by ten percent. So as these -- as we do more recycling and people want to do it, if we can make it convenient for people, they will recycle. And these grants are going out to municipalities and communities and -- and they're using it just very well, and I -- it just -- if we help people and make it easier for them to recycle, we're not going to have this tremendous waste stream that we have today. And I'd -- I'd urge an Aye vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 1349 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 22 Nays, 2 voting Present. Senate Bill 1349, having failed to receive the constitutional majority, is declared lost. 1382. Senator Cullerton. Read the bill.

SECRETARY HAWKER:

Senate Bill 1382.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

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

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

would require the Department of Public Aid and the State Board of Education to establish a program that is equivalent to an Alcoholic Anonymous 12 Step Recovery Program for pupils in grades five through twelve. The program should be developed -- will be developed by the State Board of Education in consultation and cooperation with the Department of Alcoholism and Substance Abuse. And the purpose would be to design a program that would provide support services and instruction that assist pupils in coping with an environment in which one or more of their family members suffers from addiction to alcoholism or other drug abuse or dependency. I'd be happy to answer any questions and appreciate your support.

PRESIDENT ROCK:

Discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Ladies and Gentlemen of the Senate, and Mr. President. This is another mandate on our schools to develop a new program. I think it's a laudible program and I think there are lots of things that are happening in our schools dealing with drugs and alcohol. Just remember it's a mandate and I would hope we could defeat it.

PRESIDENT ROCK:

Further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. I would just emphasize the fact that the Governor in his budget has emphasized prevention. This type of program is really prevention. We get children who are related to people who have alcoholism problems. We give -- we train them early, perhaps keeping them from becoming alcoholics themselves, and helping their parents. So for that reason, I think it's a good idea and we should vote for it.

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Question is, shall Senate Bill 1382 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 23 Ayes, 27 Nays, none voting Present. Senate Bill 1382, having failed to receive the constitutional majority, is declared lost. 1392. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is an attempt to keep sediment from going into our rivers and streams in Illinois. The initial funding mechanism of a real estate tax has been taken out. The administering agency is the Department of Agriculture. The bill now requires the Department to cooperate with the 1990 Federal Farm bill, establishing grass filter strips and riparian corridors along streams. We're hoping to garner federal funding for the program. I would urge an Aye vote.

PRESIDENT ROCK:

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in support of this measure. We have a tremendous problem along our rivers and streams and this could be a step in the right direction to solving that problem.

PRESIDENT ROCK:

The question is, shall Senate Bill 1392 pass. Those in favor, vote Aye. Opposed, vote Nay, and the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1392, having received the required constitutional majority, is declared passed. 1396. Senator Etheredge. 1403. Senator Joyce.

END OF TAPE

TAPE 2

PRESIDENT ROCK:

1424. Senator Raica. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1424.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an anti-gang bill. The reason it's an anti-gang bill is because it gets at the suppliers that supply the gangs throughout the State of Illinois with weapons. This creates the Deadly Weapons Tort Claims Act. What it basically says is any person who sells or transfers an illegal weapon or firearm is strictly liable for damage or injury caused by the criminal or tortious use of threatened use of such weapon. It's an affirmative defense to this if the person to whom the weapon is transferred was authorized by law to possess it. There're additional affirmative defenses in relations to firearms, and this Act kicks in if the transfer is to a person not authorized by law to possess such a weapon. The penalties are also raised for the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

knowledge of selling this firearm. The knowing sale of a firearm to a felon -- felon is raised from a Class A misdemeanor to a Class 2 felony. There's three -- three violations of the unlawful sale of a firearm within a three-year period is raised to a Class 2 felony unless it involves transfer to a felon, in which case it is a nonprobational Class 1 felony. The records on the transfer of a firearm by a dealer must include the FOID card number of the buyer. The seller must ascertain that such FOID card is a valid FOID card. The penalty is also raised for the possession or transfer of a firearm with an altered or defaced ID card. An owner of a firearm must report the loss or theft of a firearm to the police with seventy-two hours of the discovery of the loss or the theft. Failure to do so is a petty offense. In addition, I put another amendment on here. Currently, the FOID cards throughout the State of Illinois only ask for someone to have their address and other such information on the card. What Amendment No. -- Amendment No. 2 says is they would have to include their Social Security number which now is a tracking system for all police departments throughout this State. They will also have to include either their driver's license number or their State ID number. We have read through the papers that the -- various police departments have had problems at getting at the people who sell the weapons to gang members. What this basically says is you have to sell -- if you're going to sell to someone who has a FOID card, a legitimate FOID card. No gang member has a FOID card. And, therefore, you are committing a crime by selling this to a gang member. And I'd just ask for your support on this bill.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall Senate Bill 1424 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 5 Nays, none voting Present. Senate Bill 1424, having received the required constitutional majority, is declared passed. 1426. Senator Maitland. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1426.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 1426 creates a County Jail Inmates Employment Act. It allows inmates of county jails to voluntary -- voluntarily work for private corporations and be compensated. The warden may deduct a portion of the salary to help pay for incarceration. It is my understanding that the City of Chicago had some concerns with this and has suggested some clarifying language to me, and I have pledged to them that I would be willing to make that change in the House. Appreciate your support.

PRESIDENT ROCK:

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, if I might ask the sponsor a question. Senator Maitland, does this mean that if there is a -- in the local county jail, if there is someone who is in there that is an inmate who is incarcerated in the jail and he goes to work for McDonald's or some fast food restaurant, what do they do? Do they -- do they take the inmate down to the McDonald's and chain him to the counter, or how does that work?

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I think this obviously will be, first of all, non -- nonviolent inmates and I think it will be dealt with on a case-by-case basis. There are a lot of inmates, as you well know, who are there on very minor crimes and can be used to be productive in the private sector.

PRESIDENT ROCK:

Further discussion? Senator Rea.

SENATOR REA:

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

PRESIDENT ROCK:

Indicates he will yield. Senator Rea.

SENATOR REA:

How do you -- what's meant by clarifying the compensation process?

PRESIDENT ROCK:

Senator -- Senator Maitland.

SENATOR REA:

Can you clarify that?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

What -- clarifying the compensation. Senator, I'm not sure I can answer the question. Tell me where it is in the bill, will you please?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you. In terms of -- let me restate my question. In terms -- how will the compensation work?

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senator Maitland.

SENATOR MAITLAND:

All right. I'm sorry. I did not understand the question. Well, the individual - and it would be on an individual-by-individual basis - would be paid and the county may or may not require a portion of that money paid to the individual to be used to pay for incarceration.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Would this be a minimum wage?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

I would imagine it would be whatever is paid by the private corporation or company that's involved, Senator.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President. Let me point out two or three things in terms of this bill. I know that the sponsor has the best of intent on this, but actually there's no wage guidelines or protections. The legislation would promote the use of people to replace some of the other individuals within the community, which would be taking away jobs. And the practice benefits the -- some of the companies, but yet hurts some of the people in heavily unemployed communities that are suffering from high unemployment. So I know that the intent is good, but I would suggest that there be a No vote on this bill and that further work be done in that area.

PRESIDENT ROCK:

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

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR GEO-KARIS:

Mr. President, Ladies -- Ladies and Gentlemen of the Senate, I rise to speak in favor of this bill. If we're going to rehabilitate criminals or prisoners, this is the way to start. And certainly the warden is not going to recommend someone who is a bad one. And if anyone is willing to work, for heaven sakes, they're going to be doing menial jobs anyway, but it's good to get them in the private sector. Because how are they going to be rehabilitated if we don't start there? I certainly think it's a very commendable bill, and I ask everyone to support it.

PRESIDENT ROCK:

Further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDENT ROCK:

Sponsor indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator, we can't find jobs now for people who aren't incarcerated. Who's going to find these jobs? I wish we could get somebody. We have so many people walking around the streets, male and female, that need jobs and yet we're going to go take inmates and give them jobs. I'd like to know the person who's going to be doing that, because I got thousands of people I can recommend to him to give jobs and they don't have to use incarcerated people.

PRESIDENT ROCK:

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I rise in opposition to this bill. I agree that inmates should be working and we do have some programs at the county level where we have inmates doing community

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

service where we have them out there involved in neighborhood cleanups and graffiti removal and these kinds of services. My guess is that if this bill were to become law, those kinds of programs would be gradually eliminated and we would have inmates going into programs on a voluntary basis where they would make some money, not enough money, but would make some money, but do it at the expense of individuals who are out in the community, unemployed, looking for jobs and won't be able to get a job with these for-profit companies that will prefer to hire someone at minimum wage or even less possibly, rather than employ someone in the community, they will go to these programs for their employees. I think it's unfair. I think it's going to force more people, I'm sorry to say, to commit crimes maybe to get into jail so that they can get a job. I urge an Aye <sic> vote.

PRESIDENT ROCK:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I strongly suspect that if somebody felt that strong about getting a job, to get a job without going that far. I would respectfully suggest I think this is a good idea. I doubt seriously that it would have the political possibility of being implemented in the areas from which several Senators have just spoken. But I think in some parts of the State, it could be a very valuable tool. We have some pretty heavy mandates we put on the counties, on jails. We have, in the last few years, shifted a lot of responsibility that we formerly had in our prisons to the county jails. And if some of the counties wish to come up with creative programs, I think this is a valuable step in the right direction. There's no question in my mind that in Senator Hall's area or Senator del Valle's area that the political realities are that the program probably wouldn't be used. I can also envision another situation with a nonviolent criminal where, quite possibly

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

unless there's something in the bill I don't see, a person could, in effect, go back to the job they had, be employed while they're serving their term in an area they currently wouldn't qualify for work release, pay for part of their incarceration and have a job when they get out. I don't see anything wrong with that. This would allow them, perhaps, to help support their families. I think this is an eminently reasonable, humane, decent idea, and I'm sorry if perhaps some of our union friends feel threatened, because I don't think that's the intent of the bill.

PRESIDENT ROCK:

All right. We have nine additional persons who wish to address this matter. Senator Brookins.

SENATOR BROOKINS:

Thank you. Just a few remarks because I did see the movie Cool-Hand Luke, and I can remember that this is one way that we can get free labor and labor at low cost, or no cost in some instance. Yes, I can imagine that there are certain areas in the State of Illinois, if we had this program in effect, that they would say, "Hey, we're running a little short on workers." So what they would do is just go up and bring in more workers, meaning more inmates. Would give incentive for people to get more inmates so that we can fill the quota of the number of workers that we'll need. This is a bad, bad idea. It was alluded to that there would be people that would do -- commit crimes so that they could get incarcerated so that they could get jobs. And you also have said and made a comment that, no, you don't think nobody would do this. I can assure you that this happens in the City of Chicago and other big towns in the wintertime; that to get a place to stay and stay warm, there are guys that commit petty crimes just to go into jail so that they'd have three meals and a cot. And if you don't think that, ask Dudycz, as his experience on the police force -- in the wintertime there where mass arrests so that

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

they would have what is called three meals and a cot. Yes, people would commit crimes for a job, because there are people out there just that desperate. And if we proceed with cutting that General Assistance Fund, we're going to more and more and more people committing crimes just to get the three meals and a cot. I guarantee you that.

PRESIDENT ROCK:

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

SENATOR MAITLAND:

Well, thank you very much, Mr. President and Members of the Senate. Senator Brookins, you're probably not going to use this bill anyway. I mean, it probably isn't even going to affect you. If it's going to bother you all that much, I'm convinced it won't even be used there. And, Senator Schaffer, thank you very much for making part of the argument for my closing. It's absolutely right. An individual goes to the county jail for a period of three weeks, a month, for whatever minor crime - has a job and probably would lose that job after that period of time. This gives them the option, with a lot of conditions, to maintain that job and come back to society as a productive citizen. This is not a mandate. Not a mandate at all. Loss of jobs - baloney. That's ridiculous. In most cases they're going to be doing menial jobs that none of the rest of you will do anyway. But they will be getting something for it. Senator del Valle, I'm surprised. I really am. The point that you made about those individuals all -- are all in strictly voluntary work - public sector work. That's what they're doing. This broadens it a little bit. This makes more citizens productive. I think this is a good bill, a good concept, and I solicit your support.

PRESIDENT ROCK:

Question is, shall Senate Bill 1426 pass. Those in favor,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 23 Nays, 1 voting Present. Senate Bill 1426, having received the required constitutional majority, is declared passed. Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Can we verify -- have a verification of that roll call?

PRESIDENT ROCK:

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

SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen, Butler, Daley, D'Arco, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Jones, J.E. Joyce, Karpiel, Keats, Lechowicz, Macdonald, Madigan, Mahar, Maitland, Newhouse, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Watson and Weaver.

PRESIDENT ROCK:

Senator Brookins, you question the presence of any Member?

SENATOR BROOKINS:

Watson.

PRESIDENT ROCK:

Senator Watson is in the back of the Chamber.

SENATOR BROOKINS:

Senator Keats.

PRESIDENT ROCK:

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

SENATOR BROOKINS:

Senator Newhouse.

PRESIDENT ROCK:



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

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

SENATOR BROOKINS:

Jeremiah Joyce. That's enough. That's enough.

PRESIDENT ROCK:

All right. Senator Keats is rejoining us.

SENATOR BROOKINS:

Jeremiah Joyce.

PRESIDENT ROCK:

Senator Joyce on the Floor? He's in his seat.

SENATOR BROOKINS:

The other Joyce.

PRESIDENT ROCK:

Not recorded.

SENATOR BROOKINS:

Howard Carroll.

PRESIDENT ROCK:

Senator Carroll on the Floor? Senator Carroll voted in the  
negative.

SENATOR BROOKINS:

Jones. Emil Jones. Emil Jones' not on the Floor.

PRESIDENT ROCK:

Senator Jones is always at my right hand. Right.

SENATOR BROOKINS:

Senator D'Arco.

PRESIDENT ROCK:

Senator D'Arco on the Floor? Senator D'Arco on the Floor?  
There he is.

PRESIDENT ROCK:

All right. The roll has been verified. On that question,  
there are 30 Ayes, 23 Nays, 1 voting Present. Senate Bill 1426,  
having received the required constitutional majority, is declared

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

passed. 1435. Senator Marovitz. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 1435.

(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. Senate Bill 1435 requires health care facilities to allow persons who have visitation rights to visit a hospital patient. It exempts facilities which don't allow any patients to receive visitors and exempts a facility when a patient's physician determines that the visitor may endanger the physical health or well-being of the patient. I would ask for an Aye vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall Senate Bill 1435 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 1435, having received the required constitutional majority, is declared passed. 1437. Senator Welch. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1437.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Mr. President, this is a vehicle bill designed solely to

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

change the Responsible Property Transfer Act to make it easier to sell real estate in the State of Illinois. We're going to work on it in the House. I would urge an Aye vote.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall Senate Bill 1437 pass. Those in 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 53 Ayes, no Nays, none voting Present. Senate Bill 1437, having received the required constitutional majority, is declared passed. 1440. Senator Dunn. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1440.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This is the bill that will cause a reduction in the education purposes extension with a corresponding increase in the income tax. It would phase out the education purposes permissive rate by ninety percent for elementary, high school and unit districts over a ten-year period. The rate reduction applies only to residential property taxpayers. The income tax rate for individuals would rise from three percent to 4.1, and the corporate rate would go from 4.8 to six. The income tax rates are within the eight-to-five ratio as required by the Constitution. To provide the relief, the following tax property deductions from income tax would apply: on adjusted gross income from zero to eighty-nine thousand it would be three hundred and fifty percent; and over ninety thousand would be two hundred

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

percent. This would allow the income tax surcharge for Local Government Distributive Fund to sunset as currently scheduled on June 30th of 1991. This does not change the Local Government Distributive Fund Formula. It does require school districts to use the replacement dollars for educational purposes. It does not include referendum rates and applies only to the permissive rate. It does not change the School Aid Formula, but is a dollar-for-dollar replacement. It does provide for monthly distribution to school districts. Senator DeAngelis and I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I have a couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He'll -- he indicates he'll yield?

SENATOR KELLY:

Senator Dunn, does this legislation have a built-in cap? And if so, is there any level - five percent - or anything? Is there any cap involved in this legislation?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn

SENATOR T. DUNN:

No, there's no cap involved in this, and it does not prevent local school districts from conducting referendums.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Kelly.

SENATOR KELLY:

Okay. So if it doesn't have a cap built into it, then what would keep a school district from imposing their maximum tax levy and also receiving a significant transfer of State income tax

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

revenues as well?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

That would be permitted only up to the permissive rate, Senator.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Kelly.

SENATOR KELLY:

Okay. For instance, an example of, like a hundred-thousand-dollar family income and the property taxes that they own <sic> is like three thousand dollars a year -- that they pay on their property taxes this year. What would happen, like, in ten years? What would this family look at in property taxes in the year 2001? You mentioned ninety percent. What -- what would it be in 2001 for property taxes?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

Thank you. That would be three hundred dollars, Senator. There would be a ninety percent reduction over the ten years to three hundred dollars.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Kelly.

SENATOR KELLY:

Well, one final question, and then I want to make a couple of brief comments. But what about a senior citizen who's living on fixed income? We hear from them most frequently and I guess my heart goes out to them the most, because they -- they don't have an income coming in. They're living on Social Security in many instances. What advantages is this legislation to them?

PRESIDING OFFICER: (SENATOR D'ARCO)

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senator Dunn.

SENATOR T. DUNN:

Senator Kelly, because seniors are living on fixed income, which is often comprised of Social Security of fifteen hundred dollars a month and a very, very small pension, this would be a direct and distinct advantage to seniors because of the level of income they have. They would be paying less in support of education, and this bill would shift that burden from their high real estate taxes to an income tax increase. And the individuals -- the more you earn, the more you're going to pay in that substitution.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Kelly.

SENATOR KELLY:

Yes, I -- I do see a weakness in the legislation that it does nothing to equalize the funding formula, and it appears to me that the rich districts would still be poor and the poor districts would still be poor -- will be rich and poor for the poor districts. By the year 2001, I can't see -- it seems to me that a rich district with a commercial base would still have a big advantage over a poor district, and I am concerned, while I certainly compliment Senator Dunn for bringing this legislation forward, I think this proposal should have been deliberated in committees. I haven't had an opportunity to hear anything from anyone on this issue - the Taxpayers' Federation, the schools I represent, the educators. I really wish we could have this before we vote on the bill, but I suppose we're not going to get that opportunity.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator J.E. Joyce.

SENATOR J.E. JOYCE:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

A inquiry of the Chair, Mr. President. Could you tell me how many lights are on right now?

PRESIDING OFFICER: (SENATOR D'ARCO)

There's four.

SENATOR J.E. JOYCE:

I would move the previous question.

PRESIDING OFFICER: (SENATOR D'ARCO)

Well, fine. Good idea. All right. Let's hear from the other lights, and then we'll have Senator Dunn close. Senator Jacobs.

SENATOR JACOBS:

I'll make my remarks brief, Mr. President. I think that we really don't have much going for us and our current system isn't getting us anywhere. I think this bill has a lot of problems. I don't think there's a lot of doubt about that, but it's the only show in town. And I think it's one that we should continue to look at. I think we should pass this bill out of here so that we can continue to allow this bill to work, to make the changes that need to be made. As an example, the -- even the effective date is too quick. But there's a lot of things that I think this bill has merit on, and we should continue to discuss it.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I have a question for the sponsor. Senator Dunn, you know, one of the things that I think many of us are concerned about is the fact that Illinois tends to be what we call a cyclical State because there's so much manufacturing and our residents don't work during a recession, money does not come in in the way of income tax. How would you foresee this plan working in, say, a year like the 1982 recession?

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Dunn.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR T. DUNN:

Very legitimate question, Senator. But Economic and Fiscal has told us in the Revenue Department that we average approximately a four hundred million dollar of new revenue each year and, yes, there are cyclical periods, but I believe it would balance out. I don't -- I don't foresee a problem when we do it over ten years. I would say, yes, if we made the switch in one year, we couldn't -- we might not be capable of addressing a situation like that. But when we do it over ten years, I think we've got an average and something we can work with. If an unusual situation arises, we have a ten-year span to fine tune it a little bit.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator -- all right. Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I think we're on the trail of something here, something that perhaps could be a good idea, and I imagine before anyone closes around here, we're going to say let's keep it alive and we'll work on it in the House and so forth. From some of the comments that I've heard coming from the House, frankly, I don't think I want to trust this piece of legislation to our friends in the Illinois House. First of all, my first comment is that I think the sponsors of this have been extremely timid in their approach. If you talk to the taxpayers out there, they're ready to pay a higher income tax and get some property tax relief. Instead, what we have proposed here is a little nibble effect. We'll spend ten years raising the income tax by 1.1 percent and, in that same period of time, we will, you know, have just a slight reduction every year in the property tax. Frankly, I don't think that's going to end up satisfying anyone. In fact, I think it so timid that it'll be cast aside and no one will ever notice that they received any relief from it. Secondly, I point out to you



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

that under this concept, everyone is going to pay. There's an increase on the individuals. There's an increase on the corporations. But the way it's structured, only the homeowners will get any particular benefit from it. There will be nothing in there for any farmers who are paying some rather high taxes. There will be nothing in there for any type of a local businessman, for any corporation - they're not going to receive anything from this. It seems to me if we're going to ask all these folks to pay, this thing should be structured in such a way that there would be some universal tax relief. It would have been very simple just to have simply gone ahead and reduce the local level for everyone. In fact, you could use the same amount of money, and where the proponents of this legislation will provide us about a dollar and sixty-five cents off of our tax rates ten years from now. A one penny increase in the income tax could have been used to give everyone about a dollar and fifty-two cents of overall tax relief. And, frankly, I think that would have been a much better approach. For those reasons, I will not be in support of the legislation.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Dunn has yielded his time to close to Senator DeAngelis. Part of it? You want -- all right. Senator Dunn. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. In the course of conducting our legislative affairs, there are only a few occasions in each Session, and sometimes not at all, in which we get the opportunity to redirect public policy. And let me, for a minute -- I would like really for the Body to listen this. What we're attempting to do here is something that has been discussed in every Session since I've been down here. In fact, bills have been introduced every Session and no bill has ever hit the Floor on this issue.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

To my recollection, this is the first time and only time that a bill of this sort has hit. The bill is not perfect. What the bill essentially does - it starts to move on a gradual basis, because when you're dealing in an arena in which eight billion dollars a year are being spent, Senator Rigney, you cannot do it all in one day. This bill is a start in that particular direction. And I might like to talk for just one minute why this is a redirection of public policy. For those of you who've studied and followed property taxes, you will know that the property tax was the first tax ever instituted in the United States. In fact, it was instituted before we even had a Constitution. It was under the Articles of Confederation. And the purpose of that was that it was to put a tax upon people who owned property because people who owned property had means. But you know what? You tell my seventy-nine-year-old mother, who lives on Social Security, that she has means when she gets a twenty-one-hundred-dollar a year property tax for a four room house. You tell my young kids who just got out of college that they really have means when they try to buy a house. The fact of the matter is, two things have happened. One, because of the greatness of our country, many more people own property than owned it when the property tax was first instituted. But, secondly and most importantly, the property tax when instituted at that time -- at that time, did not carry the burdens it carries today; because, if you'll recall, we did not have public education; we did not have the mosquito abatement; we did not have Cook County Hospital. We didn't have any of those. So we took a tax that was designed to be imposed on people of means, put it on people who don't have means and then enlarged the tax. The purpose of this bill is to start the process in changing that. You know, when Gorbachev decided to democratize Russia, the first comment he made - and we ought to pay attention to this, because it's really

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

ironic that the communist countries are going one way - we're going the opposite way. He said, "The first act is we must let people own property." We must let people own property. In America what we're doing is the opposite. In fact, between 1987 and 1988 and 1989 is the first time in American history when the percentage of home ownership declined. This bill is not perfect. But I want to tell you it is the first chance we had have in this General Assembly to get into the arena a discussion on the shifting, where we, in fact, fulfill our responsibilities of being the primary suppliers of money for education. This bill needs to be worked on. I would concede that. But I have to tell you, and somebody else said, it's the only real show in town. Thank you very much.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Dunn, to close.

SENATOR T. DUNN:

Thank you, Mr. President, just briefly. This is an opportunity, I think, to perpetuate the American dream and I think everyone knows that our seniors are being yanked out of their homes because of the high residential taxes. They're paying forty to fifty percent of their income to stay in their home. We're dealing with an archaic system. It's time to make the shift. When you go home this weekend, and you talk to your constituents at your parades and your picnics, you tell them you voted for this bill and they'll tell you you did the right thing.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall Senate Bill 1440 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 21 Ayes, 32 Nays, 4 voting Present. And Senate Bill 1440, having failed to

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

receive the constitutional majority, is hereby declared lost.  
Senator Dunn, you -- Postponed Consideration, Madam Secretary.  
1454. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1454.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The bill was introduced at the request of the Illinois Tax Increment Association, better known as TIF. It's a semi-shell bill; semi being that there has been negotiations with the Department of Revenue. They are -- are ongoing. I will tell you what they're trying to do. They're trying to use TIF to encourage reuse of major plants after they've been closed, recycling vacant industrial buildings, and maybe the most important - is improve the ability of TIF to eliminate significant environmental contamination. I would ask that this bill be moved forward to the House, and hopefully it will come back in a posture that we can all support at a later date.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? The question is, shall Senate Bill 1454 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. And Senate Bill 1454, having received the required constitutional majority, is hereby declared passed. 1457. Senator Smith. All right. Senator Marovitz, we're going to skip 1459 and move to 1461. Senator Marovitz. 1461.

SECRETARY HAWKER:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senate Bill 1461.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This is another one of those bills in the anticrime package offered by Mayor Daley and Superintendent Leroy Martin, State's Attorney Jack O'Malley and a host of groups throughout the State of Illinois. This is a very reasonable bill. It's a rational approach. I want to make it very clear that under no circumstances am I saying that the passage of this bill - probably or any other bill - is a panacea and is going to solve the crime problem. No one's going to say that. But it is going to be a piece of the pie. The use of assault weapons in national crime has increased from about none in 1986 to over ten-percent of all criminal gun use in 1989, and in 1990 it's gone up even further. The feeling about this issue and about the whole gun question has changed in America. I think the Brady Bill and the vote on the Brady Bill is sufficient evidence of that, where so many people changed their vote who had previously been in opposition, and switched their vote in support of the Brady Bill in Washington. This is a reasonable approach. We've talked to the superintendent of police in Chicago, who has to live with this problem day in and day out, and says that his forces -- his law enforcement forces - are out-armed by the gangbangers and the drug dealers throughout the City of Chicago, the County of Cook and the State of Illinois. He ought to know. Over twenty thousand illegal weapons were seized last year in the City of Chicago. This year he says it's going to be twenty-five thousand, many of those semiautomatic assault weapons. And people will say, "Well, they're

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

semiautomatic weapons. They're not assault weapons." I have a tape which will show you how very easily those semiautomatic assault weapons can be converted to assault weapons. We've had this bill before. I don't want to go into a very lengthy debate. I'll be happy to answer questions, but it is a bill that's -- that has been supported by Lieutenant Governor Kustra, Secretary of State Ryan, Pat Quinn, Dawn Netsch, Roland Burris, the Illinois League of Women Voters, the Illinois Parent Teachers' Association, the American Association of Pediatric Physicians, AFSCME, the ALF-CIO, the Illinois Federation of Teachers, the Chicago Teachers' Union, the Illinois Association of Chiefs of Police, the Federation of Police, the Illinois Education Association and, most important of all, the majority of citizens across the State of Illinois, who you might not hear from because they're not as well financed and they don't have phone bank operations and mail service organizations like the NRA. But they're out there in tremendous, tremendous numbers, and the overwhelming polls have shown that seventy-five to eighty percent of the people feel that semiautomatic assault weapons have no place in our society. I want to make it very clear that I think people have the right to have guns in their homes to defend themselves and defend their families. And I'm not going to sponsor any legislation that would prevent that right. But semiautomatic assault weapons were not anticipated by the framers of the Constitution. Muskets were the order of the day. Ladies and Gentlemen, this is a reasonable, rational approach. I've asked for suggestions. We've put them all in here. If people have weapons that -- that would fall under this category, they can plug the cartridges. If you have the weapon, Ladies and Gentlemen, the weapon itself is not a violation. It's only when it's combined with a magazine or cartridge of excessive capacity. Please, Ladies and Gentlemen, let's take a rational approach to what's happening on our streets;

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

not banning guns, not abridging people's constitutional rights, not preventing them from defending their families or their homes, but getting semiautomatic assault weapons off the streets and then stopping there.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

Indicates he'll yield.

SENATOR BROOKINS:

Yes. Senator, it's my understanding that in competition shooting that they most likely have magazines that carry more than the ten or fifteen rounds which this bill would designate. Is there some way we could do something that if they're in competition, maybe with the -- with the range, guard or the ranger there, that we could let them, as long as they're on a range with proper facilities -- can we do something in that area?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, Senator Brookins, we certainly can, and I'd be willing to work with you and the NRA to do that, because it's not my intention, for sure, to ban legitimate competition in the State of Illinois, under any circumstances.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Watson. Senator Brookins.

SENATOR BROOKINS:

It is also my understanding that when the cache of weapons in Chicago were seized by the police department, that they could not charge them with anything but the possession of weapons, et cetera. This bill would give them an opportunity to charge

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

them with a stronger penalty because of possession of those weapons. Am I correct?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

That's absolutely correct, Senator Brookins. These weapons -- hundreds and hundreds were taken in just one raid, and there were only misdemeanor charges on the books to be able to hit these people with. If this bill passed, we'll be able to get these individuals with a felony charge.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Brookins.

SENATOR BROOKINS:

Thank you. With that, I'll withdraw my objections to this bill. Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I appreciate the sponsor's willingness to work with those of us who oppose this legislation, but I think right now we've got a bill before us that is different than what he's possibly proposing. I think we have to vote on the basis of this particular legislation we have in front of us. And the Senator himself, when he explains the legislation, makes a good point of why we should vote No, and it's simply one of definition. I mean, how do you define what is a semiautomatic weapon and an automatic weapon? Simply by the clip? And when you do that, you end up making a possible felon out of those people who are just competitive shooters. I mean, these are people that are honest, law-abiding folks who live in all of our districts, who are going to be in violation of some State law now, if we pass this bill. I mean, Chicago has the toughest gun



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

control laws on the -- that can be passed by a local municipality, and they still have a problem. And I don't know that this is going to solve it. All this is going to do is probably create more of a problem for those people who are law-abiding, honest citizens who want to do what's right. And I just think that a proper vote on this is No.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Briefly, Mr. President and Ladies and Gentlemen of the Senate. We've had enough of our fills of gun bills. Chicago has such a tough gun law, as Senator Watson said - you can't even register a gun there - and yet the law-abiding citizens can't protect themselves. And I -- I just do not see the sense of it. New York has a tough gun bill. The most crimes are committed in New York and Chicago. With such tough gun bills, I think we're going too far. I speak against it.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator -- Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I have an inquiry. I was just struck by something a moment ago, and that is this automatic weaponry in competitive shooting. I wonder if somebody could explain that to me. I don't --

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Marovitz, you can explain that -- on closing, he can explain it, I think. Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR DAVIDSON:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senator Marovitz, did I hear you say a while ago that you supported the right of all the homeowners in Chicago to have a gun in their house?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

What you heard me say was not what you just said, but what you heard me say was I think that individuals have the right to have a gun in their home to defend themselves and their family. And I am not going to sponsor any legislation that would take the right of someone away to own a gun to defend themselves or their families.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

Then you're willing to sponsor or co-sponsor legislation that would do away with the Chicago local ordinance that prohibits most people in the City of Chicago of owning a gun or keeping a gun in their house for protection?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

Senator Davidson, the last time I looked, I wasn't an alderman. Thank God for that. That's up to the city council. I'm here to pass laws for the State of Illinois, and that's what I'm trying to do.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Davidson.

SENATOR DAVIDSON:

Well, let me speak to two things. First and foremost, Senator Marovitz, I know you're not an alderman. I know you're a State Senator. I also know that we have the right, by a three-fifths majority, to override any local ordinance of any home rule

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

community. So if you really feel that they have this right, then I expect to see you with a bill in -- sponsored by you - and probably co-sponsored by a lot of us - that would allow that homeowner to do that. The other question I have of you is, seeing by the analysis, twenty-two rim -- rim fire rifles are exempt from this. And the last time I looked, there wasn't any of the hideous crimes that were committed in Chicago were committed with a long gun that was above a twenty-two caliber. Other words, all the murders or assault that was done was done with a twenty-two rifle. You haven't accomplished a thing to reach the so-called crimes in Chicago dealt with -- with a long gun. Fact is, of statistics I saw from the FBI, in '89 there wasn't any committed by a twenty-two rifle or any long gun. I think '88 or '87 was the last time, and every murder that had been committed had been committed from a twenty-two rifle. This is not a good piece of legislation. I urge all of you to vote -- No.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senator Davidson, I hope that you've taken a look at the murder rate in the City of Chicago and in the State of Illinois. It continues to rise. It continues to rise quickly. We have communities where people are living in fear. My ten-year-old son had to go back to the store with his mother a third time yesterday because each time that they came home, we found out that they had purchased athletic shoes that had the wrong colors on them, and so we sent them back to make sure that the chances of he walking down the street and being shot are minimized. And I say minimized because that chance is always there and increasing every month in the City of Chicago. And not only in the City of Chicago, but in cities like Aurora and Joliet, and I'm sorry for mentioning those cities. We have legislators

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

here who represent those cities. But the murder rate is going up everywhere. And the weapons that are being used are becoming more and more sophisticated. Automatic weapons are weapons sought out by gang members and violent criminals across the entire State of Illinois. That is not going to change. That is going to get worse, and it's time that this Legislative Body sent the clear message to everyone out there that we are going to take the kind of action that's going to allow for our streets to become safer for our children.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Jones.

SENATOR JONES:

Thank you, Mr. President, Members of the Senate. I rise in strong support of Senate Bill 1461, and it's very regretful that the sponsor had to compromise on this legislation. He spoke about sportsmen and competition with assault weapons. Now in our society in the year 1991, I don't know of any sportsmen who are using assault weapons for competition. The only competition that exists is the competition between the gangs that's going to intimidate young people into joining gangs. Hardly a day passes that you don't read the newspaper, some young, innocent citizen who has been shot with a gun. And the raids -- all our law enforcement are for getting these weapons out of the hands of people. The funeral homes, Senator Brookins, are lined up every day with young people who die from being shot with guns. In the -- in the projects in the City of Chicago, they did a raid, and the NRA had the audacity - the audacity to oppose them getting those guns out of there. Some people got a conflict of interest. I know. But it is a disgrace. I would like to see the State Police come out stronger for more gun control. Do we have to wait till on one lonely southern road one night some individual with an assault weapon wipe out some law enforcement people, then we'll

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

all rush in here and say let's pass legislation? Too many young, black men are dying from -- from being shot with guns. And there is no compromise on this issue. No compromise. If you talk about constitutional rights - well, constitutional rights also demand a responsibility. And at the time that was written, that was written at a time when our society was few and sparse and people needed guns. But don't tell me and tell this Body and tell the eleven million people of this State that you need assault weapons to protect yourself. No. Assault weapons are designed to kill, intimidate, and that's what they are there for. And Senator Marovitz, it's not competition. The only competition is between those individuals who want to control and intimidate. It's a disgrace. I really regret that you have to compromise to get a bill of this nature passed, but this bill should sail of here, but it should be much stronger.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. WICS requests permission to videotape. Any -- if not -- if no objection, leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR D'ARCO)

Well, that was very timely, because there are no more speakers. Well, Senator Weaver wants to speak. Let's hear from Senator Weaver.

SENATOR WEAVER:

Thank you -- thank you, Mr. President. I'm just going to remind the Senate we have sixty-four more bills on the Calendar. We're running about ten bills an hour. So you know how long we're going to be here.

PRESIDING OFFICER: (SENATOR D'ARCO)

Well, we have one more speaker. Senator Joyce wants to speak.  
SENATOR J.J. JOYCE:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Yes, thank you, Mr. President. I'll be brief. I spoke about this issue last year. I think it is reasonable. It is something that we ought to do. There are all kinds of reasons why people need guns, and I'm not saying that they don't. I happen to live on a farm. I used to be involved in raising a lot of livestock. I had a lot of sheep and there was reason to have a gun because sheep would get killed by dogs. And I shot a lot of dogs with various weapons. I have several different guns at my home right now. I don't have an assault weapon, however. I have semiautomatic rifles; a two twenty-two, a two forty-three, a seven millimeter magnum. However, I don't recall ever shooting an animal or anything else that -- on the fifteenth shot, or the tenth shot, or the fifth shot or the third shot. Barry Goldwater said, "If you can't shoot them on the first shot, you don't -- you should not even have the gun, because that's the only time you're going to shoot them." So you don't need all of these things. Talk about your competition. National matches are created by an Act of the U.S. Congress. Well then, let the U.S. Congress create an Act that they can have ten shots in the magazine rather than twenty, or thirty, or however many they think. And as far as defending your home, if you're concerned about someone breaking into your home, there's no more better defensive weapon in the world than a twelve-gauge shotgun. And you're not going to kill some kid across the street if you make a mistake in there. So all of this nonsense about the clips and magazines and so forth, you -- the gun -- any kind of gun you want you can have. All this says is you can't have more than six shots in a shotgun, ten shots in a semiautomatic, or fifteen shots in a pistol. Seems very, very reasonable to me. I'd certainly support this.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Marovitz, to close.

SENATOR MAROVITZ:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

I'd just make one last comment. I've had a lot of bills in the eighteen years that I've been here, and I never had as many colleagues come up to me and say to me, "Billy, you have the right idea. I'm with you. It's the very best thing. I know you're right, but I'm afraid of the NRA." I would ask those colleagues who know that it's the right thing to do and that this is -- this is a reasonable, rational bill, to stand up, like George Ryan did, and support this legislation.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall Senate Bill 1461 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 26 Ayes, 28 Nays, 2 voting Present, and Senate Bill 1461, having failed to receive the required constitutional majority, is hereby declared lost. Senator Marovitz, do you want leave to return to 1459? Hearing no objection, leave is granted. Senate Bill 1459. Senator Marovitz.

SECRETARY HAWKER:

Senate Bill 1459.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 1459 is a bill which creates a hotline for gun dealers to pick up and call the State Police before they sell a weapon. When you go to the store to buy a -- oh, some cologne or perfume and you use your American Express, your Visa, your Mastercard, they check your card to see if it's valid, if it's been charged up to the max, if it's been revoked or suspended. But if somebody goes

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

to -- to buy a gun, there's no way for the gun dealer to check and see if that FOID card is still valid other than to see if the effective date is still there. And this would just set up a system so that people can pick up the phone and call the State Police and see if the FOID card is still valid. It also sets up the crime of gun trafficking. Knowingly transferring a firearm without the recipient showing a FOID card becomes a Class 4 felony. Unlawfully transferring two to five firearms within three years is a nonprobationable Class 1 felony; and five or more commits a nonprobationable Class X felony. It would required applicants -- we increased the FOID card from five dollars to ten dollars. When the FOID card was instituted in 1967, the charge was five dollars. It's never been increased since 1967. It's good for three years. It's never been increased. So what we're doing is we're increasing the FOID card fee from five to ten dollars and people go to the State Police, any State police officer or the Secretary of State's Office and apply for the FOID card. When you go for a driver's license, you have to go to the Secretary of State's facility. In the past, when we've had the voter's registration, you've had to go down and register to vote downtown. Well, what happens today is you just fill out a FOID card application, mail it in and there's a lot of aliases and false information. This would say you've got to go to the Secretary of State's Office or the State Police and fill out the information there. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you. Senator Marovitz, my problem here is that I know that they're in certain parts of the State of Illinois and other area, if I walked in and asked for a FOID card, I automatically would be rejected just because of the nature of who I am and the



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

color I am and et cetera. What could we do about that?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

When somebody goes to apply for the card, the individual -- wherever they apply, those aren't the people who grant the -- the card. They just process the application and send it down to Springfield to the State Police down here. Those are the ones who grant the FOID card. And frankly, I have never been given any information that there's been any discrimination in the issuance of FOID card as long as the information checks out on the application. So whether they go to the Secretary of State's Office or they go to a State Police Office, those people at that office have no authority to grant the issuance of the FOID card. They just process the stuff and send it down to Springfield.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Brookins.

SENATOR BROOKINS:

Then why is the purpose of sending them to the Secretary of State's Office or the State Police to pick up the application period? Why not mail them or issue them to the folks as they have been issued to them all the time? I can't see the purpose of it then.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

One of the reasons that we put this in, and I'd be willing to talk with you about it, Senator Brookins, because this is certainly not the major part of the bill nor the most important part of the bill, is that a lot of people have been supplying false informations on the FOID card application. And it was felt that if you bring your three pieces of identification to the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Secretary of State's Office or the State Police, there'd be less chance of false information and legitimate people who ought to get the FOID card and really ought to get the FOID card - legitimate gun owners will be able to get them, but we'd able to weed out the felons who may be applying in aliases.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Brookins.

SENATOR BROOKINS:

Senator Marovitz, there has been no crime committed with a gun or anything else with a person that has been issued a FOID card. Whoever has the FOID card is not the ones that we're trying to get at. We're not getting at the legitimate citizens or the people that's going to present their card and go and eventually wait the thirty days and purchase a gun. These are not the people that are going to commit a crime. The people that are going to commit the crime are people that do not have FOID cards, have not -- have got the gun some other type of way, illegitimately and committed a crime. I know for a fact that if certain individuals walked into a police stations and Secretary of State's offices in this town and said that they wanted an application, they would be denied that applications for ever so many reasons. This has a history of that, and I cannot support this bill with that. Now, I'll be willing to work with you if you want to remove that portion of the bill when it get to the house, et cetera. I can go along with it, and I think that every other person in this Senate could go along with it -- with that in mind. But I know for a fact that if I today walked into certain areas in the State of Illinois talking about I wanted a FOID card to buy a gun, I would be denied. And that's a fact.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Dudycz.

SENATOR DUDYCZ:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Yes, thank you, Mr. President. Senator Marovitz, we just passed a few minutes ago, Senate Bill 1424 sponsored by yourself and Senator Raica. Substantively, how does the -- what's the difference between, you know, this bill and the one that we already passed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

1424 has nothing in it about a hotline whatsoever, so that somebody who is going to buy a gun, the gun dealer would be able to check and see if they have a valid FOID card, just like they would for driver's license, something like -- there's nothing like that in 1424, and I'm the hyphenated sponsor of that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Once again, I rise in strong support of this bill. And I would think former law enforcement officers and those persons who are concerned with lives should be in strong support of this bill. And my good colleague, Senator Brookins, many, many persons are dying as a result -- or even persons who own FOID cards, in a heat of passion they -- they're able to get a gun right quick and shoot someone. That's where a lot of these domestic violence take place. There is nothing wrong with having time to check to make sure. Again, the bill does not go far enough, and I don't know how many citizens in my community and yours and many others that have shot a person who was attempting to rob them. Usually, it works the other way around. Again, too many young black Americans, especially young black males, are dying as a result of handguns. And anything that will curtail the availability or use of such weapons should be used again, but I don't have the conflict of interest.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAROVITZ:

Well, basically, the major parts of this bill are a gun trafficking crime for people who transfer guns illegally to people and the setting up of a hotline so that we'll know, when people are getting guns, if they've robbed a bank the night before or if they've been involved in a cocaine deal the night before. That's the major part of this bill. I'm not trying to inconvenience anybody by going anyplace else to get the card. The most important thing is that we have a hotline so that we can get guns to people who -- who don't have records and that we can stop the gun traffickers in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1459 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 31, 1 voting Present. Senate Bill 1459, having failed to receive the required constitutional majority, is declared lost. 1462. Senator Marovitz. On the Order of Senate Bills 3rd Reading, Senate Bill 1462, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1462.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. 1462 would limit an

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

individual's right to have a gun if he has been charged with a forcible felony and is released on bond. It would prohibit him from possessing a firearm if he's been charged with a forcible felony. It's pretty simple, straightforward bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall Senate Bill 1462 pass. Those in favor will vote Aye. Those opposed will vote No. 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 32, the Nays are 19, 1 voting Present. Senate Bill 1462, having received the required constitutional majority, is declared passed. 1465. Senator Dunn. On the Order of Senate Bills 3rd Reading is Senate Bill 1465, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1465.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Exempt from regulation by the Secretary of State are short-term securities that mature within nine months. We had an individual up in our area who trafficked in those notes and created a pyramid scheme, and cost people twenty-nine million dollars in savings because stated on the brochure that was publicly distributed was the statement that these securities were regulated by the Department of Financial Institutions of the State of Illinois. Elderly people relied on that and as a result, there was a substantial loss of twenty-nine million dollars. Now I understand that there are institutional buyers of these notes and I also understand there are wire

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

transfers of these notes. We're not directing our focus towards them, and I'm willing to work with creating an exemption from them. What this merely does is to place on the face of these documents the statement that this instrument is neither guaranteed nor is its issuance thereof regulated by any agency of the Department of State of Illinois or the United States. But I'm willing to work with those wire transfers and institutional investors.

PRESIDENT ROCK:

Is there discussion? If not, the question is, shall Senate Bill 1465 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1465, having received the required constitutional majority, is declared passed. 1467. On the Order of Senate Bills 3rd Reading is Senate Bill 1-4-6-7, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1467.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This creates the Telephone Solicitation Act and allows telephone users to be placed on a list where that they may not receive telephone calls. They pay a fee of ten dollars initially and a five-dollar a year renewal. There are permitted calls to those individuals on that list and the calls are as follows: in response to an express request by the individual; made in connection to an existing agreement which has

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

not been completed; thirdly, to a person with an existing relationship with the solicitor or by a newspaper in connection with its business. This bill, I think, is one that's time has come. We have all been bothered at the wrong times by people soliciting us for sales. All this merely says is, "I do not wish to be called at the dinner hour. I do not wish to be called at 8:30 at night. Call someone who is not on this list." That's all it says.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Karpziel.

SENATOR KARPIEL:

Well, thank you, Mr. President. This bill went out of committee, I believe, the Executive Committee -- or Energy -- Energy and Environment, for heaven sakes. At any rate -- but it was -- at that time we weren't aware that the -- this would cover Realtors. And I understand the Realtors are very -- now very concerned about the bill since they are placed in it, and this would be very -- make it difficult for them to do what is called farming, or you know, just going around trying to engender business. So they're very concerned about this -- of a penalty up to ten thousand dollars for calling someone that they shouldn't call. And they're also afraid that it could keep sales people from operating in certain neighborhoods, and -- and then they would be in violation of other State and Federal Statutes. So at this point, I think that maybe we ought to take a closer look at this, and I would ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Well, Mr. President and Ladies and Gentlemen of the Senate and to the sponsor, and just tell me if I'm wrong -- because it has been noted to me by some of my real estate boards that there is

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

indeed a fine that could be upwards of ten thousand dollars for one of these calls. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Could be up to ten thousand dollars, if there was a violation of the law, as a civil penalty, just like there could be a fine -- on all criminal fines there is a maximum and a minimum. It's no different than any other penalty, and if there are repeated violations of the law, then that's what someone ought to be fined to be deterred if they continue to violate the law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Well, I guess I think maybe that might be a little excessive for a phone call other than, you know, what probably is an obscene phone call where maybe we might want to look in that direction. But they also present a question that I would like an answer from you. Could this not, as it is written, be used in such a way not only to keep Realtors from being able to do their jobs, but also to encourage neighborhood groups to organize in such a way as to be able to prevent calls from coming in, business to be conducted in terms of real estate, thus keeping, quote "undesireables", end of quote, out of the neighborhood?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Nothing would prevent anyone from getting on this list. But to suggest, I think, that -- that people are going to be conspired not to be called on the telephone, I think is reaching a little bit. I think that if it doesn't prevent the mailman from coming up to your door and depositing junk mail along these lines - if I



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

had my way, I'd bar junk mail too. It also doesn't prevent an individual from walking up to your door and knocking and I think the Realtor argument is really not a genuine. I had a discussion with the Realtors, and they really couldn't give me a good reason. It was a very nebulous thing that they -- they talked about, and I have a lot of friends that are Realtors and I'm forty-eight years of age and I don't ever remember ever having a Realtor call me and asking me to either buy my home or if I was interested in buying a home. And I think most Legislators have had the same experience. People don't dial up and say, "Is your home for sale," or "would you like to buy a home," if you already have an existing home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I had a couple of questions of the sponsor. Senator, as you were describing the bill, I got the impression that if this bill passed, the nuisance calls to my home might end. But I suspect that that's really not the case. Does your bill address -- or require phone companies to remove names from the lists that they sell to these companies that -- from which the phone -- or the solicitors are getting the numbers? Will my name -- if I -- if I sign one of these forms, will my name be removed from the list that the phone company sells?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

If you're on the list and they call you in violation, they have committed a violation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, that wasn't the question I asked you. What I

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

asked you was -- well, you heard my question. Do you have an answer to the question? The phone companies sell a list of names and phone numbers. And from that list the solicitors work -- from that list the solicitors work and make their phone calls. Now, if this bill passes, is there some way that my name can be removed from that list that's sold?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

I cannot control what the telephone company does with your name. But I can control what the Secretary of State does. And if you pay your fee to the Secretary of State, you then appear on the list. The sale of the list is not a violation. The telephoning of you at your home at the dinner table would be the violation. So if somebody sells the list, that is not a, per se, violation. It's the phone call to your home. And what the phone company does with your list, I have no more control over that than I do the telephone book or you do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So the answer is no, my name -- my name would not be removed from the list that they sell. Then is there another list prepared that has my name on it that says I'm one of those people they cannot call? Is that how the bill works?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR SCHUNEMAN:

Well, then my -- well, okay, go ahead and answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry. Senator Dunn.

SENATOR T. DUNN:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Yes, and it's quite successful in Florida.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I'm not really opposed to your bill. Okay? Because I'd like to see -- I'd like to see these nuisance calls eliminated, but I also do not want to have local people subjected to ten thousand dollar fines who may violate this law in a perfectly innocent way. I think of local people who use the telephone for solicitation all the time, and they're not working from these lists that are sold to national companies. I think of, for example -- what about surveys? What about doing a survey in your election campaign? Is that exempted?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator -- Senator Dunn.

SENATOR T. DUNN:

A survey is not a sale, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. To Senator Dunn, I'd like to go a little further with the line that Senator Schuneman was going. We're all going to be running in the fall somewhere for some office, I presume, and if I put in a telephone bank to solicit the voters of my district to vote for me or my people tell them my qualifications, am I not selling myself to them and soliciting them to vote for me? How would I be affected?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

I would never suggest the Lady would be selling herself, and you would -- you would -- you would not -- you would not come

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

under the definition of a sale, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

But would not my constituents who are running my phone bank be trying to tell the people about me and to tell them that I am the best -- it's not a matter of buying something for monies coming in, but I would be -- being presented, would I not be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

No, Senator. Under the language of the bill, it specifically makes reference to soliciting a sale of any consumer good or service. You are neither.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Will the sponsor yield? Senator Dunn, who wants this bill? Where does it come from?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

It was my idea, Senator.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, I know you have many bright ideas, Senator, but let me ask this question. Can this -- can an organized group use this bill to go out and -- on scare tactics and say, "Hey, maybe your name should be on here. This way you will not -- will not be solicited by a telephone." And that concerns me very much, and -- because -- especially in the area of real estate and also the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

strong penalty that is imposed in that area. But it concerns me where this bill actually originated from. You follow me? And you said it was your idea. Maybe your intent was good, but the net effect of this intent can be detrimental to a lot of people. And rather than have the bill die fast, maybe -- you want to hold the bill and work on it and see --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

I'm -- be happy to work in the House if you have some amendments, but I really don't think the net effect of this is any different than the person who pays a fee to be removed from the telephone book and then this gives the additional protection that the person will commit a violation if he calls that person. So it's really no different in the issue that you raise about removing your name. People can conspire to remove their name from the telephone book and how would you know their number unless you used an automatic dialing machine?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, if this bill becomes law, I can guarantee you what will happen. You will have certain groups going out in respective communities telling persons, "Have your name placed on here; this way you will not be bothered with XYZ." And that intent would be different than your intent. And that is what makes the bill bad as far as I'm concerned and should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Thomas Dunn may close.

SENATOR T. DUNN:

Thank you. I think this is an opportunity to -- if people feel that the amount of money for the violation is excessive, I'm

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

happy to work in the House to reduce that to a level that I'm sure we can easily agree to, because the only intent of the fine aspect of it is to serve as a deterrent. This is an opportunity to preserve the privacy of the telephone in the home and to prevent these people from really calling people. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1467 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 30, 5 voting Present. Senate Bill 1467, having failed to receive the required constitutional majority vote, is declared lost. Senator Topinka, for what purpose do you rise?

SENATOR TOPINKA:

Yes, Mr. President, a point of personal privilege. In the -- in the President's Gallery, I do have my legislative assistant from my District Office, Diane Brod from Downer's Grove, who has recently become a United States citizen, having been born in Canada; her mother, Bertha Baker, who hopefully will become a citizen soon as she gets her paperwork done; their -- her daughter, Fhaunna and her friend from St. Louis, Jean Baker. If we could all welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise - be welcomed to Springfield.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

If you will turn now to Page 3 on your Calendar. Page 3. We'll start at the beginning. Last run. I hope this is the last run. Senate Bill 10. Madam Secretary.

SECRETARY HAWKER:

Senate Bill 10.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 10 is a shell bill. It has nothing substantive in it. We had discussed perhaps putting in one of several plans dealing with the one man/one vote question raised by the Supreme Court. That question has not been resolved by the various groups involved in Chicago. So we are passing this bill out merely as a vehicle bill. I encourage, on behalf of all of the legislators, that the people back in Chicago try to reach a consensus so that we can respond to their opinions. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 10 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 10, having received the required constitutional majority, is declared passed. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President, Members of the Senate, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR O'DANIEL:

In the President's Gallery on the Democrat side is - along with my wife, is a group from the Wayne County area, Tonya Loker and her -- her School of Dance. These young people have performed together for some five years and will be performing in the rotunda immediately after their introduction. They're accompanied with Tonya Loker, their instructor; Missy Rainwater, who is in charge of my district office at Mt. Vernon; her daughter, Nina, and all of them and also Trina Creeden, one of the assistants. So help me welcome these young people to the State Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise. Welcome. Senator Jones. I'm sorry. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, they will be competing tomorrow in competition at the Statewide regency talent competition at the Prairie Capitol Convention Center and they hope to go on to there -- to the national competition in July. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah. Thank you, Mr. President. On the same order of personal privilege. We have the eighth grade students along with their teachers and chaperone from the Brenan Elementary School, Chicago Public Schools in the City of Chicago, and -- as -- it's appropriate that they be here at this time, Senator Berman, because we were dealing with issues that's going to deal with school reform. So let's give a warm welcome to the Brenan Elementary School students.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests will please rise. Welcome. Welcome. All right. Senate Bill 11, Mr. Secretary, please.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

ACTING SECRETARY: (MR. HARRY)

Senate Bill 11.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Jones, I'm very glad that we have these students from your district in the -- in the balcony. Those are elementary school students, but one of the provisions in this bill that's very important to them, among others, but specifically to them, is to allow them when they get to high school and they run for membership on the local school council in their high school, to have the right to vote on that local school council. So I hope that they're listening very carefully. This bill includes a number of items that have been brought to the attention of the legislature to expand Chicago School Reform. I won't go through each of the items. Let me just mention, in addition to student voting, we address the question of nonactive LSC members. We address the question of timing of the provision for open enrollment. There have been two amendments adopted. One by Senator del Valle, regarding a Bilingual Advisory Committee. And another by Senator Karpiel stating that the principal shall be in charge of his or her school. Be glad to respond to any questions, and I want to underline that this is a starting point so that there is something in legislation between now and the end of this Session. We invite more input from the people concerned about Chicago Reform. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpiel.

SENATOR KARPIEL:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Thank you, Mr. President. I rise in support of Senate Bill 11. As Senator Berman said, it incorporates a great many changes or expansions of the Chicago School Reform that were requested by various groups, particularly the local school councils themselves, and this is the bill that we fought long and hard for the other day -- the amendment on the principals having control of the school is on Senate Bill 11, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 11 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 11, having received the required constitutional majority, is declared passed. Senate Bill 13. 22. Senator Brookins. Senator del Valle, for what purpose do you arise?

SENATOR DEL VALLE:

Thank you, Mr. President. I'd like leave of the Body to be recorded as an Aye vote on Senate Bill 10, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The electronic marvel will so indicate. Senate Bill 22, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 22.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Senate Bill 22 requires persons riding a motorcycle, a motor driven cycle and every passenger wear a helmet when riding. Now we bring this bill again, as I have

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

brought it in the past, because, number one, we want to save lives. During a five-year period from '85 to '89 there was thirty-seven thousand three hundred and two motorcycle crashes. And eighty-nine -- and eight hundred and thirty-nine deaths, plus twenty-nine thousand five hundred and fifteen injuries. Let me say to you, Ladies and Gentlemen, not only if you wear your helmet will you save some lives, but I think that one of the most important things that I seem to have noticed, to the people that object to this, that if we pass this bill, or when we pass this bill, we will not only save lives, but we will certainly save the State large amounts of money. We have argued this issue over and over and over again, and I merely ask that we give an Aye vote to this important legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. Senator Brookins, I would like to read a couple of Sections from the Illinois Vehicle Code and then have you respond to a question. The first passage is from the Child Passenger Protection Act and it reads, "In no event shall a parent's or guardian's failure to secure a child under six years of age in an approved child restraint system, or properly secure such child in an approved system, constitute contributory negligence," - and now the important part, Senator Brookins - "or be admissible as evidence in the trial of any civil action." The next -- Section is from the seat belt law, and it reads, "Failure to wear a seat safety belt in violation of this Section shall not limit the liability of an insurer, and shall not diminish any recovery for damages arising out of the ownership, maintenance or operation of a motor vehicle." And the question I put to you: Are anything -- or any provision similar to those in your bill?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Well, then, Senator Brookins, I -- I will tell you that the trial lawyers are going to have a field day if your bill were to pass. The other question I would pose to you: If this bill becomes law, and a person gets caught not wearing a helmet, would it be a moving violation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Then in -- in other words, if a guy has two tickets and he gets stopped for this violation, he loses his driver's license. Right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes. That's what it says.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Well, that sounds like a pretty stiff penalty for something like that. Well, also I -- I wish to comment on the -- on the medical testimony and -- and so on that seems to be very

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

inconclusive on this bill. Quite frankly, the evidence that wearing a motorcycle helmet in some way increases the safety, reduces fatalities and injuries, I think, is quite erroneous. As a matter of fact, within the past week, USA Today had a -- a very interesting article. And it was -- I would just comment to you that the State of Arkansas, Florida, Hawaii, New Hampshire, Nevada, South Carolina -- these states and all of them that have mandatory helmet laws have a much greater death rate, fatality rate per ten thousand motorcyclists than do the states, including Illinois, that do not have a helmet law. So thus, that medical evidence is -- is totally inconsistent with what has been bandied about on this bill. In other words, Ladies and Gentlemen, as you certainly can tell, I oppose this bill. I ask for a No vote on it, and hope that we can keep it in this Chamber.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins may close.

SENATOR BROOKINS:

Thank you, Mr. --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh. I'm sorry. Senator Watson. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

I had my light on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Watson, you had it on, you took it off.

SENATOR WATSON:

And I've got it on now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I asked if there were any further discussion. There was no light on at the time. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Well, I -- I rise in opposition to

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

this legislation also. This is our annual bill that we have before us dealing with mandatory helmets, and in committee the first vote that was taken was a 7 to 7 to 1 vote, and the bill was held in committee. And then the next week it came back and the sponsor moved it out by a one-vote plurality on an illegal motion that was made, which we had on tape and the motion was improper, and unfortunately now we have this before us. It should have stayed in committee, by all practical purposes. But the problem with this - and I don't know how many of you ever put on a motorcycle helmet - but if you put on a helmet you -- you have trouble seeing. You've got tunnel vision. You have trouble hearing. There's a lot of problems that could ultimately defeat the purpose in which he's asking, and that's to hopefully save the life of motorcyclists. But when you have a helmet on, there are some vision problems and hearing problems. And the cost of the helmet - I don't know if you've priced those here lately, but the cost of the helmet is practically prohibitive to a certain element of our society. So I think the proper vote is No, and I encourage all the Members to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Further discussion?  
There's no other lights? Senator Cullerton, you may close.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We continue to hear these myths that people just literally make up, concerning the use of helmets. There's two issues. The first issue is whether or not a helmet works, and then secondly, whether we should mandate it. With regard to whether or not it works. The normal human eye has a peripheral vision of two hundred degrees in width. The Department of Transportation regulations with regard to helmets, is two hundred and ten degrees. There's no impairment of peripheral vision because of helmets. With regard to hearing,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

the motorcycle engines themselves are eighty-five to ninety-five decibels. The helmet reduces the sound of a car's horn to the same extent that it reduces the -- the sound of the engine, and as a result there's no impairment of -- of hearing when it comes to wearing a helmet. Now people have said, "We don't need helmets, we need more training." The fact of the matter is, that about two-thirds of all of the accidents that involve motorcyclists are -- is caused by the negligence of a driver of a motor vehicle, not the motorcyclist. So all the training in the world does not help that motorcyclist. And then they talk about these -- these statistics about -- there's no difference whether the law passed or not. It's just not true. Head injuries, which is what is prevented by the motorcycle helmet -- the head injury deaths are twice as high in states without the law than in states with the law. In fact, the American Motorcyclists' Association says we ought to have -- people ought to wear helmets. But they do say -- they do say that they're against having the states mandate it. So why should we mandate it? You know, to say that the cost of a helmet is too high -- the cost of the helmet is too high, so we shouldn't pass the law. The cost is borne by taxpayers. About two-thirds of the people that get seriously injured by a motorcycle accident end up going on public aid. Seventeen million dollars in Illinois -- seventeen million dollars in 1988 for acute health care was spent to -- for people who were injured by motorcycle accidents. And millions more in long-term care and rehabilitation expenses. And that's -- that's just the cost in dollars. What about the cost in human life? People have said that they can't vote for this because they got a lot of calls from ABATE and they got a lot of letters and they committed themselves to those people in their district. Maybe this time around you have to say you can't vote for it, but if this doesn't pass and it comes up again, next year I would suggest that when you get those

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

letters, you tell them, "I'm going to hold off on committing against this bill. I want to listen to the statistics and I want to listen to the facts." You know, we got a call -- we got calls in our office. Everybody got calls from people who said they were against the motorcycle helmet law. I got a call - my secretary recorded this guy's name - from an Arthur <sic> (Martin) Koefoed, a member of ABATE, from Springfield, Illinois. That was in the last week of April. A week before the vote. May 3rd, State Journal-Register, Obituary page, Arthur <sic> (Martin) Koefoed, who was not wearing a helmet, was struck by a car on North Grand Avenue, and the driver of the car was cited for failure to yield. Typical case where it's not the motorcyclist's fault. This guy was lobbying against the bill and now he's dead. This bill is not just about saving lives. It's about saving money, and that's what we ought to be doing. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 22 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 33. Senate Bill 22, having failed to receive the required constitutional majority, is declared lost. 37. On the Order of Senate Bills 3rd Reading is Senate Bill 37, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 37.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This is the bill that we discussed



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

the other day that provides a hundred dollars to each veteran. It defines the term of "veterans," and makes numerous -- numerous changes throughout all the Statutes dealing with veterans. This bill is -- is also the result of a meeting with CIVIL, which was the Committee on Illinois Veterans Involved in Legislation -- comprised of the Veterans' Protective League, AMVETS, VFW, Disabled American Veterans, Military Order of The Purple Heart, and the Illinois Association of County Veterans' Assistance Commissions and the Department of Veteran Affairs. All those people were on board at that meeting - with the changes that we have made. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

I think I'm very much in support of the bill, but again, for the record, after the committee meeting I kind of had the feeling that some of the veterans' groups were still a trifle not on board. We are now -- the veterans' groups are all on board, we're all copacetic?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Yes. I met with each -- each of those groups that were at the committee meeting. We sat down and we ironed out the problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall Senate Bill 37 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 37, having received the required constitutional majority, is declared passed. 72. Page 4, at the top. 116. Senator Dunn. On the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Order of Senate Bills 3rd Reading is Senate Bill 1-1-6, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 116.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This addresses the issue of the dairy and the bakery containers that wind up being stolen and this makes that a Class B misdemeanor with no jail time and only a monetary fine of one hundred and fifty dollars up to five hundred dollars for the second offense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 116 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 116, having received the required constitutional majority, is declared passed. Senate Bills 3rd Reading is Senate Bill 130, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 130.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank -- thank you, Mr. President, Members of the Senate. The amendment that we put on both of these bills, 130 and 132, were --

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

actually had become the bill. And what it does is increase the number of children that would be authorized in a group day care home, in this case in Senate Bill 130, from twelve to sixteen. And the Department and the day care providers are in agreement as to how to work out the grids on the age groupings; although, I don't know what that is at this time. They intend to do that by rule. So this bill and 132 are the two bills that are worked out with the Department of Child and Family Service and the day care providers, and there is agreement with them on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Collins.

SENATOR COLLINS:

Yes, I'm listening to -- to the agreement, but it's kind of difficult for me to understand Department of Children and Family Services, the Child Care Association agreeing to eliminating age restrictions. That you would lump all children together at all ages?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

No, Senator, that is totally incorrect. The -- the age restrictions and the attendance or the other person in the day care homes that would have to be added in some cases, that is all going to be done by rule. That's my understanding. Now, I have some draft grids. I'd be glad to share that with you, although I don't think the numbers are exactly right in the grids that I have. I think there's some typographical errors with that, but I'd be glad to share those with you - at least the drafts. Those things will all be done by rule, and that was this agreement between the providers and the Department of Child and Family Services. And I know there's been a concern about the age grouping and the safety, and it's my understanding that the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Department, who certainly is very tough on the safety portions of that, have reached an agreement that this is the way to proceed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer. I'm sorry. Senator Collins.

SENATOR COLLINS:

I guess my problem is, all that you have in there -- now you're just raising it to sixteen children without adding any addition -- requirement for additional staff or anything, and that's -- it's at least you're not saying that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

I'm telling you, Senator Collins, that this is a draft of the grid for a day care home, which provides the assistance of certain age categories with the number of children within those age categories. That is what is going to be done by rule. The Department and the providers only wanted the language - the increase from twelve to sixteen - in the actual bill itself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins. All right. Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor. Senator, the bill started to increase the number of individuals could be cared for in a day care home. Are you increasing that number still, or are you leaving it at, I believe it was eight? What is the number now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

This particular bills deals with the group day care home and it would increase from twelve to sixteen. The other bill affects

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

only day care homes, and it would increase from eight to twelve.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

And that's been agreed to by DCFS?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of both these bills, or this bill particularly. We have a very serious problem in some of our areas, and this bill is to take care of the float, and those are the kids that are in school and they need to be taken care of like an hour before they go to school and the hour and a half after school when their -- before their parents gets home from work. I think it's an important bill, and we should be supporting it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Woodyard may close.

SENATOR WOODYARD:

The only thing I can echo is what I've already told you, that this is an attempt to provide day care for those thousands of children who are coming home to an empty home or are out on the streets, to allow some expansion in the numbers with -- with the provision that they are going to be taken care of under as safe as possible conditions. I would urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 130 pass? Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 5, 1 voting Present. Senate Bill 130, having received the required constitutional majority, is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 132, Madam Secretary -- Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. This is the second, very similar bill as the previous one, only this one applies only to the day care home, and it increases the number of children that may be cared for from eight to twelve. And we do have the draft grids, but I don't think they're totally agreed upon yet. Again, the bill has been agreed upon by the Department and the providers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 132 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 1 voting Present. Senate Bill 132, having received the required constitutional majority, is declared passed. 143. Senator Rea. 160. Senator Cullerton. On the Order of Senate Bills 3rd Reading is Senate Bill 160, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 160.

(Secretary reads title of bill)

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I have to admit to an appearance of a conflict of interest on this bill. It will lower the property taxes of homeowners in DuPage county, and my mother is a homeowner out there and the effect of the bill maybe it'll lower her bill. In fact, it's definitely going to lower her bill as well as the other people's bills in DuPage County by requiring them to adopt a classification ordinance. When they do this the -- there'll be home taxpayer's relief for homeowners and people that live in apartments buildings and that amount will be picked up by an increase in the property tax assessments of commercial and industrial. Many people have made some comments about how this does not work in Cook County where we have classification. The fact is, there's no one here that I've seen that has proposed that we introduce a bill to repeal the classification system in Cook County, because to do so would be to raise the property taxes of people in Cook County from sixteen percent up to thirty-three percent. No one has suggested to do that, because it is a good idea to give property tax relief to homeowners. The commercial and industrial people will pass on, of course, the increase in the property taxes to their customers. The customers are different than taxpayers. Taxpayers who own their own homes don't have the choice to decide whether or not they want to pay their property tax bills and as a result, they can make the decisions, however, as customers can. So I think it's a -- it's something which is -- time if it has not come yet, it will come soon. And I also would indicate that even though this might be viewed as meddling with DuPage County's tax system, the fact of the matter is, the reason why we even have a Special

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Session this year is because of the concern about property tax caps. And the reason why we have to worry about that is because the problem is mainly in DuPage County, because of the increase in growth out there. So I think this is the way -- this is really the true way to provide tax relief for homeowners in DuPage County, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. First of all, I want to say that Senate Bill 160 doesn't necessarily do anything. Does not lower property taxes for the Senator's mother, or any other -- rest of us taxpayers in DuPage County. All it says is, that the DuPage County Board has to adopt a property classification system by September 30th, 1991. They can adopt a property classification system, which is identical to the one we are now operating under, which is thirty-three and a third for all property. It doesn't necessarily say you have to change it to make commercial and industrial higher. We can -- and they -- the -- it has to be constitutional, it says. Well, constitutional - all the constitution says is that, the level of assessment or rate of tax of the highest class in a county shall not exceed two and a half times the level of assessment or rate of the lowest class. So basically, this bill really does -- does -- it does nothing. It's just very frankly another example of the Senator's meddling in a county in which he does not live in, nor does he represent. And for those of you that do not live in DuPage County, but live in the other collar counties that may be attracting business and industry from Cook County, and obviously that's what he wants to do with this bill is stop the flow into the counties that have lower tax rates for business and industry. Just remember, if he can do it to DuPage, they can do Lake, McHenry, Will and all the



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question? Does this just apply to that area? What -- what's the population level that your bill applies to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

It only applies to DuPage County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Cullerton may close.

SENATOR CULLERTON:

Yes. Well, to answer the concerns raised, as far as meddling, as I indicated if it wasn't -- if we didn't have the problem in DuPage County about the rising property tax rates, we wouldn't be having the Special Session -- have to be worried about tax caps. So I don't think it's meddling in -- any more so than the Governor's meddling with us and the rest of the State, by trying to impose these property tax caps. With regard to what the DuPage County Board shall adopt, that's up to them. I mean, you know, the Speaker has a bill over in the House that tells them exactly what percentages they have to change the classification system to. I thought this would be more reasonable to let them decide what they can do. Now we know that about seventy percent of DuPage County's assessed valuation is multi -- multi-unit apartments and homes. And the rest is commercial and industrial. They can raise theirs to thirty-eight percent like we have in Cook County and they can lower the homeowners to thirty percent - from thirty-three. They can use equalizers for their townships. Some homeowners will benefit more than others, but every homeowner will

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

get a reduction. And -- and these bills come out in September, and your election is November. This is a great bill for the people from DuPage, and I'd suspect -- I suspect that next year real quietly this bill will be sponsored by the people from DuPage and I'll just sit here, and I won't even say, "I told you so." Let's get some property tax relief.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 160 pass? Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 32. Senate Bill 160, having failed to receive the required constitutional majority, is declared lost. 175. On the Order of Senate Bills 3rd Reading, Senate Bill 1-7-5, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This is a very technical amendment and is a result of three years of work by the Illinois State Bar Association. This bill renumbers the Illinois Administrative Procedure Act, divides it into three articles; permits public hearings with -- to be held by agencies within five days; permits the State administrative rules the State agency standards to be incorporated into other State administrative rules; requires all agencies to promulgate rules for contested case hearings and makes other numerous technical changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Discussion? If not, the question is, shall Senate Bill 175 pass? Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 175, having received the required constitutional majority, is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1-9-5, Madam -- Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 195.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Senate Bill 195 is the bill that emerges from the State Government Organization and Administration Committee hearing on DCCA, and its economic development policy. In essence, I think it's a -- a bill that DCCA can live with and we can live with, and will make some of the needed changes that both our hearings called for and the recent audits have called for. It outlines a -- a reasonable time frame for DCCA to make some needed in-house changes and it also spells out in more specifics the kind of perimeters in which we believe it should be focusing. Primarily small- and medium-sized businesses. A concern was raised yesterday by Senator Davidson - I have since be advised by the Governor's Office, more specifically what that concern is, they want simply one more member on the Pier Review Board, I said I have no problem with that and have agreed to have that amendment offered in the House by the House sponsor. I know of no opposition now and would be happy to answer any questions, would urge support for this bill.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As minority spokesman of this committee, I concur with the sponsor's remarks and the administration does have some small difficulties where the legislation is, and she's agreed to cooperate and work those out in the House. And I urge your support for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, we had some debate on this late yesterday afternoon. Senator Friedland is minority spokesman in that committee, that's true. I'm also a member of that committee, but more importantly I'm a member of this legislative Body. When this was enacted we had a equal amount of representation on a bipartisan basis. The amendment, which she put on yesterday, changed that. We now have the legislative leaders appointing six Democrats and four Republicans, while before it's always been equal. Secondly, even with the appointment - additional member on the Governor's appointees, you're going to wind up with a tie. If there's a difference between the Governor's appointees and others they appoint. It'll be a ten - ten. And the Director of the Department of DCCA did agree in substance to all the part. Did not agree, is what was given to me, to the makeup of the board. Now when we adopted this legislation originally, and some of us were here and a lot of you were not, was the agreement was a bipartisan representation, and I think that's what we ought to need to go back to. Senator Severns has agreed to put the amendment on and put the extra person on for the Governor's Office in the House but she didn't want to change

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

back to the bipartisan basis. That's my objection to this. The other parts of the bill I'm not, but what was bipartisan agreed on the original intent of this bill when it was passed and created it. That's what I think we need that obligation to uphold. And I urge everyone to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Severns may close.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I -- as I stated the -- the Governor's Office and DCCA agree with the bill based on the amendment that will be offered in the House to add one more member to the board as a gubernatorial appointee. That, in fact, means with the minority appointments and the gubernatorial appointments they would have fourteen members. The majority leadership in the House and Senate would have six members. I think that's more than a fair compromise and I would urge that this bill move forward. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 195 pass? Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 17, 1 voting Present. Senate Bill 195, having received the required constitutional majority, is declared passed. Senate Bill 200. On the Order of Senate Bills 3rd Reading, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 200.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This is the last - I'm sure you're happy to hear - of the -- the gun bills. This bill is aimed at trying to save the lives of some small children. It has passed in Florida, and when it passed in Florida they sold out of trigger-lock mechanisms across the State of Florida and the gun shop owners said that means that there'll be less loaded guns around for accidents, and fewer children killed or maimed in accidents. That's really all this bill is about. We're only concerned about it now when somebody actually gets the gun and accidentally shoots somebody. We amended the bill to -- to try and take care of the problems of some of the opposition. There's no downside risk with passing this bill. You know, some say, "How many kids' lives you're going to save?" Well, I wonder if you ask the parents of the three kids that were killed on one weekend -- one weekend here accidentally, how many kids' lives you going to save. I think you're going to save many kids lives, and more and more people will be educated and notified that they can't leave loaded guns around where there are small children. Lock them up someplace. We're not telling you how. Just secure them someplace, and it will save kids' lives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in support of this bill. Last year when this came in front of our committee originally, it had some serious flaws, one of which was the felony provision. Worked with the NRA on this bill last year, who indicated they could be all right with the bill if the felony provisions were removed, and the felony provisions were removed by the sponsor. This year there's been further amendments that I think improved the bill. The penalties where no one is hurt have been removed

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

from this bill, and there've been defenses and exceptions created at the suggestion of the NRA -- a couple of exemptions - one where there's an unauthorized entry and usage - to the bill, and the other if the weapon is used in an act of self defense or in self defense of another. The -- the suggestions of the NRA have been included in this bill, and I -- I think it's a good product.

PRESIDENT ROCK:

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A lot of us on the Senate Floor were given a yellow piece of paper from the Illinois State Rifle Association regarding Senator Marovitz's and Senator Daley's proposal. If I can, I'd like to just read a little bit off of it. It says, "The Illinois State Rifle Association will not compromise or deal." Another paragraph says, "Is this bill, as amended, as less discriminatory against firearm owners? No, it still singles them out for punishment when many more children die each year due to negligent parents that store flammables, matches, plastic bags and poisons accessible to children, or allow children to swim in unprotected areas or ride bicycles and tricycles unsupervised." Goes on to say, "And if the bill is amended and any more likely -- is it any more likely to protect children?" Their answer is, "Any bill that punishes a hospitalized child by removing the comfort of its parents by sending them to jail or to post bond will never receive our support." The NRA and Senator Marovitz, Senator Daley and Senator Dudycz and myself sat down along -- worked very hard on this kind of proposal. I guess it's really safe to assume that we can probably never protect our children altogether all the time. If my son happens to be playing baseball and gets hurts, because that's out of my control. Or playing football and gets hurts, or happens to be at day care and gets hurt. If they're going to get

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

hurt, they're going to get hurt. I spoke to a lot of police officers regarding this bill. The fact of the matter is, if that child is in the hospital, like the Illinois State Rifle Association states, it's because he was shot by a weapon that the parent owned and not by someone who gave him that weapon. Senator Marovitz brought up a point that says this will cut down the amount of children that are shot innocently within the State of Illinois. It will probably not cut down the innocent children that have been victims of illegal guns, but the fact of the matter is that there are children that are in homes of law-abiding citizens who find a gun, are not aware of the use of that weapon, and either cause harm to themselves or their brother or sister or neighbor. If my child were accidentally shot by one of my weapons and the police department took me away, that might be for the best, because it would probably be the only thing to keep me from turning that weapon on myself, if my son or my daughter were injured. This bill deserves an Aye vote, if not for us, at least for the kids that it could prevent from being hurt. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I rise in support of this bill. There's a worked out agreement. I want to compliment Senator Marovitz; being cooperative, he worked this out. The NRA is neutral. We have removed the penalty, the felony charges and also if the weapon is gotten into, as we had happen here in one of the small towns where the children broke into the locked gun cabinet and unfortunately one of them did kill the other one, but it's one of those things is not -- and it was not loaded, but they did load it, and I urge everybody to vote Aye.

PRESIDENT ROCK:

Further discussion? Senator Marovitz, to close.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR MAROVITZ:

I would just solicit your Aye vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 200 pass. Those in favor, 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 56 Ayes, no Nays, none voting Present. Senate Bill 200, having received the required constitutional majority, is declared passed. 213. Senator Jones. 214. Senator Cullerton. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 214.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President and Members of the Senate. This bill effects the DuPage County Airport, and what it does is to say that there shall remain nine members, but that Kane County shall have two instead of the one that they have now. And those two members will be appointed by the Kane County Board President with the advise and consent of the Kane County Board, rather than, as it is now, appointed by the DuPage County Board President. It does not wipe out the current board, but only as vacancies become due, it changes the method by which the DuPage County Board members would be appointed so that the DuPage County Board Chairman would make an appointment, but only with the advise and consent of the county board. Be happy to answer any questions, and move for its adoption.

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Discussion? Senator Karpel.

SENATOR KARPIEL:

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

PRESIDENT ROCK:

Indicates he will yield, Senator Karpel.

SENATOR KARPIEL:

Senator Cullerton, what would you estimate the number is now of DuPage bills that you have introduced this year?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Let's see. Probably about three.

PRESIDENT ROCK:

Senator Karpel.

SENATOR KARPIEL:

Thank you. In this good bill can you tell me how -- you said the other day when we were putting the amendment on that the vacancies would be filled as they occur. I was thinking about that. Are you talking about that they occur when a member of the board comes up for reappointment?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Yes. When their terms expire or if they were to resign, that'd be a vacancy.

PRESIDENT ROCK:

Senator Karpel.

SENATOR KARPIEL:

And did you also say that the very first appointment that is going to be made will be given to a Kane County resident?

PRESIDENT ROCK:

Senator Cullerton.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR CULLERTON:

Yes. That's correct, because we are increasing from one to two the number of people that Kane has.

PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

And the Kane County Chairman is to make this appointment with the consent of the Kane County Board?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

That's correct.

PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

To the bill: since I represent the district in which the DuPage County Airport Authority -- the whole airport is located, and it is my district that is impacted by the airport, I have a very difficult time on deciding how to vote on this bill. I realize that the airport is a significant factor in all of DuPage. It doesn't just affect my district. It impacts it greatly, however, because that's where it's located. The Kane County portion of that authority has always wanted more membership on the board, and so I -- I feel that I -- I would like to support them in trying to get that membership, but I'm really kind of concerned about this appointment thing, because the first person -- I don't know who the first person is who comes up for reapportionment, to tell you the truth. But what if it's a really good member of the board? What if it's someone who has really been doing a good job, contributing a great deal and someone you hate to lose, but now we have to appoint someone from Kane County and get rid of that person. Now there are some I'd like to see

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

gotten rid of, and I -- frankly I don't know who the first one is that's up. It's really a difficult vote for me, but I guess what I really want to stand here and say -- and I've said this privately to Senator Cullerton, that I really and truly would appreciate that if anyone is going to sponsor bills that deal with my district and my district only, and they don't live in my district or even in the counties concerned, I really wish they would first talk to me; let me know what they're doing. Secondly, I would really wish they'd just stay out of it.

PRESIDENT ROCK:

Further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Mr. President...

PRESIDENT ROCK:

I beg your pardon. Senator Brookins.

SENATOR BROOKINS:

Thank you. I -- I just kind of take objection -- or exception to Senator Karpziel. Just yesterday and day before she sponsored legislation that effected Cook County and Cook County only, and et cetera. What are we talking about? Is DuPage County a part of the State of Illinois? I don't think that that's what we're here about. I think we represent the State of Illinois, no matter where you live in the State of Illinois, you're an Illinois Senator and therefore, you represent the State of Illinois.

PRESIDENT ROCK:

Well said on a Friday afternoon at one o'clock. Senator Cullerton.

SENATOR CULLERTON:

Mr. President, I -- I've seen the maps from my new district that we're drawing, but I haven't seen the maps that they're drawing. Who knows, I might be representing DuPage County next year. And for that reason, maybe it's appropriate that I sponsor

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

this bill. I move for the adoption of the bill.

PRESIDENT ROCK:

Question is, shall Senate Bill 214 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? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 14 Nays, 1 voting Present. Senate Bill 214, having received the required constitutional majority, is declared passed. 261. Senator Severns. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 261.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This bill was on the Agreed Bill twice -- Agreed Bill List twice, and it's been pulled off. It is, in fact, the bill that addresses no-bid contracts. It's a bill that I believe the -- the Governor at least has indicated interest in by his quote a few months ago where he said the interest of taxpayers is not well served by a process that can allow millions of dollars in State business to escape tight scrutiny for both efficiency and propriety. This bill attempts to address that problem by establishing stricter guidelines for no-bid contracts. In essence, it prohibits persons, who have served as an officer or employee in the executive branch, during a two-year period following termination of that service, from being awarded a no-bid contract for professional or artistic skills totaling ten thousand dollars or more. It establishes certain reporting requirements regarding bid-exempt contracts to the Comptroller. I think it's a

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

reasonable approach to a need that -- that should be addressed. I'd be happy to answer any questions, and would a favorable vote.

PRESIDENT ROCK:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

I recall - it may have been yesterday or the day before - this same sponsor had a bill having to do with setting up a travel facility in CMS, and there was an amendment placed on that bill that, I believe, the sponsor objected to strenuously that exempted the Legislature. Does this bill exempt the Legislature - Members and staff?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Unfortunately, it does. I would prefer to have everyone included, but I learned, in part, from the amendment the other day and just experienced in this Legislature that half a loaf is better than none at all.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Well, as Senator Dirksen used to say, consistency is the hobgoblin of small minds. It's my understanding that if an executive branch employee left - for instance, to work for a major downtown law firm as a lobbyist, but obviously, as a junior member of that law firm, would have less than a seven and a half percent interest in that law firm of several hundred lawyers. Would that executive branch employee now working for a big, downtown law firm, but with less than seven and a quarter -- half percent interest be covered?

PRESIDENT ROCK:

Senator Severns.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR SEVERNS:

The employee would be covered, but not the firm. And the language that -- that you refer to, Senator Schaffer, comes directly - tracks, I think, identically to the Purchasing Act, Section 132 11- -- I mean, 132.11-1.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Well, the information I have here is - and I may have misstated it - is if they get less than seven and a half percent of the income from that firm - which obviously in a multi-million dollar firm they would undoubtedly be - they're not covered. In fact, this bill doesn't cover anybody that leaves the executive branch to work for a big, downtown law firm or a big corporation. It just covers those people who might leave the executive branch and work for a small company or perhaps go into business for themselves. I'm not sure that there's a problem here, but if there is a problem here we, I think, have been hypocritical to single out one particular branch of government, and it seems to me like the fix is in for the big boys on this one.

PRESIDENT ROCK:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield for a question? Do I understand the bill correctly, that you're preventing anyone from being employed for a two-year period of time who has served in an executive capacity of this State?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

The -- the bill says no one can receive ten thousand dollars or more in bid-exempt contracts unless the exemption has been

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

permitted that is outlined in the bill.

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Does that also then cover elected -- former elected officials or just their staff? Would Governor Thompson be included under this bill?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Yes.

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

What about Jerry Cosentino. He's got a bid contract with the Metropolitan Sanitary District. Would he be included under this bill?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

He would be included as well.

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Gentlemen, let -- may I address -- address myself to the bill?

PRESIDENT ROCK:

Yes. Senator Lechowicz.

SENATOR LECHOWICZ:

I personally believe that in a free democracy, a person - man or woman - should be able to serve in the best capacity they are suited for and they want to serve in. And why are we excluding people with experience - whether they be elected officials or



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

former staff employees - and not permitting them to work for the State of Illinois for a two-year period of time with the type of expertise that they have? And for that reason, I would hope that this bill be defeated. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Severns, to close.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This bill excludes no one. What this bill does is try to get a grip on the incredible amount of no-bid contracts that we offer. Governor Edgar has stated his concern in this area. Many Members have stated their concern in this area. It's a reasonable bill, and the -- frankly, the misuse and abuse of the past administration, in particular, has been well documented. In a 1989 St. Louis Post-Dispatch study revealed that during the private -- previous five years, more than five million dollars in no-bid contracts had been received by high-ranking executive branch officials. I'll be the first one to admit that I would prefer it to include everyone, would be most happy to accept a House amendment that includes everyone. But this is a step forward, and I think it deserves all of our support. I would urge a favorable vote. Thank you.

PRESIDENT ROCK:

Question is, shall Senate Bill 261 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? Have all voted who wish? Take the record. On that question, there are 19 Ayes, 31 Nays, none voting Present. Senate Bill 261, having failed to receive the required constitutional majority, is declared passed <sic>. If I can have your attention. Senator Philip and I just visited about the possibility of getting out of here today. Let me just direct your attention to Page 4, Page 5, Page 6 and Page 7 of the Calendar. And then it's been requested

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

that we move then to Pages 26 and 27 for Consideration Postponed and Motions in Writing. So I suggest to you -- we have a good deal of work to do, and I would ask, please, that - if we can - to refrain from lengthy speeches. 270. Senator Maitland. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 270.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Members of the Senate. I move to Table Senate Bill 270.

PRESIDENT ROCK:

Secretary informs the Chair that he may have made a mistake in the declaration. That bill was declared lost - not passed - lost - l-o-s-t - dead. I'm sorry, you want to Table yours? Is that the -- I'm sorry, Senator Maitland. I was distracted up here. Senator Maitland.

SENATOR MAITLAND:

That's the way I was distracted this morning on that -- that one bill, too. I moved, Mr. President, to Table Senate Bill 270.

PRESIDENT ROCK:

All right. Senator Maitland has moved to Table Senate Bill 270. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's Tabled. 271. Senator del Valle. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 271.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This amendment came from the Secretary of State's Office, and it just simply codifies the current procedure used for issuing driver's licenses to Immigration and Control Act Amnesty Program participants. I ask for a favorable roll call.

PRESIDENT ROCK:

Discussion? If not, the question is, shall Senate Bill 271 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 271, having received the required constitutional majority, is declared passed. 294. Senator Macdonald. 299. Senator Daley. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 299.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President, Members of the Senate. Senate Bill 299 establishes the Illinois Engineering Scholarship Program. This program would encourage the brightest of the State engineering students to attend college as well practice engineering or teach in the State of Illinois. The effective date of this legislation has been delayed to July 1, 1992, and therefore, has no fiscal impact in year -- in Fiscal Year '92. I'd be happy to answer any questions.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

Senator Dunn.

SENATOR R. DUNN:

Thank -- thank you, Mr. President, Members of the Senate. This bill did pass out of Higher Education Committee by a vote of 5 to 3. But however, there isn't any money for this. We have a Student Assistance Scholarship Program in effect now, and I -- I just think it's an untimely bill. And I'd urge its defeat.

PRESIDENT ROCK:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

I would just like to -- to confirm that Senator Daley has worked very hard on this bill, and I think it's in very good shape now. He's worked with the Illinois Student Assistant Commission, and since it came out of committee, it's -- it's even in better shape. And I recommend a Yes vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 299 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 11 nays, 1 voting Present. Senate Bill 299, having received the required constitutional majority, is declared passed. 309. Senator Etheredge. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 309.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

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

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

This is the Community College Rate Bill. I would ask for a favorable roll call.

PRESIDENT ROCK:

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

SENATOR JONES:

Yeah. Thank you, Mr. President. Could you explain when you said what the bill actually does, 'cause I don't sit on that committee, but you are dealing with the grants for community college. I'd like to know.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes. Senator, each year, we pass a bill that identifies the dollar reimbursement rate for each of the credit hours and the various instructional categories within the community college. That's what this bill does.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, could you tell the Body that -- what some of the changes are, 'cause I'm concerned about these Chicago City Colleges, and what were the rate changes as relate to the courses that are offered?

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Well, these -- yeah. These are the credit hour grant changes. The baccalaureate -- I'll tell you what I will do, Senator. I will give you the figure for FY'91, which is right now, and then FY'92 -- the -- the level proposed for FY'92 at the Governor's level. The baccalaureate degree credit-hour reimbursement rate

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

would decrease from thirty dollars and eighty-nine cents to twenty-eight dollars and seventy-one cents. Maybe I can just go down through these others a little more rapidly here. Business credit hour rate would increase a dollar and forty cents.

PRESIDENT ROCK:

Senator Jones. All right. Question is, shall Senate Bill 309 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 6 Nays, 2 voting Present. Senate Bill 309, having received the required constitutional majority, is declared passed. 330. Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 330.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Currently the Illinois Human Rights Act protects individuals from discrimination based on race, color, religion, national origin, ancestry, age, sex, marital status and handicap. Senate Bill 330 would expand the -- and extend the Illinois Human Rights Act to protect those people who are discriminated against on the basis of sexual orientation in housing, employment, public accommodation. The church -- the Catholic Church gave us an amendment which we accepted and which withdrew their opposition to the legislation. There was some other linguistic and perception language that was asked to be withdrawn from the legislation, which in fact has been removed from the legislation. Public opinion polls have been taken, and they support the addition of sexual orientation to

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Human Rights legislation. In April of 1991 - just last month - a poll commissioned by the Human Rights Campaign Fund found that eighty percent of Americans favor equal rights for gays and lesbians in the workplace. A simple -- a similar Gallup Poll taken in 1989 found that seventy-one percent favor equal rights. Some people will say this is a controversial bill. But it really is a -- a bill dealing with fundamental human rights. When we find that ten percent or more of the country - the population - are gay or lesbian, and face discrimination daily in the workplace and in seeking housing, and trying to get credit and public accommodations, all we're trying to do is give them the opportunity to file a discrimination complaint before the Human Rights Commission. This is just common sense. It's just common decency, and as I've said before in this Body, Ladies and Gentlemen, if you are going to be against discrimination in one form, you ought to be against discrimination in every and any form, and that's what this bill is all about.

PRESIDENT ROCK:

Senator D'Arco, for what purpose to you seek recognition?

SENATOR D'ARCO:

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

PRESIDENT ROCK:

State your point, please.

SENATOR D'ARCO:

In the gallery behind me, Mr. President, we have the special education eighth grade students from Skinner School on Throop Street in my district, and I would ask that they rise and be recognized by the Senate.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. All right. Senator Marovitz has moved the passage of Senate Bill 330. Discussion? Senator Keats.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I will be very brief. To the credit of the sponsor - and I commend him for it - he took all the extraneous material out of the bill and it is simply a Gay Rights provision to be added to the Human Rights Act. I will give him credit because there were a series of things that obfuscated that issue, and as amended now, it's a very clear bill and it really does that and that alone. Sexual orientation is simply added to the list of protected classes. Now you really have to ask yourself whether sexual orientation should be in that category. And there is one other specific problem dealing with the vagueness. In terms of the ability to launch lawsuits, you really need some fairly clear and specific language. The wording in this - as anyone who will review it will see - is extremely vague. I've not lobbied any individual Members on this bill, as you are well aware. This is an idea that I think you have to deal with from the point of view of your constituency and from what your beliefs are. To say that homosexuals should have equal rights is obvious. The United States Constitution right now guarantees that everyone has equal rights. So to say that people agree with that -- I would hope every one in this room would agree with that concept. The Bill of Rights should apply to every American citizen equally, and this bill does not change the American Bill of Rights. But you have to remember homosexuality is a freely chosen act, whereas the other covered categories - race, color, sex and national origin - are not. The only other issue covered that is not a -- a -- that is not something that you have no control over - is religion. But religious freedom under the American Constitution and the First Amendment is very clearly spelled out, and therefore is included as a First Amendment Right. This would be the first time that we would ever put a chosen act under the protection of the Human



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Rights Act, rather than things where you had no choice, such as race, color, sex and national origin. I personally am opposed to the bill. I believe your constituency would be opposed to this bill. I think the potential for problems within the legal system, the problem for employers, the problem within residential situations is extensive, and I think as you realize the broad-based effect it would have, I would think we should oppose it and protect ourselves from this type of extension of an alleged right to a category who's chosen to be different than the rest of society.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question? Will you tell me, have the opponents - the IMA, the Motorola, the Chamber and the AEI - withdrawn objection with your amendments, or are they -- do they still have problems because of problems they may have with their businesses?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

An honest answer, Senator Fawell, would be that those groups have not spoken to me at any time.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of Senate Bill 330. I think we ought to know that any time we deny a right to someone, we in fact, deny a right to ourselves. We live in a society in which the output, the desires, the ambitions of all human beings ought to be respected. And I don't think any of us would like to work in an atmosphere in which we have a fear,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

because of some preference we might have - religious or otherwise - that we will, in fact, be either terminated or removed from our job. This bill, in fact, does just simply that, and with all due respect, Senator Keats, I'm not so certain that sexual preference is so much a sexual choice as perhaps some other factors that might contribute to it.

PRESIDENT ROCK:

Further discussion? Senator Marovitz, to close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. Just briefly, Senator Keats mentioned the fact that certain rights are guaranteed by the Constitution, and he's correct. Certain rights are guaranteed by the Constitution. But what this bill is about is making sure that there is a remedy when those rights are abridged -- there's a remedy when those freedoms are abridged. One of those rights that he mentioned is a right against discrimination, and this is the remedy, as it is with individuals who -- if there's discrimination based on race, color, religion, national origin, ancestry, age, sex, marital status or handicap. They go to the Human Rights Commission for a remedy, if their rights are abridged, and we want to give those who are discriminated against on the base of sexual orientation a remedy to guarantee that right. If you talk to doctors - physicians who are dealing with the human body - they will tell you that people don't choose to be a homosexual. That's not something that you choose to do. That's inborn. That's innate. People would not choose to have -- to be discriminated against. Other states have this legislation. There has been no litigation, no floods of litigation based on the passage of this very legislation in those other states. There won't be any floods of litigation here. All we're doing is saying everyone is entitled to a remedy when they're discriminated against. Let's not create different segments of society and different rules for

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

different segments of society. If you discriminate against someone, at least give them the right and the remedy to question that discrimination. That's what this is about. It's a very simple bill. And I think the Legislature ought to make a very loud statement that we are against discrimination. We're for those constitutional rights, and we're going to give people a remedy, if those constitutional rights are abridged. Solicit your Aye vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 330 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 32 Nays, none voting Present. Senate Bill 330, having failed to receive the required constitutional majority, is declared lost. 380. Senator Berman. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 380.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you. This is a technical Act that defines, in greater particularity, the definitions of tenancy -- ownership of -- by tenancy by the entirety. I'd be glad to respond to any questions. Solicit your Aye vote.

PRESIDENT ROCK:

Any discussion? Discussion? If not, the question is, shall Senate Bill 380 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

question there are 54 Ayes, no Nays, none voting Present. Senate Bill 380, having received the required constitutional majority, is declared passed. 393. Senator Dudycz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 393.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 393 represents a compromise negotiated by the Illinois New Car and Truck Dealers Association and the Illinois Credit Union League. Passage of the bill will prevent -- passage of the bill will prevent - I had to repeat that statement - this issue from coming before the Senate each year as is -- as is -- it has in the last five or six years. It reaffirms that only car dealers licensed by the State may sell cars. It also clarifies that credit unions and auto buying services, such as UBS or Amoco Motor Club, may advertise auto purchase opportunities and solicit purchases for dealers without obtaining a license from the Secretary of State's Offices. Their activities are not considered brokering or selling cars. And as long as any sale resulting from these activities is -- is consummated by a -- a licensed dealer, this provision will enable credit unions, auto purchase referral services and motor clubs to continue working with licensed dealers who voluntarily offer discount prices on their cars. The bill goes on to provide that licensed dealers may only sell cars from off-site locations within their relevant market area. Now, that area is defined in the Vehicle Franchise Act as a ten- or fifteen-mile radius from the dealer's principal location, depending upon the population of the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

county. This provision will clarify that tent sales are to be conducted within the local market area of the dealer. It had been -- the bill had been placed on the Agreed Bill List, but due to some technical errors, the Secretary of State's Office asked that it be pulled. It is now technically correct. I know of no opposition, and I ask an affirmative vote.

PRESIDENT ROCK:

Discussion on 393? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise in support of this bill. It has been worked out, and it'll alleviate a lot of work in the Transportation Committee that -- because this bill been coming up year after year after year. So I ask for an Aye vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 393 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 393, having received the required constitutional majority, is declared passed. 507. Senator Watson. 588. Senator Raica. Read the bill.

SECRETARY HAWKER:

Senate Bill 588.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 588 amends the Controlled Substance Act to clarify that prescriber - meaning a doctor, dentist, podiatrist, veterinarian - need only have a separate registration at locations

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

where he or she dispenses or administers controlled substances. This changes current law to provide that a prescribers need not have a separate registration at locations where controlled substances are only prescribed. Amendment 1 that I Tabled yesterday, I -- I Tabled because there was obviously a flaw, and it was not the intent of the bill. It is my intent, with this bill, to clarify, in law, those locations where a physician must register in order to prescribe, administer or dispense controlled substances. I just ask for a favorable roll call.

PRESIDENT ROCK:

Discussion? If not, the question is, shall Senate Bill 588 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 588, having received the -- the required constitutional majority, is declared passed. Senator Maitland. 598. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 598.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 598 allows the public university football coaches in this State to participate in the American Football Coaches Retirement Trust -- Retirement System. As -- as many of you know, most football coaches in this country are very transient, and are in this state only about four or four and a half years. They never become vested in any -- in any retirement system. This

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

would allow them to be a part of their own system. Coach Mackovic and -- and football coach Jim Heacock from Illinois State were both here and testified in support of this bill. I know of no opposition. Would appreciate your support.

PRESIDENT ROCK:

Discussion? Discussion? Senator Hall, on this bill? Senator Hall.

SENATOR HALL:

I just want to ask one question. You said they're transit. And what does the State contribute towards that?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator, they're a part of the same system as -- as all other university people are, but they're not in the State long enough to become vested in the retirement system. This gives them a -- a system that they can move from any state and become vested in.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, yeah. I just want to rise in strong support of the bill. Senator Maitland is absolutely correct. They do move. They don't stay in the systems long enough, in many instances, to get vested. I think it's a good piece of legislation. It deserve an Aye vote.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Yes. What -- what's the -- the salary of the head coach of University of Illinois?

PRESIDENT ROCK:

Senator Maitland.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR MAITLAND:

Well, Senator, I think you're probably referring to the same figures that I saw in the paper. I -- I think the salary was -- I don't want to comment on it. I don't remember what the -- the total benefit package was quite a bit.

PRESIDENT ROCK:

Senator Jacobs. Question is, shall Senate Bill 598 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 8 Nays, 2 voting Present. Senate Bill 5-9-8, having received the required constitutional majority, is declared passed. 634. Senator Joyce. 651. Senator Lechowicz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 651.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Lechowicz.

END OF TAPE

TAPE 4

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 651 was on the Agreed Bill List, and it was removed at the request of the possibility of the fiscal impact of the State. Let me just point out to you that Senate Bill 651 amends the Elder Abuse and Neglect Act to require the Department of Aging to



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

establish a pilot program to provide the temporary housing and emergency shelter for abused, neglected, elderly people. When we were campaigning this past fall, especially in the area in Cook County, the number of senior citizens that came and brought to our attention the fact that the State of Illinois moved in the right direction when Senator Rock introduced the bill that created and -- and sought out the protection of abused children. And they were saying that the State of Illinois has moved properly in that direction, but unfortunately, that the senior citizens who have a similar problem had no recourse in making sure that there were shelters provided so they could go to a shelter and make sure that their problems would be addressed. Well we introduced this bill - and basically, the fiscal impact that was filed by the department said it would cost approximately five hundred thousand dollars. Well, unfortunately, that figure is wrong. They've been working on a premise that we're going to have two shelters as far as a trial program. The intent of the sponsor of the bill would be to have one. Let me point out to you that the department's fiscal note assumes that there are no other resources for the operation of these shelters. It is common that local and private funds are used. The Department of Aging does not have to cover the entire cost of the program, other resources can be used. Let me just point out to you that the private agencies I'm referring to is United Way, the Coalition Against Domestic Violence - provide grants to shelters similar to the one that I'm proposing under this legislation. Also, the Federal government would be able to provide Medicaid-eligible funds that can be obtained through reimbursements. So I think this is an area that we should really look into, and I'm asking that the department create one -- one trial agency in making sure that this area would be addressed. Let me also point out to you that as far as last year, fiscal '91, in the Elder Abuse Program, the State of Illinois elapsed six

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

hundred forty-one thousand two hundred dollars. Their fiscal '92 request is three million three hundred and fifty thousand dollars, which is a six hundred and forty-one thousand dollar increase or twenty-four percent increase, over last year's figures. And for that reason, I think a two hundred and fifty thousand dollar cost is well within the budgetary restraints and constraints of the State. And I would hope that the elder -- elder senior citizens of this State would have this type of a program available to them. I ask for your favorable support.

PRESIDENT ROCK:

All right. The Gentleman has moved passage of Senate Bill 651. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. As Senator Demuzio said earlier on another bill -- you know, we have an over-extended State. We -- your asking for something that's unbudgeted. Where are we going to get the money? Whether this be two pilot -- or two pilot sites or one pilot site, one at five hundred thousand dollars or one at two hundred and fifty thousand dollars, we still don't have it budgeted. We don't know where the money will come from. Obviously, there are lots of good ideas and lots of needs that we could address. But one of the reasons we all got ourselves into the problem of -- of the State at this time is we made too many promises that were only worth the paper on which they were printed, and there wasn't any green stuff behind them. Well, there's none behind this as well. I would ask for a No vote.

PRESIDENT ROCK:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you, Mr. -- Mr. President. The Department on Aging's annual budget, my understanding, is a hundred and fifty

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

million dollars a year. And this is dealing -- this is a program which would sunset on July 1st, 1993. And it's a miniscule -- a miniscule amount out of their budget when you're talking about abused, elderly citizens of this State. I think it is a program we should all support, and I think we should see how it plays out for the next year and a half or two years. And then we'll come back to it if it -- if it needs to be extended. I seek your affirmative support.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Without making it appear as I'm trying to support the age that I'm in, many of you seen -- have seen the sign that says, I want to grow old enough to be a burden to my children. Well, far too frequently, that's exactly how older people are being regarded. And I think we ought to begin to realize that as we all grow older - and we're all going to live longer as we grow older - that we ought to, in fact, find ways to prevent things happening to those people - that segment of our population who's older. I support this program.

PRESIDENT ROCK:

Further discussion? Senator Lechowicz, you wish to close?

SENATOR LECHOWICZ:

I'd appreciate your favorable vote. Thank you.

PRESIDENT ROCK:

Question is, shall Senate Bill 651 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 38 Ayes, 15 Nays, 1 voting Present. Senate Bill 651, having received the required constitutional majority, is declared passed. 671. Senator Joyce. Top of Page 6. Progress. 698. Senator Jones. Read the bill.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SECRETARY HAWKER:

Senate Bill 698.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President, Members of the -- of the Senate. Senate Bill 698 amends the Certified Shorthand Court Reporters Act and clarifies the appropriate length of continuing service as a board member; give the director the power to remove board members for missing three meetings; increase disciplinary action and fines. This is the sunset provision which extends it to the year 2003 and so on. And I move for the passage of this bill.

PRESIDENT ROCK:

Senator Jones has moved the -- the passage of Senate Bill 6-9-8. Discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Just a quick question. Our analysis, Senator Jones, shows that the bill sunsets on December 31st of 2002. You said 2003.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Mine said 2003 and -- yes. Your analysis is -- is incorrect.

PRESIDENT ROCK:

Senator Madigan.

SENATOR MADIGAN:

Bill which sunsets on -- I'm sorry. But I just want the -- everyone to watch this one and the following one as far as when the different times the sun sets around here.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. A question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

Again, our analysis here says, prohibits any person from practicing shorthand without being certified. Would you elaborate on that?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, that's current law. Nothing major -- nothing major in the bill is being changed. That's current law.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

I believe my secretary can practice shorthand and does quite well, and I don't believe she's certified. So are you telling me then she's in violation of state law?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Actually, I believe you have a misconception. We're not talking about shorthand. We're talking about shorthand reporting as such, not the shorthand that one does or as your secretary does. This is the Certified Shorthand Reporters Act. It's different altogether than what you are alluding to, which is -- which is current law.

PRESIDENT ROCK:

Further discussion? Senator Hawkinson. Oh, I'm sorry,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Senator Watson, I thought you had concluded.

SENATOR WATSON:

Well, who are these people then?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Basically, court reporters. That's all it basically is. And it's current law. I thought you were familiar with that, Senator Watson.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

Sponsor indicates he'll yield.

SENATOR HAWKINSON:

Senator, the ILS <sic> printout says requires reporters to establish a contingent fee as a basis of compensation. Can you explain that to me?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

According to -- to staff, I don't see that in the bill. What it does require -- establish a continuing education and shall be completed -- complete twenty hours of continuing education. And this is the department bill. I don't see it in there.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

Well, it -- it is in the ILS <sic> printout, and I -- I can't, for the life of me, think of a situation where a court reporter who is not a partisan of one side or another would be in a

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

contingent fee arrangement. And I would assume if it's in there, you'll have it deleted.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, the bill has been amended, and I'm quite certain it has been deleted.

PRESIDENT ROCK:

Senator Jones, do you wish to close?

SENATOR JONES:

Just a favorable vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 6-9-8 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 7 Nays, 2 voting Present. Senate Bill 698, having received the required constitutional majority, is declared passed. 7-7-6. Senator Jones. 7-9-0. Senator Cullerton. Read the bill.

SECRETARY HAWKER:

Senate Bill 7-9-0.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. When someone's convicted of a felony, and they appeal, they get -- and they're indigent - they get either a public defender or a State Appellate Defender. Occasionally though, if there's a conflict, there has to be another outside counsel appointed. The Statute says that when they're appointed - and they're paid for by the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

county by the way, there's a cap of fifteen hundred dollars in each case that they can make. That was set in 1975. What the bill does is to raise that up to four thousand dollars. It's still permissive. It still has to be authorized by a court. And the Senate amendment that was passed, that had said the State should pay for it, was Tabled. So we're back to the original bill that says it's up to the county to pay for it. I think it's reasonable to have this increase. It hasn't been increased since 1975 - sixteen years. It's not -- doesn't come out of any State dollars, and I would appreciate an Aye vote.

PRESIDENT ROCK:

Discussion? Discussion? Senator Butler.

SENATOR BUTLER:

Will the sponsor yield, please?

PRESIDENT ROCK:

Indicates he will yield, Senator Butler.

SENATOR BUTLER:

Clarify something. You just said -- who will pay for this? Did I misunderstand you say the state will pay?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

No, the -- it's paid for by the county. There was a Senate amendment that would have said the State would pay for it, but that was Tabled. So now it's up to the county.

PRESIDENT ROCK:

Further discussion? If not, the question -- I'm sorry. Senator Lechowicz.

SENATOR LECHOWICZ:

One question if I may, Mr. President.

PRESIDENT ROCK:

Sponsor indicates he'll yield.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR LECHOWICZ:

Would this be approved by the county board or is this a mandate to the county?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

I think it has to be approved by the judge. If it's approved by the judge, then the county has to pay for it. And in Cook County last year, the county spent sixteen thousand dollars on -- in legal fees for these people. And if this bill was to pass, it may go up as high as forty thousand dollars.

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Is that the maximum cap then? It would be forty thousand?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

No, that's just -- that's just an estimate. There were only nine people -- there were only nine lawyers appointed in all of Cook County last year to handle these appeals where the Public Defender's Office and the State Appellate Defender's Office could not handle them because of a conflict. And, right now, they can only get fifteen hundred dollars by Statute. This raises the cap to forty-five hundred. But if the judge orders it, then the county would have to pay it. And what I'm saying is that I would estimate, based on the increase from fifteen hundred to four thousand, that the most that would be spent by the county would be forty-two thousand. But it's just an estimate.

PRESIDENT ROCK:

Further discussion? Senator Philip.

SENATOR PHILIP:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Thank you, Mr. President. As you know, under the present system, we -- we give a criminal a free lawyer at the circuit court. Now we give him a free lawyer at the appellate court. The next time they'll be around, they'll want a free lawyer at the Supreme Court. And this indirectly is a pay raise for an appellate court public defender. Quite frankly, if it was up to me, I'd abolish them. We give them a free lawyer the first time. Now, you get it the second time. I -- I just simply, quite frankly, Senator, don't agree with it at all. We ought to vote No.

PRESIDENT ROCK:

The question is, shall Senate Bill 790 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes and 26 Nays. Senate Bill 790, having failed to receive the required constitutional majority, is declared lost. 795. Senator Cullerton. 798. Senator Berman. 812. Senator Macdonald. Read the bill, Madam Secretary, please. On -- middle of Page 6, Ladies and Gentlemen, is Senate Bill 812.

SECRETARY HAWKER:

Senate Bill 812.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 812 is a part of a package by the Illinois Citizens Council on Women. We had a number of hearings - or not a number of hearings - but we had hearings on the offense of sexual harassment, and it was proven to be that even though the current law limits to fifteen those people

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

that can -- that have to be fifteen or more employees. In fact, many of the cases that came to our attention were from small businesses or even professional offices where there were very few people that were employed. So I am convinced, and certainly was very happy, to take this bill as sponsor. I -- I just can't say anymore than sexual harassment, no matter where it appears, whether it's in a business of fifteen or more or whether it is in an individual professional office. Wherever it is, it threatens the jobs of women - particularly - not only women, but mostly women who work in those places of employment and is a very, very serious problem in -- in our society today. And I think that wherever it appears and wherever it occurs, that it should -- there should be remedy for -- particularly in today's economy where the jobs of many women are threatened, and they feel that they cannot do anything else but submit to sexual harassment. So I ask for your vote on behalf of this particular piece of legislation. It came out of committee unanimously, so I think there is need for this bill. And I would ask for your vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from Macon, Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I think this is a reasonable bill. It's a good balance, and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Macdonald, to close.

SENATOR MACDONALD:

I would just ask for your vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Senate Bill 812 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

this question, there are 37 Ayes, 7 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 833. Senator Jacobs. Jake. Out of the record. 836. Out of the record. 851. Senator Hudson. Out of the record. 852. Senator Hudson. Out of the record. 855. Senator Maitland. Out of the record. 857. Senator Savickas. Out of the record. 863. Out of the record. 933. Senator Marovitz. Out of the record. Turn to Page 7, Ladies and Gentlemen. Oh, a supplemental appropriation. Senate Bill 955. Senator Carroll. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 955.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 955 is now a supplemental appropriation for the Department of Rehabilitation Services and the Department of Mental Health for monies they will need on June 1st - the largest portion of which is for the homemaker-type people for the Department of Rehab Services and to repay the Federal government so that we can avoid nine-percent a month penalty for past charges that the Federal government were inappropriate by the department. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall Senate Bill 955 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

constitutional majority, is hereby declared passed. 962. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 962.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 962, effective as of -- as of January 1st, year 2001, would upgrade the requirements of -- or educational requirements for the Certified Public Accountants. The CPA Society supports this bill. It would increase the requirements from the present hundred and twenty hours to a hundred and fifty hours including a baccalaureate degree. I'd be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall Senate Bill 962 pass. All in favor, vote Aye. All opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 50 Ayes, 2 -- 2 recorded as No, none recorded as Present. This bill, having received a constitutional majority, is hereby declared passed. 1015. Senator Brookins. Senate Bill 1015. Out of the record. Senate Bill 1053. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1053.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Thank you, Mr. President, Members of the Senate. This bill reflects an agreement reached by the representatives of the gas companies and the Illinois Association of Realtors. It has to do with the issue of meters -- utility meters and tenants' rights. The bill then says that if -- if you have -- if the landlord wants to rent to a tenant who has -- when there's a meter that covers parts of the building other than the tenant's unit, they can do that, but they have to give notice to the tenant in -- in writing as to how much of the -- and the specific areas of the building that they are -- the tenant is paying for other than their own apartment. It also says that if the -- if you have a master-metered building, and you want to go to an individual-metered building, you can't do that during the term of the lease, and that at the end of the lease, if you want to do that, you can do so, but you have to give any tenants who might be effected a notice in writing. It also specifically says that this Section does not effect, in any way, the relationship between the utility company and its customers. As I indicated, this was agreed to after -- after long meetings with the Realtors' Association as well as the utilities, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Cullerton, who -- to whom should this notice go to when the landlord fails to pay the utility bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

That was a -- that's a different bill. This has to do with the meter -- that -- that bill's...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Any further discussion? Gentleman from Cook, Senator Butler.

SENATOR BUTLER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR BUTLER:

Quick question. Is there an unequivocal agreement on this with the utility company?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes, and I would indicate that there's language on Page 3 of the amendment that says nothing in this Section affects the relationship between the utility and its customers. That was their amendment that I put on, their language. As a result, they signed off on it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton, to close.

SENATOR CULLERTON:

Just ask for a favorable vote. It's agreed bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Senate Bill 1053 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, 2 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1067. Senator Rea. Out of the record. 1101. Senator Karpziel. Out of the record. 1104. Senator Karpziel. Out of the record. 1139. Senator Dunn. Out of the record. 1143. Senator Marovitz. Out of the record. 1158. Senator Rock. Out of the record. Senate Bill 1220. Senator Severns. Out of the record. Ladies and Gentlemen, that completes

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

our 3rd Reading for the day.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, we have, indeed, gone through the Senate Bills on 3rd Reading. There has been a request, obviously, by many who have matters on Postponed Consideration, to go to that order. Then we will deal with Motions in Writing, and that will conclude our business. I'd ask those Members who have something on the Order of Consideration Postponed and the opponents to please spare us lengthy rhetoric. These matters have been heard. So we would -- Senator Philip and I, would appreciate if the proponent and an opponent would only speak, and we'll take a roll call. And I would ask the Members who are proposing to look around and take a head count. On the Order of Consideration Postponed, Senate Bill 170. Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. What this bill says is that if a city purchases a water company and that there are individuals who do not reside in the city but reside outside of the city - but if it's a village of under twenty-five thousand, they ought to be charged the same rate. It also says if there are people outside of the city who wish to voluntarily pay a higher rate, they may. I urge a Aye vote.

PRESIDENT ROCK:

Question is -- discussion? The question is, shall Senate Bill 170 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 23 Ayes, 27 Nays, and the bill fails. Senate Bill 2-2-6. Senator Smith. Senate Bill 4-4-5. Senator Joyce. On the Order of Consideration Postponed is Senate Bill 4-4-5. These bills have already been read a third time. Senator Joyce.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SENATOR J.J. JOYCE:

Thank you, Mr. President. This is the racing board members. It would put a member of the thoroughbred horse racing -- a person who is in that business on the board and -- standard bred -- when the -- when the terms expire, the current ones now.

PRESIDENT ROCK:

Discussion? Question is, shall Senate Bill 4-4-5 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 24 Nays, none voting Present. Senate Bill 4-4-5, having received the required constitutional majority, is declared passed. 4-7-1. Senator Collins. 4-7-2. Senator Collins. 520. Senator Macdonald. 702. Senator Jones. Read -- no, the bill has been read a third time. Senate Bill -- on the Order of Consideration Postponed, Senate Bill 702.

SENATOR JONES:

Yeah. Thank you, Mr. President, Members of the Senate. Senate Bill 702 merely extend the sunset for the Insurance Code - those fourteen articles, which will expire at the end of this year to give one-year extensions so that we, the Legislature, can have time to deal with this all-important issue. Without that, it will sunset, and there will be no regulation as such. And I ask for a favorable vote.

PRESIDENT ROCK:

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. This is -- is bad bill today as it was yesterday, and I -- we remain as opposed to it today as we did yesterday.

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Question is, shall Senate Bill 702 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 28 Nays, and the bill fails. 711. Senator Kelly. 720. Senator del Valle. On the Order of Consideration Postponed, bottom of Page 26, Ladies and Gentlemen, is Senate Bill 720.

SENATOR DEL VALLE:

Thank you, Mr. President. We debated this bill at length yesterday, but I do want to add that this legislation is supported by the Chicago Sun-Times Editorial Board, Crain's Chicago Business. The Cook County Board passed a unanimous resolution in support of this. The State Treasurer, Chicago City Treasurer, Catholic Conference, Jewish Council on Urban Affairs, Metro Seniors in Action, State Council of Seniors, and a wide range of other senior, religious and community groups. I certainly hope we could do the same thing. Thank you.

PRESIDENT ROCK:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, many of us truly believe this would have exactly the opposite effect that the sponsors think it would - that it would, in fact, remove the currency exchange industry from the public aid concentrated areas of the State. One additional piece of information I was unaware of - I am reliably informed that the currency exchanges are currently in negotiations with the Department of Public Aid to continue a contract that runs out July 1, for the free distribution of public aid checks through their agencies. It is obvious that if legislation of this type passes, they will not be able to continue that contract. I am told that the postage costs alone to the State would be two and a half million dollars a year, plus all the other problems that we get

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

when we mail public aid checks by mail. This is a bill whose idea has not yet come.

PRESIDENT ROCK:

Senator del Valle, to close.

SENATOR DEL VALLE:

Well, thank you very much, Mr. President. I think your statement, Senator Schaffer, is reflective of the kind of strong-arming, the kind of intimidation, and the kind of tactics that are being used by this cartel - this monopoly to keep this piece of the pie that keeps growing for them and is making a small group of individuals very, very wealthy in the State of Illinois.

PRESIDENT ROCK:

Question is, shall Senate Bill 720 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 26 Ayes, 23 Nays, and the bill fails. 8-8-2. Senator Topinka. 8-8-6. Senator Smith. 9-4-2. Senator Holmberg. On the Order of Consideration Postponed, top of Page 7, is Senate Bill 942. Senator Holmberg.

SENATOR HOLMBERG:

Very briefly, this is the bill that would allow Citizens of the State of Illinois to have some choice in where they had their alcoholism and drug abuse treatment, allowing private providers and clinics, as well as hospitals, to be the providers. And I would urge its passage.

PRESIDENT ROCK:

Discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Are differences continue to exist on this bill today as well, and we remain opposed.

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Question is, shall Senate Bill 942 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? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 26 Nays, and the bill fails. 1003. Senator Carroll. 1038. Senator Smith. On the Order of Consideration Postponed is Senate Bill 1-0-3-8 -- 1038. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This -- Senate Bill 1038 merely is intended to make the substantive changes in conjunction with any funding changes that may occur in the Public Aid budget. I intend that this bill move as a vehicle to allow us to make the changes as necessary. And I move for its adoption.

PRESIDENT ROCK:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, I think we had some difficulty with this yesterday, because it's just one more vehicle going on of where we don't know where it's going. We don't know what it's going to bring back to us -- probably something costly. I would continue to encourage that we take it down.

PRESIDENT ROCK:

Question is, shall Senate Bill 1038 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 27 Nays, and the bill fails. 1125. Senator Brookins. On the Order of Consideration Postponed is Senate Bill 1125, Madam -- I mean, Senator Brookins.

SENATOR BROOKINS:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

Thank you. Mr. President, this bill requires the Department of Aging vendors to perform a cost audit verifying that they meet guidelines requiring a twenty-seven percent administrative cost split and a seventy-three employee wage and benefit cost split. This costs the State nothing. No money. And I've been assured that it cost the providers very little money, if any. This is a -- a -- a -- a Department of Aging amendment.

PRESIDENT ROCK:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, I think this bill is in pretty good shape now. Have you -- may I ask a question of the sponsor? Originally you asked to hire a CPA firm that would do this. I mean any CPA firm. And it was estimated by the Department on Aging that this would hit the '92 budget at somewhere around 1.5 million dollars. Has that been eliminated?

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Yes. That was never a part of this bill in the beginning, and the director and I can refer to -- Senator Schuneman has assured us that this will not happen.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just to reiterate what the sponsor has just said. Director Worth came by yesterday, and we spoke about my concern which was that this bill might place the responsibility on some of these small providers to secure a CPA audit. And he assured me that that was not his intention, and that would not be the requirement of the department. I -- that

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

has taken care of my objection to the bill.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it hasn't taken care of mine. I think there's still a substantial cost to this. The audit still has to be conducted. Who pays for that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins may close.

SENATOR BROOKINS:

Thank you. To Senator DeAngelis - the department already requires this information. It would -- just means that the providers would have to put it in a formal type letter and give it to the department so that they can be assured that this has taken place. That's what it is about. So there would be no substantial cost outside of their accountants right now that they are doing this, in my opinion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1125 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 11, 2 voting Present. Senate Bill 1125, having received the required constitutional majority, is declared passed. Senate Bill 1127, Madam Secretary. All right. Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This is one of two very similar ethanol bills that provides that two-percent incentive to the year 2000. Senator Joyce's bill went out. His takes that incentive to 1998. This bill did receive 28 -- 29 votes, and there were some folks, at least over here, that wanted another chance to vote on this bill and send it over to the House.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Didn't Senator Joyce's bill do the same thing, and isn't it already over in the -- in the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Senator Cullerton, I mentioned in my remarks that they are two very similar bills. There's a two-year time differential. That's the only difference. And I certainly supported his bill, and I hope he will mine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis. All right. The question is, shall Senate Bill 1127 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 12, none voting Present. Senate Bill 1127, having received the required constitutional majority, is declared passed. 1150. Senator Cullerton. 1224. Senator Smith. Senator Dunn. 1440. All right. Motions in Writing. Leave of the Body, we've completed the consideration postponed and move to the Order of Motions in Writing. Madam Secretary. I'm sorry. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

You overlooked my bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. I -- I called your bill, Senator Smith, but apparently -- let's go back. Senator Smith wishes to have a run at her bill on Consideration Postponed. Senate Bill 1224. Senator Smith.

SENATOR SMITH:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

I can. May I?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I brought this bill back, because this bill prohibits the Department on Aging from eliminating services to elderly who were grandfathered in the services through the Community Care Program, which -- when eligibility requirements were changed. This bill would prevent the estimated one thousand eight hundred persons -- elderly people -- from losing services this year. Many of these people are surviving with -- out of nursing homes -- outside of nursing homes, because of the services they receive, such as delivered meals and housekeeping. Now, it said about the -- about amount of money. But in the past eight years, the department has lapsed a total of 52.9 million dollars, which is an -- an average of 8.8 million per year. In Fiscal Year '86, the program lapsed 33.7 million dollars. They certainly have enough money to finance this program. I ask for your favorite <sic> vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall Senate Bill -- well, again, all you have to do is turn your lights on and -- and -- and it'll -- it'll work. Senator Topinka.

SENATOR TOPINKA:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All the time. Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, again, this is 2.9 million dollars. The Department on Aging has most of these services budgeted in other areas. The director -- you know -- told me that as late as yesterday. I don't think we need this.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

It is -- it's money we just don't have. It was a problem the first time this bill came around. It is a problem now. I would encourage a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith may close.

SENATOR SMITH:

Mr. President and Ladies of the Senate, eighteen hundred elderly people from the ages of seventy-five to eighty-nine are dependent upon this. And the money is there. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1224 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 22, none voting Present. Senate Bill 1224, having received the required constitutional majority, is declared passed. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, I would seek to verify the roll call, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka -- Senator Topinka.

SENATOR TOPINKA:

Yes, Senator Luft, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute. Whoa. Whoa. We -- I thought -- I thought in the interest of -- I -- I thought one of your handlers talked to you, and you were going to withdraw your request. Senator Topinka has asked for a verification of those Members who voted in the affirmative. Madam Secretary, would you please read the list.

SECRETARY HAWKER:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Macdonald, Marovitz, Newhouse, O'Daniel, Rea, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Senator Collins, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins is in the back of the Chamber.

SENATOR TOPINKA:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft on the Floor?

SENATOR TOPINKA:

Could Senator Luft turn his chair more in my direction? I mean -- just. That'll do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Strike his name. On a verified roll call, there are 29 Ayes, 22 Nays, none voting Present. The bill fails. Motions in Writing is Senate Bill 52, 53, 54, 395, 396, 397, Madam Secretary. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Motion in Writing with respect to Senate Bills 52, 53, 54, 395, 96 and 97 are those six bills - three sponsored by myself, three by Senator Philip - that we hope will carry the amendments to the reapportionment responsibility for both the Congress, the Legislature and the Cook County judicial districts. The fact is it's been an extremely busy week. We feel - Senator Philip and I

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

feel - we need an additional week just to afford the staff the opportunity to mechanically get the -- get the papers necessary. And I would move that the motion carry which allows us until June 7th - that is a week from Friday - to address this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Rock -- you've heard the motion as placed by Senator Rock. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion is -- motion carries, and it's so ordered. Motions in Writing to Reconsider the Vote, the bottom of the page, is Senate Bill 410. Senator -- Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Senator Demuzio, I -- I filed a Motion in Writing today. I had been promised on several occasions by -- by the Chairman of the Appropriations Committee that I would be allowed to put an appropriation for a man who was shot who was an employee of ours, who is a quadriplegic, and who has absolutely no money, on an appropriation bill. I had an appropriation bill ready to go. I was told I should hold it, because it would be heard this week. And I have yet to have it heard. And now it's the last day. You know, I -- I think this is unfair. I went in front of the Appropriation Committee last week. I was -- I was assured this would happen, and now here we are, and it hasn't happened again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Motions in Writing. Senate Bill 410. Senator Davidson. Senator Fawell.

SENATOR FAWELL:

You know, I'd like to get -- I'd like to get an answer. And I'd like to get a promise that this is going to be done next week. The man has no money, and he was shot by a fellow employee, and he's a quadriplegic laying in the hospital. We have -- we have got an agreement on all parties, and it just seems to me we should

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

pay our debt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell. Senator Fawell, you have filed a motion today. Is that correct? Well, we are on the order of business of Motions in Writing, and we will get to it momentarily. 410. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move to reconsider the vote on which Senate Bill 410 passed. I'd voted on the prevailing side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. As -- as everyone is aware, it takes 30 votes to reconsider. Senator Rea.

SENATOR REA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that was amended in committee - that became the bill that then was amended on the Floor of the Senate that had been around here several days for everybody's review. It has -- and what it does, it -- and it was voted out of here day before yesterday. It's -- provides monies to implement Senate Bill 2277, which we established as a top priority last year. And due to some very heavy-handed lobbying, this motion has been filed. And I would ask that you vote No on this Motion to Reconsider, since the bill had full hearing and is important to us to -- to certainly move ahead with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I rise in support of the Gentleman's motion. I think when this bill passed, a number of us were confused about what the tax implications were in the bill, and I think we should have a brief discussion of that once again and take another vote.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Just to ask for a favorable vote on the vote to reconsider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson, having voted on the prevailing side, moves to reconsider the vote by which Senate Bill 410 was passed. It takes 30 affirmative votes in order to reconsider. Those in favor of the motion 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 26, the Nays are 25, none voting Present. The Motion to Reconsider fails. Senate Bill 797. Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 797 was passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Can we break up the conference in front of Senator Berman? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm the sponsor of Senate Bill 797. To refresh everyone's memory, this is a bill that provides that the Contribution Act will have a Statute of Limitations of two years after the person who is -- had been held responsible pays a judgment and can sue a third party. Now that all sounds very complicated, but to refresh your memory, Senator Keats rose and said, "I'm just a garbage collector. Would you explain how this works?" I explained it to him. I think it was one the bills that everybody listened rather carefully to, and it made sense to you yesterday. I ask you to support me today and

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

vote No on the Motion to Reconsider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz may close.

SENATOR DUDYCYZ:

Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, having voted on the prevailing side, moves to reconsider the vote by which Senate Bill 797 passed. 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 29, the Nays are 27, none voting Present. The Motion to Reconsider fails. Senate Bill 1390. Senator Severns. Page 28 is Senate Bill 952. Senator Carroll. 952. Oh, I'm sorry. That's -- that's -- I beg your pardon. All right. Senator Fawell -- Madam Secretary, has there been any additional motions that have been filed?

SECRETARY HAWKER:

A motion by Senator Fawell filed this morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Read the motion.

SECRETARY HAWKER:

I move to discharge the Committee on Appropriations I from further consideration of Senate Bill 124, and that it be advanced to 2nd Reading.

Filed by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, I presume this is a mute point, but I mean I -- you know -- I thought I had an agreement. I thought I had a promise from the chairman that -- that, if indeed, there was not going to be

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

any movement towards appropriating this sum of money this week that I could call this out, and that we would, indeed, vote on it and -- and get the money. I would like to have a promise, on the Floor, that next week - and I don't care what appropriation bill is heard - that this shall be an amendment to the bill. It is a -- an -- a -- a sum of money that we have long promised a man who did nothing to deserve what he -- what happened to him, except he happened to be one of our employees for the Department of Children and Family Service - and he was shot in the back by a fellow employee and -- and paralyzed from the neck on down. He is lying in a hospital and has no income. The attorney has agreed not to take any single dime out of this. If this goes to court, you can guarantee yourself that it's going to be three to four times as much. And if I don't get some action pretty soon, I'm going to tell the attorney, file your damn motion and get more money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion on the motion? Senator Carroll.

SENATOR CARROLL:

It has been suggested that I ask Senator Fawell how she voted on the semiautomatic machine gun bill, but I won't. Instead of that, I'll just identify that it is in the House bill that has come over, and it will be heard in committee. It's in the House bill already, and it -- and it's in the Senate committee. House Bill 375 contains it, and it will be heard in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell. Senator Fawell.

SENATOR FAWELL:

And when are we going to vote on this? You promised me that it would be voted on this week.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, let -- let me just point out - with respect to your motion - that if it -- if it were to prevail, the bill would

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

go to the Order of 2nd Reading, and there isn't enough time in order for it to be considered. Senator Carroll has indicated it -- it's come over in the House bill, and it's going to be heard. What is your pleasure? Senator Fawell.

SENATOR FAWELL:

I would like to move it. I would like to move -- first of all, I'd like to make the -- the motion that we vote on it, and then I'd like to move it to 3rd right away, and I'd like to get it passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved to discharge the Committee on Appropriations I from further consideration of Senate Bill 124 and that it be advanced to the Order of 2nd Reading. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. It takes 30 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 1, 1 voting Present. The motion prevails, and Appropriations I will be discharged, and the bill will be on the Order of 2nd Reading. Madam Secretary, has there been any -- you have more -- additional. Resolutions.

SECRETARY HAWKER:

Senate Resolution 4-3-2 offered by Senator del Valle.

Senate Resolution 4-3-3 offered by Senators Dudycz, Raica, Lechowicz and others.

Senate Resolution 434 offered by Senator Rea.

Senate Resolution 435 offered by Senator Woodyard.

Senate Resolution 436 offered by Senator Woodyard.

Senate Resolution 437 offered by Senator Woodyard.

They're all congratulatory and death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Have there been any objections filed to the Resolutions Consent Calendar, Madam Secretary?



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will add the resolutions that -- that were read in after the Resolutions Consent Calendar was printed. Is leave granted to do that? Leave is granted. Senator Vadalabene moves the adoption of the Resolutions Consent Calendar. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, Senator Hudson's wife was operated on yesterday. She's doing well, but he is not here. And I'd like to have the -- ask that the record indicate that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Record will so indicate. I'm sorry. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

With a parliamentary inquiry. On the Order of Motions in Writing to Reconsider Votes was Senate Bill 1390 -- the -- you called the bill, and the motion was not presented. I assume, that being the case, that the bill will pass to the House as it would under our rules. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the -- the motion not being called indicates that the bill as it was - as it passed - is the final motion - is the final -- final action in this Chamber. Yes. Committee Report.

SECRETARY HAWKER:

Senators Demuzio and D'Arco, Co-chairman of the Senate Committee on the Assignment of Bills, reports the assignment of

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

the following House Bills to Committee: Agriculture and Conservation - House Bills 797 and 1695; Appropriations I - House Bills 376, 384, 386, 393, 394, 395, 505, 545, 629, 630, 631, 632, 633, 634, 635, 636, 638, 639, 640, 641, 642, 643, 644, 645, 646, 649, 650, 651, 652, 653, 653, 654, 656, 660, 666, 808, 1048 and 388; Appropriations II - House Bills 373, 378, 647, 655, 657, 658, 659, 886 and 887; Consumer Affairs - House Bill 2531; Elementary and Secondary Education - House Bills 500, 533 -- pardon me -- 760, 914, 1235, 1891, 1892 and 2201; Energy and Environment - House Bills 477, 1312, 1696, 2057, 2254, 2451 and 2488; Executive Appointments - House Bill 847; Executive - House Bills 714, 882, 883, 1661, 2078 and 2553; Finance - House Bills 7 and 1910; Insurance, Pensions and Licensed Activities - House Bills 136, 1620 and 1699; Judiciary I - House Bills 1805, 1929, 2106, 2128 and 2605; Judiciary II - House Bills 316, 922, 1075, 1842 and 2557; Local Government - House Bills 794, 857, 1551, 1572 and 2337; Public Health, Welfare and Corrections - House Bills 1073, 1074, 1076, 1925, 2162 and 2592; State Government Organization and Administration - House Bills 493, 743, 816, 1629 and 2349; and Transportation - House Bills 1183 and 1956.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution No. 60.

(Secretary reads SJR No. 60)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 60. It is the adjournment resolution calling for us to return to Springfield next Wednesday.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

33rd Legislative Day

May 24, 1991

And I would move to suspend and adopt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 60. 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 60. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution <sic> 60 is adopted. Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned until next Wednesday at the hour of noon. Senate...

STATE OF ILLINOIS  
87TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 24, 1991

HB-0007	FIRST READING	PAGE	3
HB-0136	FIRST READING	PAGE	3
HB-0316	FIRST READING	PAGE	3
HB-0373	FIRST READING	PAGE	3
HB-0376	FIRST READING	PAGE	3
HB-0378	FIRST READING	PAGE	3
HB-0384	FIRST READING	PAGE	3
HB-0386	FIRST READING	PAGE	3
HB-0388	FIRST READING	PAGE	3
HB-0393	FIRST READING	PAGE	4
HB-0394	FIRST READING	PAGE	4
HB-0395	FIRST READING	PAGE	4
HB-0477	FIRST READING	PAGE	4
HB-0493	FIRST READING	PAGE	4
HB-0500	FIRST READING	PAGE	4
HB-0505	FIRST READING	PAGE	4
HB-0533	FIRST READING	PAGE	4
HB-0545	FIRST READING	PAGE	4
HB-0629	FIRST READING	PAGE	4
HB-0630	FIRST READING	PAGE	4
HB-0631	FIRST READING	PAGE	4
HB-0632	FIRST READING	PAGE	4
HB-0633	FIRST READING	PAGE	4
HB-0634	FIRST READING	PAGE	4
HB-0635	FIRST READING	PAGE	4
HB-0636	FIRST READING	PAGE	5
HB-0638	FIRST READING	PAGE	5
HB-0639	FIRST READING	PAGE	5
HB-0640	FIRST READING	PAGE	5
HB-0641	FIRST READING	PAGE	5
HB-0642	FIRST READING	PAGE	5
HB-0643	FIRST READING	PAGE	5
HB-0644	FIRST READING	PAGE	5
HB-0645	FIRST READING	PAGE	5
HB-0646	FIRST READING	PAGE	5
HB-0647	FIRST READING	PAGE	5
HB-0649	FIRST READING	PAGE	5
HB-0650	FIRST READING	PAGE	5
HB-0651	FIRST READING	PAGE	5
HB-0652	FIRST READING	PAGE	5
HB-0653	FIRST READING	PAGE	5
HB-0654	FIRST READING	PAGE	6
HB-0655	FIRST READING	PAGE	6
HB-0656	FIRST READING	PAGE	6
HB-0657	FIRST READING	PAGE	6
HB-0658	FIRST READING	PAGE	6
HB-0659	FIRST READING	PAGE	6
HB-0660	FIRST READING	PAGE	6
HB-0714	FIRST READING	PAGE	6
HB-0743	FIRST READING	PAGE	6
HB-0760	FIRST READING	PAGE	6
HB-0766	FIRST READING	PAGE	6
HB-0794	FIRST READING	PAGE	6
HB-0797	FIRST READING	PAGE	6
HB-0808	FIRST READING	PAGE	6
HB-0816	FIRST READING	PAGE	6
HB-0847	FIRST READING	PAGE	6
HB-0857	FIRST READING	PAGE	7
HB-0882	FIRST READING	PAGE	7
HB-0883	FIRST READING	PAGE	7
HB-0886	FIRST READING	PAGE	7
HB-0887	FIRST READING	PAGE	7
HB-0914	FIRST READING	PAGE	7
HB-0922	FIRST READING	PAGE	7

STATE OF ILLINOIS  
87TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 24, 1991

HB-1048	FIRST READING	PAGE	7
HB-1073	FIRST READING	PAGE	7
HB-1074	FIRST READING	PAGE	7
HB-1075	FIRST READING	PAGE	7
HB-1076	FIRST READING	PAGE	7
HB-1183	FIRST READING	PAGE	7
HB-1235	FIRST READING	PAGE	7
HB-1312	FIRST READING	PAGE	7
HB-1551	FIRST READING	PAGE	7
HB-1572	FIRST READING	PAGE	8
HB-1620	FIRST READING	PAGE	8
HB-1629	FIRST READING	PAGE	8
HB-1661	FIRST READING	PAGE	8
HB-1695	FIRST READING	PAGE	8
HB-1696	FIRST READING	PAGE	8
HB-1699	FIRST READING	PAGE	8
HB-1805	FIRST READING	PAGE	8
HB-1842	FIRST READING	PAGE	8
HB-1891	FIRST READING	PAGE	8
HB-1892	FIRST READING	PAGE	8
HB-1910	FIRST READING	PAGE	8
HB-1925	FIRST READING	PAGE	8
HB-1929	FIRST READING	PAGE	8
HB-1956	FIRST READING	PAGE	8
HB-2057	FIRST READING	PAGE	9
HB-2078	FIRST READING	PAGE	9
HB-2106	FIRST READING	PAGE	9
HB-2128	FIRST READING	PAGE	9
HB-2162	FIRST READING	PAGE	9
HB-2201	FIRST READING	PAGE	9
HB-2254	FIRST READING	PAGE	9
HB-2337	FIRST READING	PAGE	9
HB-2349	FIRST READING	PAGE	9
HB-2451	FIRST READING	PAGE	9
HB-2488	FIRST READING	PAGE	9
HB-2531	FIRST READING	PAGE	9
HB-2553	FIRST READING	PAGE	9
HB-2557	FIRST READING	PAGE	9
HB-2592	FIRST READING	PAGE	9
HB-2605	FIRST READING	PAGE	9
SB-0010	THIRD READING	PAGE	95
SB-0011	THIRD READING	PAGE	96
SB-0022	THIRD READING	PAGE	98
SB-0037	THIRD READING	PAGE	104
SB-0042	THIRD READING	PAGE	10
SB-0052	MOTION	PAGE	170
SB-0053	MOTION	PAGE	170
SB-0054	MOTION	PAGE	170
SB-0078	THIRD READING	PAGE	10
SB-0106	THIRD READING	PAGE	10
SB-0116	THIRD READING	PAGE	105
SB-0124	MOTION	PAGE	174
SB-0130	THIRD READING	PAGE	106
SB-0132	THIRD READING	PAGE	110
SB-0160	THIRD READING	PAGE	110
SB-0170	POSTPONED CONSIDERATION	PAGE	160
SB-0175	THIRD READING	PAGE	114
SB-0195	THIRD READING	PAGE	115
SB-0200	THIRD READING	PAGE	117
SB-0214	THIRD READING	PAGE	121
SB-0259	THIRD READING	PAGE	10
SB-0261	THIRD READING	PAGE	125
SB-0267	THIRD READING	PAGE	10
SB-0270	TABLED	PAGE	130

STATE OF ILLINOIS  
87TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 24, 1991

SB-0271	THIRD READING	PAGE	130
SB-0299	THIRD READING	PAGE	131
SB-0309	THIRD READING	PAGE	132
SB-0330	THIRD READING	PAGE	134
SB-0378	THIRD READING	PAGE	10
SB-0380	THIRD READING	PAGE	139
SB-0393	THIRD READING	PAGE	140
SB-0395	MOTION	PAGE	170
SB-0396	MOTION	PAGE	170
SB-0397	MOTION	PAGE	170
SB-0410	MOTION	PAGE	172
SB-0424	THIRD READING	PAGE	10
SB-0445	POSTPONED CONSIDERATION	PAGE	160
SB-0460	THIRD READING	PAGE	10
SB-0487	THIRD READING	PAGE	10
SB-0510	THIRD READING	PAGE	10
SB-0551	THIRD READING	PAGE	10
SB-0556	THIRD READING	PAGE	10
SB-0588	THIRD READING	PAGE	141
SB-0591	THIRD READING	PAGE	11
SB-0598	THIRD READING	PAGE	142
SB-0601	THIRD READING	PAGE	11
SB-0623	THIRD READING	PAGE	11
SB-0651	THIRD READING	PAGE	144
SB-0698	THIRD READING	PAGE	147
SB-0702	POSTPONED CONSIDERATION	PAGE	161
SB-0713	THIRD READING	PAGE	11
SB-0720	POSTPONED CONSIDERATION	PAGE	162
SB-0753	THIRD READING	PAGE	11
SB-0778	THIRD READING	PAGE	11
SB-0790	THIRD READING	PAGE	151
SB-0797	MOTION	PAGE	173
SB-0812	THIRD READING	PAGE	154
SB-0832	THIRD READING	PAGE	11
SB-0873	THIRD READING	PAGE	11
SB-0915	THIRD READING	PAGE	11
SB-0930	THIRD READING	PAGE	11
SB-0942	POSTPONED CONSIDERATION	PAGE	163
SB-0955	THIRD READING	PAGE	156
SB-0961	THIRD READING	PAGE	11
SB-0962	THIRD READING	PAGE	157
SB-0965	THIRD READING	PAGE	11
SB-0978	THIRD READING	PAGE	11
SB-0988	THIRD READING	PAGE	11
SB-0993	THIRD READING	PAGE	11
SB-1038	POSTPONED CONSIDERATION	PAGE	164
SB-1053	THIRD READING	PAGE	157
SB-1059	THIRD READING	PAGE	11
SB-1097	THIRD READING	PAGE	12
SB-1125	POSTPONED CONSIDERATION	PAGE	164
SB-1127	POSTPONED CONSIDERATION	PAGE	166
SB-1202	THIRD READING	PAGE	12
SB-1224	POSTPONED CONSIDERATION	PAGE	167
SB-1233	THIRD READING	PAGE	13
SB-1234	THIRD READING	PAGE	21
SB-1235	THIRD READING	PAGE	21
SB-1237	THIRD READING	PAGE	28
SB-1282	THIRD READING	PAGE	29
SB-1284	THIRD READING	PAGE	30
SB-1285	THIRD READING	PAGE	31
SB-1297	THIRD READING	PAGE	31
SB-1310	THIRD READING	PAGE	36
SB-1328	THIRD READING	PAGE	37
SB-1330	THIRD READING	PAGE	40

STATE OF ILLINOIS  
87TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 24, 1991

SB-1331 THIRD READING	PAGE	40
SB-1338 THIRD READING	PAGE	41
SB-1349 THIRD READING	PAGE	43
SB-1382 THIRD READING	PAGE	44
SB-1392 THIRD READING	PAGE	46
SB-1424 THIRD READING	PAGE	47
SB-1426 THIRD READING	PAGE	49
SB-1435 THIRD READING	PAGE	58
SB-1437 THIRD READING	PAGE	58
SB-1440 THIRD READING	PAGE	59
SB-1443 THIRD READING	PAGE	12
SB-1454 THIRD READING	PAGE	68
SB-1459 THIRD READING	PAGE	79
SB-1461 THIRD READING	PAGE	68
SB-1462 THIRD READING	PAGE	84
SB-1465 THIRD READING	PAGE	85
SB-1467 THIRD READING	PAGE	86
SR-0427 RESOLUTION OFFERED	PAGE	3
SR-0428 RESOLUTION OFFERED	PAGE	3
SR-0429 RESOLUTION OFFERED	PAGE	3
SR-0430 RESOLUTION OFFERED	PAGE	3
SR-0431 RESOLUTION OFFERED	PAGE	3
SR-0432 RESOLUTION OFFERED	PAGE	176
SR-0433 RESOLUTION OFFERED	PAGE	176
SR-0434 RESOLUTION OFFERED	PAGE	176
SR-0435 RESOLUTION OFFERED	PAGE	176
SR-0436 RESOLUTION OFFERED	PAGE	176
SR-0437 RESOLUTION OFFERED	PAGE	176
HJR-0015 RESOLUTION OFFERED	PAGE	2
SJR-0059 RESOLUTION OFFERED	PAGE	3
SJR-0060 ADOPTED	PAGE	178
SJR-0060 RESOLUTION OFFERED	PAGE	3

SUBJECT MATTER

SENATE TO ORDER - SENATOR DEMUZIO	PAGE	1
PRAYER - REVEREND BARRIE L. WEST	PAGE	1
JOURNALS - POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	1
COMMITTEE REPORTS	PAGE	2
RESOLUTIONS CONSENT CALENDAR - ADOPTED	PAGE	177
COMMITTEE REPORTS	PAGE	177
ADJOURNMENT	PAGE	179