

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

June 20, 1991

SENATOR VADALABENE:

The Senate will come to order. Will the people up in the gallery please rise. And the prayer this morning will be by Reverend Hailey -- James A. Hailey III, of the Model Chapel A.M.E. Church, of Alton, Illinois. Reverend Hailey.

THE REVEREND JAMES A. HAILEY III:

(Prayer by the Reverend James A. Hailey III)

PRESIDENT ROCK:

Reading of the Journal, Madam Secretary. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Journals just read by the Secretary be approved, unless some Senator has addition or correction to offer: Thursday, June 13, 1991; Friday, June 14, 1991; Monday, June 17, 1991.

PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

I move that the reading and approval of the Journals of Tuesday, June 18th, and Wednesday, June 19th, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

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

SECRETARY HAWKER:

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

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

Senate Bill 187 with House Amendment No. 1.

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I have a like Message on:

Senate Bill 821 with House Amendment No. 1.

Senate Bill 978 with House Amendment No. 1.

Senate Bill 1345 with House Amendments 1 and 2.

And Senate Bill 1393 with House Amendment No. 1.

PRESIDENT ROCK:

Those will be placed on the Secretary's Desk. If I can have the attention of the Membership, we will begin where we left off yesterday on the Order of House Bills 3rd Reading. We'll begin on Page 11, at the top of Page 11. And so it's Senators Lechowicz, Luft, Jacobs, Davidson, Smith, Madigan, Cullerton, Jones, Luft, Cullerton and Luft. We will begin on Page 11 on the Calendar on the Order of House Bills 3rd Reading and try to move through the Calendar. We will work until, again, approximately six o'clock. Begin where we left off yesterday. Page 11 on the Calendar, Ladies and Gentlemen. I needn't remind anybody, I hope, it's Thursday, June 20th. On the Order of House Bills 3rd Reading, House Bill 1092. Senator Lechowicz. 1105. Senator Luft. Read the bill, Madam Secretary, please. It was skipped yesterday, Senator Jones. We stopped yesterday at 1092 and that's where we started today. 1105. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1105.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, we've had a number of requests for permission to shoot some videotape. WAND-TV, WICS, WCIA, WGN, our friend Andy Shaw. Everybody, without objection, gets leave. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 1105 requires the

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Department of Commerce and Community Affairs to accelerate its actions and designate an area in Jo Daviess County as an enterprise zone to save three hundred full-time jobs. Apparently, the Eaton Corporation, which is located in that county, has threatened to move out. So, in an effort to help the House Member of that district, I'm asking for a -- fifty-nine votes on House Bill 1105.

PRESIDENT ROCK:

Any discussion? Discussion? If not, the question is, shall House Bill 1105 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1105, having received the required constitutional majority, is declared passed. 1109. Senator Jacobs. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1109.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen. This bill simply allows licensees to conduct games at an alternate location if the Department of Revenue is given at least sixty days advance notification. I know of no known opposition. Ask for its support.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall House Bill 1109 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1109, having received the required constitutional majority, is declared passed. 1123. Senator Davidson. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1123.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, with the amendment we put on, this is identical to Senate Bill 429 that we passed out of the Senate in our Agreed Bill List. This says that if some person is going to renew their liquor license, if they haven't paid all their taxes, they must have a signed certificate from the Department of Revenue that those taxes have been paid before their liquor license will be renewed. Appreciate a favorable vote.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall House Bill 1123 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1123, having received the required constitutional majority, is declared passed. 1128. Senator Smith. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1128.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1128 merely mandates certain State services for drug-addicted pregnant women and children. DASA is neutral on House Bill 1128, while the Department of Public Health have not taken positions on it. According to DASA, House Bill 1128 carries a...(inaudible)...fiscal implication for the Department. The Department indicates that the fiscal impact for their Department is only sixty-two thousand, while the Department of Health has not given a fiscal note on the bill. And it came out of Committee on the Agreed Bill List. I ask for your support.

PRESIDENT ROCK:

Discussion? Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

Sponsor indicates she will yield.

SENATOR HAWKINSON:

Senator, in the LIS printout, there's a line that says that law enforcement may not use evidence of the fact that there was cocaine in the newborn's blood or urine in neglect proceedings or in prosecutions. What's your intent behind that language?

PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

Senator Hawkinson, that we -- that idea there is that we would run the women underground. We don't want to run them underground. We would like to treat them rather than do that.

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Hawkinson.

SENATOR HAWKINSON:

But are you saying that if -- that if there is evidence of cocaine, that -- and say there's a stillborn or a baby that's born dead and the reason for it is drug abuse, that law enforcement wouldn't be able to use that evidence in a prosecution?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

What you're saying is true. It is true.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

Well then, I rise in opposition to the bill. I think that's a bad idea.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall House Bill 1128 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 24 Ayes, 27 Nays, 3 voting Present. And House Bill 1128, having failed to receive the required constitutional majority, is hereby declared lost. House Bill -- all right. Senator Smith requests Postponed Consideration. House Bill 1137. Senator Tom Dunn. I'm sorry. Senator Madigan. Madigan. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1137.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 1137 is an attempt to encourage use of recycled paper by requiring that ten percent of the weatherization funds that are used for home weatherization be made of recycled cellulose, as long as the price is comparable and competitive with other insulating materials.'

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall House Bill 1137 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? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 1137, having received the required constitutional majority, is hereby declared passed. 1139. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1139.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill deals with the Infant Mortality Reduction Program, and it was designed to address a particular problem in my district, where the area around Cabrini Green does not qualify under the current rules for funds to deal with infant mortality. So we worked out an agreement with the Department of Public Health, and the basic agreement is that if the funding level should increase over the '91 appropriation, then the Director shall, at his or her discretion, be able to reserve up to two hundred thousand dollars

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of the amount over that appropriation for grants to eligible organizations.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall House Bill 1139 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? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1139, having received the required constitutional majority, is hereby declared passed. 1149. Senator Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and Members of the Senate. House Bill 1149 creates the Environmental Health Practitioner Registration Act to establish procedures and rules for registration by the Department of Professional Regulation. It creates the Board of Registration of the Environmental Health Practitioners. This bill will regulate the profession that is formally regulated under the old Sanitation Registration Act, which was repealed. And it has the support of the Illinois Public Health Association, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Madam Secretary, have all the lights -- okay. The board's cleared? Okay. Senator Lechowicz. All right. Any discussion? If not, the question is, shall 1149 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all



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voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1149, having received the required constitutional majority, is hereby declared passed. 1166. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1166.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Under the current law, you can abate property taxes for commercial or industrial purposes. What this bill is trying to do is to allow local taxing districts to abate property taxes for property used in recycling. We believe that this would promote the activities of recycling and that it's very important to our area. So I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall 1166 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? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present, and House Bill 1166, having received the required constitutional majority, is hereby declared passed. 1177. Senator Cullerton. Senator Cullerton. 1183. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1183.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. 1183 is a vehicle bill for the Toll Highway Authority Act, and I would ask for the bill to be moved forward.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall -- House Bill 1183 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? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present, and House Bill 1183, having received the required constitutional majority, is hereby declared passed. Top of Page 12, Ladies and Gentleman. 1103. Senator Smith. 1204. Savickas. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1204.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, Members of the Senate. As amended, this bill has the support of the insurance industry, and it would require the dental insurance carriers to disclose, upon request, specific data on how they determine their usual and customary fee levels. Information that must be disclosed is a percentile geographic considerations and the frequency of which fee data is updated. And I would move your support.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall House Bill 1204 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open.

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Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 1204, having received the required constitutional majority, is hereby declared passed. Senator Jones. Senator Smith, on 1218. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones -- Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The House Bill 1218 does just what the Calendar states. And it -- it's hemophilus influenza type B, which is the most frequent cause of bacterial meningitis, and is the leading cause of serious systematic bacterial disease in children under five years old. The mortality rate for meningitis is five percent or more, while thirty-five percent of the survivors become mentally retarded. I ask your favorable support on this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall House Bill 1218 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? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present, and House Bill 1218, having received the required constitutional majority, is hereby declared passed. 1220. Senator Rea. Senator Rea. 1228. Senator Maitland. 1254. Senator Geo-Karis. Senator Geo-Karis. 1254. Yeah, what? Read the bill, Madam Secretary.

SECRETARY HAWKER:

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House Bill 1254.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 1254 simply deletes the requirement that a deputy sheriff be put on bond or other security, because there's already insurance for the whole sheriff's office anyway. And it also had one amendment that applied to -- to another group, and I can't recall what it is because the amendment's not in my book. But anyhow, I move for the favorable passage.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? Any discussion? If not, the question is, shall House Bill 1254 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? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And House Bill 1254, having received the required constitutional majority, is hereby declared passed. 1283. Senator Smith. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1283.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1283 merely modifies certain Acts to address certain services for pregnant women, new mothers and infants. The intent

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of House Bill 1283 is to further address the high infant mortality rate in Illinois. The Department of Public Health is neutral on House Bill 1283. And it came out of the Agreed Bill List. I ask for your support, please.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this is basically, you know, a good bill. It does some -- some good work here, but I just would like to call to your attention -- although this has no fiscal impact on the State, local health departments are going to have to pick up this cost, because we're handing it to them. And we don't have any word from them on where they sit for it, but they're not going to have the money, necessarily, to pull this off.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Smith.

SENATOR SMITH:

Mr. President, and to my colleague, the Department is currently picking this up, and I'm sure that if they are neutral on this and they know the importance of this, I'm sure that they'll go along with it, as they have already done so. So I merely ask for your favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall House Bill 1283 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 30 Ayes, 18 Nays, and 6 voting Present. And House Bill 1283, having received the required constitutional majority, is hereby declared passed. 1288. Senator Friedland. Senator Friedland. 1312. Senator D'Arco.

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1314. Senator Alexander. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1314.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Alexander.

SENATOR ALEXANDER:

I solicit your vote on House Bill 1314, which amends the Unified Code of Correction. It will establish a program in the Juvenile Division of the Department of Correction which would allow that the wages earned by the juvenile shall go back to the Juvenile Division of Correction to help pay for his room and board, part will go to the Violent Crime Victims Assistance Fund and the remainder, if there be any, will be placed in the account of the juvenile's possessions for upon release. I know of no opposition to this idea.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall House Bill 1314 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? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 1314, having received the required constitutional majority, is hereby declared passed. 1316. Senator Hall. Senator Hall. 1353. Senator Donahue. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1353.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Donahue.

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SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1353 does two things: it allows the Department of Public Aid to use Public Assistance Emergency Revolving Fund for transportation, and it just allows -- it's just kind of a technical change to help expedite things in some of the rural counties. And then, it also makes the Department of Public Aid responsible -- if they make a mistake in charging on a public aid person in a nursing home, it makes them responsible and not the nursing home for any of their own mistakes. And I think it's a good bill, and hope we can get 59 votes up there.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall House Bill 1353 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 1353, having received the required constitutional majority, is hereby declared passed. Senator Jones. 1364. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1364.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President, Members of the Senate. The bill, as amended, took out all the matters of substance, and it's just merely a vehicle bill to deal with the problems we have in the Structural Engineering Licensing Act when they all come together to try to resolve. So the bill right now is a vehicle bill for that Act.

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PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Question is, shall House Bill -- Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator Jones, how many vehicle bills do you have in this Session?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

I don't have as many as Hertz, but I do try harder.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

I think you can start your own truck line.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall House Bill 1364 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? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 1364, having received the required constitutional majority, is hereby declared passed. Could we have leave of the Body to return to House Bill 1316? Hearing no objection, leave is granted. Senator Hall, on 1316.

SECRETARY HAWKER:

House Bill 1316.

(Secretary reads title of bill)

3rd Reading of the bill.



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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR HALL:

Hall, you mean.

PRESIDING OFFICER: (SENATOR D'ARCO)

I'm sorry. Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1316 amends the County Economic Development Project Area Property Tax Allocation certification. It extends the time for summation of DCCA's report on certified projects. The County Economic Development Project Area Property Allocation Act was enacted in 1990, and is limited to St. Clair and Madison Counties. This Statute grants permissive authority to these counties to establish quasi-tax increasement <sic> finance areas and to issue bonds which are to be repaid through incremental increases in property taxes, all of which requires DCCA certification. The statute requires DCCA to submit a report to the General Assembly detailing the number of economic development projects it has approved, the number of jobs created, the number of private investors and revenue's impact. This report must be submitted before 3/10/93. Because negotiating for a major investment proposal of St. Clair County has moved more slowly than originally planned, the bill proposes the reporting requirements from 3/10/93 on and before that. The Statute sunsets the entire grant of authority in St. Clair and Madison County on or before 6/10/93. This is an uncorrected technical error from the original bill. This bill gives a certain time to sunset; that is only 7/1/94. I ask for the most favorable support for this legislation.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall

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House Bill 1316 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? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 1316, having received the required constitutional majority, is hereby declared passed. House Bill 1379. Senator Karpziel. House Bill 1405. Senator Maitland. House Bill 1429. Senator Luft. 1429. Yes. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1429.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I believe in the year 1983 legislation was passed and attempted to describe how financial organizations would access the revenues for income tax purposes. This bill attempts to clarify that language, in just simply saying that dividends and interest would be charged to the taxpayer's base only from Illinois customers. I'll try to answer any questions. Otherwise, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Fawell. Senator Fawell. No. All right. Would you turn Senator Fawell's light off? All right. The question is, shall House Bill 1429 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? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. And House Bill 1429, having received the required constitutional majority, is hereby declared passed. 1430. Senator Rigney. Rigney. Read the bill, Madam Secretary.

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SECRETARY HAWKER:

House Bill 1430.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this is a Department of Agriculture bill. At one time we had a bull leasing law in this State, and that was due to the problems of brucellosis and tuberculosis. Those diseases are virtually eradicated now, and they see no need to continue the Act.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 1430 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? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present, and House Bill 1430, having received the required constitutional majority, is hereby declared passed. House Bill 1432. Senator Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1432.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. House Bill 1432 creates the Marriage and Family Therapy Licensing Act to establish regulations and guidelines for licensure by the Department of Professional Regulation. Creates the Illinois

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Marriage and Family Therapist Examination and Licensing Board to establish penalties and discipline for violations. Currently, the Illinois psychiatrists, psychologists, clinical social workers are also licensed, and this is the other group in their social category that wanted licensure. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? Senator Watson. No. Yes.

SENATOR WATSON:

Thank you. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR WATSON:

Are ministers -- how are they treated under this Act?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

They are exempt, as they requested to be exempt. They are exempted out.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Watson.

SENATOR WATSON:

Well, who's in then?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Those persons who qualify under the -- under the provisions of this bill. Those who have the social background and training, that currently do counseling along those lines as relate to therapy.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Watson. You done? Senator Schaffer.

SENATOR SCHAFFER:

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Senator Jones, one of my colleagues was wondering if one of the qualifications for this particular licensure was whether you had ever been married. Some of our staff is beginning to wonder, Senator Jones, with all these licensure bills that you've had this year, are you running ads in professional magazines to attract all these?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

No. Across the State of Illinois -- they say, "Well, you are a very good sponsor," and with the Minority Spokespersons, such as yourself, that's how you end up with all of these bills. You know the Licensing Committee is a very busy committee. So, I don't run any ads. I believe you must tell the people to come to me.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Schaffer.

SENATOR SCHAFFER:

Senator Jones, I would be forced to concede you are obviously a good sponsor, because we have licensed just about everything that moves, breathes, walks or quacks this year. But I wanted you to know that some of us on this side of the aisle have figured out your ultimate plan. And it's now becoming obvious. It took us a while. We were a little slow. But it's clear now that you are attempting to license every Illinois citizen. We will shortly be licensing the homeless, I suppose virtually every group that isn't licensed. We'll probably have to eventually license the unlicensed as a special category. This will then put us in the posture of never needing to increase the State sales or income tax, simply because we can put a surcharge on the license fees. And since every Illinois citizen, including school students - who are a group that haven't thus far been licensed and are desperately in need of licensure - will qualify, and we can have a

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graduated tax on licenses. I would, for instance, vote for a much higher tax on law licenses and medical licenses, for instance, and we wouldn't need to ever increase another tax. But, you know, some of us think that we are going a little crazy on this licensure, and marriage counselors -- I really don't think anybody has made the argument to me that there's any justifiable reason to license these people, other than they are attempting to establish a little bit of a lock on apparently an industry that is growing in our area, in our State, and our nation. There is no public reason justifying this licensure of this profession. I think maybe we ought to slow down this march towards total licensure by voting No on this one.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I'd like to know if Senator Schaffer's correct. Do you plan on licensing politicians?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Well, I hadn't planned on it, but the way some of my colleagues have been acting, perhaps maybe we should.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dunn.

SENATOR T. DUNN:

What part of the State were you thinking of in particular this morning?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Well, I won't comment on that at this time, because I'm looking for their votes on this bill first.

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PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I wonder if the sponsor -- once this bill is passed, Senator, do you have plans to mandate that the fees for these counselors be covered by health insurance?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

That has not been in my plans at this time, Senator Schuneman. I -- this legislation -- this group is a group that has been out there doing family counseling as it relate to mental health. They do it as it relate to drug abuse, and they work with DASA; they work with mental health agencies across this State and very many other social service agencies. And they do a splendid job. They want to be sure that we have professionals out there doing the job rather than one who hangs themselves out there as a counselor that in many instances are doing more harm than good. And so this is the reason why they sought licensure and title protection under this Act.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hall. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you. Just -- you might give that a lot of thought, Senator, because I'm sure next year you may want to come back and mandate that the fees for these people be covered by health insurance, because I'm sure there are a lot of these people who are really sick of the marriage that they're in. And so, you could probably make a case for sickness in this case. But since there has been absolutely no case made at all for the need to license these folks, we ought to seriously consider stopping this -- this tidal wave of licenses with this bill, or certainly the

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next one to come along.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will.

SENATOR HALL:

Senator Jones, what does -- in other words, if a person is in any counseling, therapy or anything, are you planning to license these people?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

There are groups -- there are persons who hold themselves out as marriage and family therapists. The problem comes in that persons can go out there and hang out their shingle and there is no control whatsoever to protect those persons who go to them to seek counseling. So the -- the Organization of Marriage and Family Therapists who will have the academic background, be it in psychology, be it in counseling, they have come together and said, "Hey, we've got to protect the public good so that we have qualified people out here offering advice as relate to therapy along the marriage lines."

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Hall.

SENATOR HALL:

Well, you went into my second question. I was going to ask you who wants this. I mean, it's these people you say that are out there now and they want to stop anybody else from being in that, right?

PRESIDING OFFICER: (SENATOR D'ARCO)



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Senator Hall.

SENATOR HALL:

I'm referring that to Jones.

PRESIDING OFFICER: (SENATOR D'ARCO)

I'm sorry. Senator Jones.

SENATOR JONES:

No, they don't want to stop anyone. They want, Senator Hall, those persons, be they giving counseling as it relate to family problems which -- could stem from drug addiction; it could stem from financial reason, but the person who are hanging themselves out there to do this and are advertising, in many instances are not even qualified to give that type of advice. They do not have the academic training, nor do they have the clinical background to even deal with it. This is an attempt to try to control it so that you have professionals out there giving this type of advice. That's all it does.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall House Bill 1432 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? Take the record. On that question, there are 38 Ayes, 14 Nays, 2 voting Present. House Bill 1432, having received the required constitutional majority, is hereby declared passed. 1433. Senator O'Daniel. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1433.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. House Bill

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1433, as amended, raises the fee for daily usage stamp on public hunting grounds for pheasants from a maximum of ten dollars to fifteen dollars. This is a result of the Governor budget reduction and the Department deciding to close some of these, and the local people decided they were willing to pay an extra fee. So that's the reason for this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall House Bill 1433 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 54 Ayes, 1 Nay, none voting Present. And House Bill 1433, having received the required constitutional majority, is hereby declared passed. 1440. Senator Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1440.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. This is not a licensing bill. What it does is delete the requirements for a foreign or alien title insurance company to reserve a higher amount of money if so required by the law of their respective jurisdiction. Also, it deletes the provision allowing a lender to refuse a loan and reject that title insurance or reject the policy. This portion passed before, and the first portion was already in the bill, came over from the House. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall

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House Bill -- DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator Jones, as Senator Hall often asks, who wants this bill?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

You have foreign title insurance companies who want the bill and the --

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, would you mind pulling it out of the record? Because I think you are wrong.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

What did you say? Pull it out of the record because you think I'm wrong? This is what my staff analysis said of the bill. This is how the bill appeared in committee. It's how it appeared over to the House. I did put an amendment on it, and the amendment dealt with the provisions that we passed out of here in another bill which dealt -- would actually deal with the -- the provisions as it relate to a lender to refuse a loan or reject title insurance. Now, that portion passed out on another bill, got hung up in the House. But the original bill, as it relate to foreign title insurance companies, claim they do not have fair competition in the -- in the domestic title insurance companies in

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the State of Illinois. So, this is all the bill does.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will.

SENATOR GEO-KARIS:

If I understand your bill correctly, what you're asking is that foreign title companies, say a Florida company for example, must maintain the same reserves as the Illinois companies maintain. Is that correct?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

That is correct.

SENATOR GEO-KARIS:

All right. Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of the bill, because the way the law is now in Illinois, the out-of-state company only has to maintain such reserves as the law of the domicile, which means only whatever Florida requires. So if Florida requires less, they can put less. I don't think it's fair to the Illinois companies. I think they should put the same amount of reserves as the Illinois companies do for title companies. And I think this is a good bill, and I certainly support it, and ask favorable consideration from all of us.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not so sure that what the bill does is the issue. Could you please explain the amendment you put on this bill?

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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

This is the same as Senate Bill 693, which you voted for, and what it does is -- when we passed the Title Act last year, this portion was unclear as relate to the AG's Office. Now, there is a fight amongst the various title companies. What it does is delete the provision allowing a lender to refuse a loan or reject the title insurer or reject the policy if it is believed that the title insurance would afford insufficient financial protection. Now, this is an attempt to clean up that portion of the Act which was passed last year. That's why I amended it onto this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Jones, could I ask the Chair to pull this for just a couple of minutes, come back to it for clarification? I don't want to beat up on a bill that might be a good bill, but there is a serious problem with this amendment that I would like to clarify.

PRESIDING OFFICER: (SENATOR D'ARCO)

It's up to Senator Jones. He doesn't want to pull the bill. Senator Fawell.

SENATOR FAWELL:

Will -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

Yeah -- yes.

SENATOR FAWELL:

Sorry, Emil. You know, part of the problem, I think, is that according to our analysis, the banking industry is against this bill with this amendment. And we are trying to find out - and I think that's what Senator DeAngelis is trying to find out - is if

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indeed they are still against it, and if so, why. If --

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Well, Senator Fawell, I don't work for the banking industry, nor do I serve in that capacity. When Senate Bill 693 was here, not one of their representatives came to my office or even contacted me concerning the bill, which passed out of here unanimous. Now, you -- like I said, I haven't talked to the banking industry, and I don't work for them. They may have some concerns. I don't know. But I would think that if they did have some concerns, they owe the sponsor the courtesy of -- to come to him, not only on this bill, but on the previous one that passed. And I have not heard from them, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator DeAngelis, for the last time.

SENATOR DeANGELIS:

Well, Senator Jones, I think in the past -- I mean, I don't expect you to pull your bill and wait till it comes around the Calendar. But I would like, if the Chair gives you permission, to wait five more minutes, and I think we can clear this up.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator -- Senator Jones.

SENATOR JONES:

As I indicated, they had ample time to talk to the sponsor of this bill. If they're concerned about the previous bill about this amendment, they owe me that courtesy. They will owe you that courtesy, and I do not work for the banking industry. And what I'm saying to you, if they want to do something or have some concerns, I would have thought they would have talked. I haven't heard from them, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

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All right. The question is, shall House Bill 1440 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? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 30 Ayes, 14 Nays, 13 voting Present. And House Bill 1440, having received the required constitutional majority, is hereby declared passed. Senator DeAngelis, for what purpose do you rise?

SENATOR DeANGELIS:

Verification.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. A verification of the affirmative roll has been requested. That request is in order. Will the Clerk <sic> please read the affirmative roll?

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Barkhausen, Berman, Brookins, Carroll, Collins, Cullerton, D'Arco, del Valle, Demuzio, Thomas Dunn, Geo-Karis, Hawkinson, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Marovitz, O'Daniel, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Severns, for what purpose do you rise?

SENATOR SEVERNS:

I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. State your point. State your point.

SENATOR SEVERNS:

Thank you, Mr. President. It's my honor today to have with us the next, as Senator Kelly says, Ryan Sandburg of -- of baseball, Danny Ryan, who plays second base and has assured us, Senator

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Kelly and Senator Watson, that if the Senate team needs a little help next year, he'll help us out. He also has with us his -- his grandmother, Polly Mehr, and his father, Mark Mehr, up in the President's Gallery. And I'd like the Senate to join me in welcoming them.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator DeAngelis, do you question the presence of any Member? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Rea.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rea. Senator Rea in the Chamber? Senator Rea is in the Chamber.

SENATOR DeANGELIS:

Senator Joyce.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce. Which Joyce?

SENATOR DeANGELIS:

Jeremiah.

PRESIDING OFFICER: (SENATOR D'ARCO)

Jeremiah Joyce. He's -- he is in the Chamber. Do you question anyone else, Senator?

SENATOR DeANGELIS:

No.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The roll has been verified. On that question, there are 30 Ayes, 14 Nays and 13 voting Present. House Bill 1453. Senator Geo-Karis. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1453.

(Secretary reads title of bill)

3rd Reading of the bill.



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PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill simply says that it's a Class 4 Felony to sell or deliver firearms in an establishment licensed to sell alcoholic liquors, unless the sale or delivery of the firearm is otherwise lawful under this Article and under the Firearm Owners' Identification Card Act. And I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any -- any discussion? Senator Marovitz.

SENATOR MAROVITZ:

I'm sorry, Senator, but I wasn't able to follow what you were saying. Could you just go over this slowly again?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I'll be glad to. This bill simply says that it amends the Criminal Code, makes it a Class 4 Felony to sell or deliver firearms in an establishment licensed to sell alcoholic liquors, unless the sale or delivery of the firearm is otherwise lawful under this Article and under the Firearm Owners' Identification Card Act. This bill was amended at the request of the Judiciary Committee, Senator Marovitz, and that's the way it stands now. Okay? All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, then the question is, shall House Bill 1453 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays -- I'm sorry. The Ayes are 56, the Nays are none, none voting Present. House Bill 1453,

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having received the required constitutional majority, is declared passed. House Bills 3rd Reading, middle of Page 13, is House Bill 1464, Madam Secretary.

SECRETARY HAWKER:

House Bill 1464.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This is a Department of Agriculture administration bill that has quite a number of provisions in it that are basically clarifying language. The committee amendment basically declares what kind of and when pesticide-contaminated water may be used -- reapplied to farmland. There's another provision that the Comptroller requested to -- that establishes the procedure on how claims will be paid out of the Agrichemical and Incident Response Fund. There was another amendment offered by Senator Schuneman that brings up to date the Illinois Pesticide Act section dealing with the aggregate amounts of insurance, and then another amendment that was simply a technical correction to another amendment. So that's what the bill does. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, perhaps you can answer; otherwise, perhaps Senator

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Schuneman. There have been some people in this business who have had difficulty getting any insurance coverage because of the earlier requirements of law. Is Senator Schuneman's amendment drafted in such a way so you think that these companies will now be able to get insurance written?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

I don't think it'll have any effect on that, Senator. The purpose of this amendment was simply to show and put into the Statute aggregate limits of insurance which appear on probably ninety percent of the insurance policies that are sold today, but were not mentioned in the original Statutory limits that needed to be provided. The current law calls for pesticide applicators to prove insurance up to limits of fifty and one hundred thousand bodily injury, fifty thousand dollars property damage, or a one hundred thousand dollar combined single limit. What the change does is simply say that they also must have an aggregate limit of five hundred thousand dollars. So I don't believe that it's going to make any change in that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Woodyard may close. Question is, shall House Bill 1464 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. House Bill 1464, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading is House Bill 1466, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1466.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1466, as amended, is the recommendation from the Board that functions as the operators of our Comprehensive Health Insurance Plan - the CHIP plan - and that is to make permanent the anti-dumping provisions and make some other technical changes. I would ask for a favorable roll call and answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1466 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1466, having received the required constitutional majority, is declared passed. 1470 is on the Recall List. 1478 is on hold. 1487. Senator Savickas. On the Order of House Bills 3rd Reading, at the bottom of Page 13, is House Bill 1487, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1487.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, Members of the Senate, this legislation, which creates the Wholesale Drug Distribution Licensing Act, was introduced because of a federally mandated program. The

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Department of Professional Regulation amended the bill -- or submitted an amendment that would take care of some technical concerns and the fees to cover the enforcement of this new licensing Act. And with those -- with that amendment in place, the Department fully supports this licensing Act to meet the federally mandated programs, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, then the question is, shall House Bill 1487 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. House Bill 1-4-8-7, having received the required constitutional majority, is declared passed. Turn the page. Page 14. Top of Page 14 is 1499, which is on the Recall List. 1524. Senator Joyce. 1428. <sic> (1528) Senator Welch. On the Order of House Bills 3rd Reading is House Bill 1-5-2-8, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1528.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill will do is basically include as a survivor persons who would be eligible to receive an annuity as the survivor of an employee or annuitant, except for the fact that the person didn't attain age 55. The survivors are paying the cost of the benefits. An amendment that was added at the request of the AFSCME group would allow for the health insurance coverage of individuals who are -- college students who

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are declaring themselves emancipated minors for purposes of obtaining student loans and other similar reasons would be included under the insurance -- health insurance of the parents. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator -- Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, simply to make the point that what the sponsor seeks to do here is add additional benefits to the State Employees Group Insurance Program on top of benefits which the AFSCME union and the administration have already agreed upon. Now we've not yet dealt with bills that would, in effect, ratify the agreement between the union and the administration. And so I'm not sure how all of that is going to play out, but I do know that this is beyond the scope of what the administration agreed to and what AFSCME was expecting. There's no question but what there may be some people out there who want coverage for their youngsters who, once they reach age twenty-three -- but that's true of a lot of people in the world. I mean, there are a lot of group plans that work exactly like the State of Illinois Group Insurance Program that will cover dependent children up to age twenty-three, and then once they're twenty-three, you've got to go buy insurance on your own. So what, in effect, we're doing by passage of this is inflating the State budget by something over a million dollars a year, and there's no appropriation to pay for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, basically, I'd just like to say that this was not precluded in any agreement by AFSCME, as far as I understand. In fact, we're not even sure if it was on the table to be negotiated.

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But this actually affects everyone here. If you have a child who's in college and the child announces that he is emancipated for purpose of getting some type of a benefit from the school that you get by a student loan or a scholarship, by saying you're on your own so it doesn't look like you have so much money - you're not dependent on your parents - to do that you suddenly are not on your parents' health insurance. So if you have a child who's nineteen or twenty years old, up to age twenty-three, they're a full-time student and they're unmarried, they're still your children for purposes of paying for their health bills. It seems to me that they should be covered by your insurance. I would move for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 1528 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 40, the Nays are 16, 2 voting Present. House Bill 1528, having received the required constitutional majority, is declared passed. 1533. Senator Leverenz. 1537. Senator Leverenz. 1538. Senator -- 1545. Senator Marovitz. On the Order of House Bills 3rd Reading, the middle of Page 14, is House Bill 1-5-4-5, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1545.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. All this bill does is clarify that the superintendent of a DCFS

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institution can make special rules as may be needed at that institution. That's all the bill does. And I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Topinka.

SENATOR TOPINKA:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

Yeah, do you have any further purpose for this bill? For instance, is it still a vehicle, or does this finish up what you want to do with it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

There have been some negotiations with DCFS and other child support organizations that we may have some child support clarifications or some case decisions that we put in, too, but that will only be after discussion with everybody involved and agreement with everybody involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1-5-4-5 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 1-5-4-5, having received the required constitutional majority, is declared passed. 1-5-6-5. Senator Rea. 1-5-8-4. Senator Hall. 1603. Senator Jones. On the Order of House Bills 3rd Reading is House Bill 1-6-0-3, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)



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House Bill 1603.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. House Bill 1603 deals with the Sunset Act as relate to the Insurance Department, and it changes the sunset of certain Articles of the Insurance Code from 12/31/91 to 12/31/92. As it relate to producers, it changes that from 12/31/91 to 12/31/96, which is five years for the producers, one year on the other Article. This has been agreed to, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not -- Senator -- Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I rise to reluctantly support this bill. It appears that this is the best that can be done on this, and I would ask the Members to support this as it stands.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1603 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1603, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 1-6-0-4, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1604.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President, Members of the Senate. House Bill 1604 is the vehicle bill. There will be hearings held by the House Task Force on the Insurance Code, as well as a Senate -- the full Senate Committee. We will hold hearings on the repeal -- not repeal, but the sunset of the Insurance Code. We needed a bill to deal with that issue, and this is the one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Hall.

SENATOR HALL:

Senator Jones, you made a commitment to have some hearings down in my area. Is this part of that program -- plan? They've been waiting, especially they -- saying that we have so many trouble with the Fair Plan. People are trying to get insurance -- the Fair Plan and they don't get any response for them. And I'm sure you said you would look personally into that. Is that part of this plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

We made that commitment to you and that commitment still stands. This is the reason why we didn't want the Articles to be extended for ten years - to give your community and all communities across the State a time to have hearing and input into what they feel need to be changes made in the Insurance Code. So that commitment is still to you, and it will be done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you. Will the sponsor yield for a question?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Senator Jones, will this also take into the study of redlining in certain areas in certain districts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, it will. See, when complaints are made as it relate to the actions and policies of the insurance companies and so forth which is incorporated within those fourteen Articles. And the -- the Department wanted to have ten years, but I felt -- and the House felt, and we felt, that we need to look at all aspect to see if some changes should be made to benefit the consumers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Senator Jones. And on that same line, will HBOs <sic> be considered in this study also? As you know, that there are HBOs <sic> that are restricting people from going to certain hospitals, not paying and et cetera. Will that be included into this study?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

We will also look at the HMOs, but most of those HMOs are under contractual agreements with Department of Public Aid, more likely. And we would also look at that, because they are also, you know, part of the Insurance Code.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Madigan.

SENATOR MADIGAN:

Senator Jones, is this the -- is this the vehicle for the road show?

PRESIDING OFFICER: (SENATOR DEMUZIO)

There seems to be a great deal of joy here today. I don't know why. Senator Madigan.

SENATOR MADIGAN:

I'll be glad to repeat that question, Mr. President. Thank you. Senator Jones, is this the -- is this the vehicle for the Emil Jones Road Show?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

You know, I didn't quite hear the Minority Spokesperson and everything, but, you know, you must have wheels if you want to get around this State. It's very large.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1604 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. House Bill 1604, having received the required constitutional majority, is declared passed. 1623. 1668. Senator Raica. House Bills 3rd Reading is House Bill -- we don't have it on Recall, but take it out of the record. 1692. Senator Schuneman. Senator Raica, for what purpose do you arise?

SENATOR RAICA:

Yeah, let's roll it.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will back up, and we will return to the Order of House Bills 3rd Reading and No. 1-6-6-8, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1668.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. It amends the Code of the Criminal Procedure to allow a judge issuing a search warrant to authorize the warrant to be executed without a knock and announced by the officers, if certain circumstances are found to exist. I'd just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, question is, shall House Bill 1-6-6-8 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 2 voting Present. House Bill 1-6-6-8, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading, bottom of Page 14, is House Bill 1-6-9-2, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1692.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. I'm sorry. Take it out of the record. Page 15 is 1-6-9-5. Senator O'Daniel. 1-6-9-6. Senator Welch. 1-6-9-9. Senator Jones. On the Order of House Bills 3rd

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Reading is House Bill 1-6-9-9, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1699.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. House Bill 1699, as amended, amends the Insurance Code in relation to the subordinated indebtedness. Provides that the interest rate on that debt shall be three percent above the base rate of the largest bank in Chicago. Authorizes changes on the interest rate on subordinated surplus debentures outstanding on the effective date of this amendatory act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Madigan.

SENATOR MADIGAN:

Senator Jones, our analysis isn't clear on this. Is the Department of Insurance okay on this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

According to my staff analysis, the Department of Insurance is neutral on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones may close.

SENATOR JONES:

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Yes, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1-6-9-9 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 1-6-9-9, having received the required constitutional majority, is declared passed. 1741. On the Order of House Bills 3rd Reading is House Bill 1-7-4-1, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1741.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is include heating oil underground storage tanks under the regulations requiring that tanks be regulated. This is an agreed bill worked out between the Petroleum Marketers' Association, the Environmental Protection Agency, Pollution Control Board and the State Fire Marshal. It basically requires the Pollution Control Board to adopt rules concerning heating oil underground storage tanks that are identical to rules for other underground storage tanks. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, you know, our venture thus far into this underground tank thing has been such a nightmare. I don't think there's a Member on the Floor here who hasn't been besieged by people that

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have been -- had their lives literally racked and ruined by our regulations, many cases through no fault of their own. Now, I happen to live in a part of the State that has an awful lot of unincorporated homes, and at one point, a large number of them, I think, were heated by fuel oil. Now, I assume that there's still a lot of those tanks that have been abandoned as homes converted to gas and just shut down their tanks twenty years ago. Now, you know, I'm very concerned about the environment; but, you know, based on a fifty- or sixty-thousand-dollar hit for some guy with a two-bedroom raised ranch, you know - this -- this just makes me nervous. I have had so many people whose lives have been just savaged by our tank law so far - financially, personally, emotionally - and now to inflict it on homeowners. And I think of all those school districts that have those tanks. I would hope we could come up with a - you should pardon the play on words - kinder and gentler version than to inflict those fiends that we've inflicted on the rest of the tank holders on this particular category of people. I -- I think every Member here ought to think this one over, because you may have some people in your office in the not-too-distant future losing their homes over this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Just so I clearly understand what's going on here. Are we going to subject every homeowner, every farmer, everybody that has any kind of an underground tank to the same regulations that perhaps you're finding now with commercial establishments?

PRESIDING OFFICER: (SENATOR DEMUZIO)



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Senator Welch.

SENATOR WELCH:

No, absolutely not, Senator. This bill doesn't apply to farms, and it doesn't apply to residential homeowners. It was a nice speech, Senator Schaffer, but it doesn't apply to what you spoke about. Doesn't apply to homes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney. Further discussion? Senator -- I'm sorry.

SENATOR RIGNEY:

Okay. Then who does it apply to that it does not apply to now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, it applies to everybody who's not a residence or a farm, which would mean everybody who is in a business, including heating oil. If you go to a -- a business that sells heating oil, that would be who it would apply to, mainly, or large businesses that have underground heating oil tanks. That's who it would apply to. But not your homes, not your farms. So, it would mainly be commercial.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will. Senator Geo-Karis.

SENATOR GEO-KARIS:

This would apply, for example, to a grocery store that may have had some underground tanks for heating oil. Would it not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

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SENATOR WELCH:

If they have a tank of more than eleven hundred gallons and placed it underground for some reason, the answer is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

According to your bill, it said if a tank was not registered by July 28, 1989, the owner would not be eligible for the ten thousand dollar deductible that is applicable now. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That is the date for underground gasoline storage tanks. We are putting in a new date for heating oil tanks, because we're just regulating them just now. So obviously we have to put in a date in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I've had a lot of complaints about this original Act, and it does apply to very small businesses. And I'm just wondering if we wouldn't be better off to let this bill fall instead of pass, because I don't think we have enough information and expertise to do a good job on it with the present bill. And I speak against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. As I remember the law - and, Senator, I hope you'll correct if I'm wrong - but as I remember it, the Underground Storage Tank Fund excluded heating oil. Is

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that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator --

SENATOR SCHUNEMAN:

And also, as I remember it, underground heating oil tanks were not subject to the same kind of -- of EPA restrictions as petroleum and other derivatives of crude oil. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

There were no restrictions on underground heating oil tanks at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well then, by virtue of this legislation, are we making the same kind of requirements apply to heating oil tanks of over eleven hundred gallons as we are to all petroleum tanks and putting them into the Fund? Is that what we're doing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, that's basically what we're doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

And on the tax issue, was -- I think the -- as I recall, the tax applied equally to all kinds of petroleum. In other words, is

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heating oil -- are they paying a tax on the heating oil?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The bill doesn't speak to that at all, Senator. It doesn't affect what they are doing now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, so I ask you what we're doing now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

We're taxing the wholesale sale of fuel oil, but not the existence of tanks. If you have an underground heating oil tank for your store, when you buy the fuel oil, you pay a tax on that fuel oil at that point. That would be the only tax involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you. And to the bill: I -- I appreciate your answers. I guess what we would be doing here by passing this bill is making certain fuel oil tanks susceptible to the same kind of enforcement that we have on -- on all other gasoline tanks. I guess my own reaction to that is that maybe we'd better wait a few years before we take this step, because we're really in the middle of a mess on our -- our gasoline tanks, and we haven't got that cleaned up yet. Maybe we better wait a little while before we proceed against the heating oil tanks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

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Thank you, Mr. President. The whole issue of underground storage tanks is very complicated. Senator Welch and our Committee have done everything possible to move forward with what must be done environmentally. I think that this is a reasonable bill. We have tried to accommodate, and Senator Welch has worked very hard on this piece of legislation. This piece of legislation came out of the Committee unanimously, and I would urge your support for this piece of legislation. I think it's a good piece of legislation and a needed piece of legislation, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, let me say something that you probably don't expect where this came from. This was requested by the school boards of the State of Illinois. We're looking at it from the perspective of those who have tanks. Let's look at it from the perspective of those individuals in Illinois who have to drink clean water. That includes a lot of people. And what we did with the Underground Storage Tank Law was make sure that when tanks leak, the State doesn't have to pay to clean them up. Why should we here pay for a gas station that doesn't take care of its underground tank? That was the argument then. The argument now is the same for a heating oil tank. If you've got an underground heating oil tank and you're leaving the building, you're selling it to somebody, pull the thing up, not leave it in the ground to let it leak into the groundwater and contaminate your neighbors' water. Get rid of the thing. What the underground storage tank law does, is it protects those people with those tanks, because it sets up a Fund where you have an indemnification after a certain amount is paid in, like a hundred thousand dollars or more. You can tap into the Fund if you are registered. So it benefits the people who have

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these tanks. It doesn't hurt them. There is now a federal law that requires Illinois do this. The Federal Government is going to go in and take care of these if Illinois doesn't. They're saying to Illinois, "You have to do this." This isn't something new that we pulled out of the air. It's a federal requirement. We've created a Indemnification Fund to help people with the tanks so they would end up, in effect, being able to tap into the Fund so they don't have to pay as much. If you don't have the Fund, and you have a tank in your backyard, the EPA tells you to move it, you pay for one hundred percent up to whatever it costs. Under this, after a hundred thousand dollars, if you're registered in time, you tap into the Fund and you've got a deductible up to a hundred thousand dollars. This is a bill that helps the owners of these tanks, not punishes them. I would move for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 1741 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 42, the Nays are 15, none voting Present. House Bill -- I'm sorry -- 1741, having received the required constitutional majority, is declared passed. 1749. On the Order of House Bills 3rd Reading is 1-7-4-9, Mr. Secretary.

END OF TAPE

TAPE 2

ACTING SECRETARY: (MR. HARRY)

House Bill 1749.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This bill does exactly what the -- the Journal says that it does. It amends the Vehicle Code relating to the licensing of automobile repairers and recyclers. I'll be happy to answer any questions, but I do ask for a favorable roll call. There is no one that I know of in opposition to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR WEAVER:

Senator Brookins, aren't you getting into Senator Jones' territory?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1749 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 1, none voting Present. House Bill 1-7-4-9, having received the required constitutional majority, is declared passed. 1752. On the Order of House Bills 3rd Reading is House Bill 1752, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1752.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

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Well, thank you very much, Mr. President and Members of the Senate. House Bill 1752 amends Section 7-2a of the School Code and requires the residents of the old dissolved district to pay off any bonded indebtedness after the dissolutionment. It further provides the consolidation petitions filed under Article 11B may include any tax rate for the new district up to the Statutory maximum. This passed out of Committee on the Agreed Bill List. I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Smith. Senator Smith, your light is -- all right. Further discussion? If not, the question is, shall House Bill 1-7-5-2 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1-7-5-2, having received the required constitutional majority, is declared passed. 1776. 1797. Senator Carroll. On the Order of House Bills 3rd Reading is House Bill 1-7-9-7, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1797.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President, Madam Electrician and Members of the Senate. The -- House Bill 1797 is Illinois' entering into the federal Ryan White funding. Basically, what it does is it provides for the Department of Public Aid to pay for the health insurance coverage out of these new federal funds for those people who have HIV positive virus indications and are -- could be



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insured either under COBRA or under some type of group health insurance. This would allow those programs to continue and for this federal program to allow the State to attract those funds to pay the premiums for health insurance for HIV positive patients. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, then the question is, shall House Bill 1-7-9-7 pass. Those in favor will -- Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President. Senator, to what extent might passage of this bill attract more people into the State CHIPS plan? Is there a connection here? And if not, would you please briefly tell me why not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, I asked CHIP that question myself when I first took the bill. Actually, it has the opposite effect. People who are currently insured under COBRA or private -- under a COBRA, self-insured or private, their premiums would be paid under this plan - this federal money plan - instead of having to go on CHIP, because they would have sustained coverage with a source to pay the premiums. And the premiums are only premiums to a private, non-State-funded insurance plan. Secondly, those seeking CHIP would have an alternate source, if they were HIV positive, than going to CHIP. And thirdly, it would even cover some of those currently on the CHIP waiting list, who therefore would no longer need to be on the CHIP waiting list, and open up some slots for non-HIV positive people into CHIP.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, then the -- I'm

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sorry. Then the question is, shall House Bill 1797 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 1797, having received the required constitutional majority, is declared passed. Senator DeAngelis, for what purpose do you rise?

SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DeANGELIS:

In the balcony on the right hand side here we have a distinguished member of the Illinois Board of Governors, Dominick Bufalino, and his charming wife, and their granddaughter, Katie. And I'd like for them to be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will the Bufalino family please rise to be recognized by the Senate? Dominick, nice to have you here. The Illinois Information Service has requested permission to videotape. Is leave granted? Leave is granted. On the Order of House Bills 3rd Reading is House Bill 1804, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1804.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. House Bill 1804 clarifies the procedures Public Aid is to use in reviewing the performance of doctors who treat Public Aid patients. This bill comes out of

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negotiations with the Department. I know of no opposition to the bill. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, then the question is -- Senator Davidson.

SENATOR DAVIDSON:

Question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Is the person who's going to tape this responsible by this Act to tape the entire proceeding? Because if he's going to use it - or he or she that's up review is going to use it as evidence, as it says in my analysis, it should be that the tape should be all-inclusive; that they cannot take selected parts of the hearing that they taped to use as evidence which could be skewed against the board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

My understanding is that the entire proceedings would be taped.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, then the question is, shall House Bill 1804 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. House Bill 1804, having received the required constitutional majority, is declared passed. 1811. Leverenz. 1815. On the Order of House Bills 3rd Reading is House Bill 1815, Mr. Secretary. 1-8-1-5.

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ACTING SECRETARY: (MR. HARRY)

House Bill 1815.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 1815 addresses a problem. Currently, the Regional Board of the School Trustees are required to hold their meetings in the Office of the Regional Superintendent of Schools. This bill allows the Board of School Trustees to hold a meeting and/or designate a place other than that place, to hold their meetings. The bill has been amended to add an immediate effective date. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, well, two items. First of all, a point of personal privilege, in that if we would direct our attention to the back galleries, I have a significant delegation of constituents from the 43rd and 44th House and 22nd Senatorial Districts, and they're all here from my area. And if we could all give them a big welcome to Springfield before they leave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Welcome.

SENATOR TOPINKA:

Second of all, as to this bill, this bill looks very similar to something that had already come out of the Senate that I was the sponsor of. It has a tendency to affect the Regional Superintendent's Office, or could conceivably be germane to that. Would this be going into a Conference Committee to again help our

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friend Richard Martwick, in any way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Well, I can't answer on whether it would go to a Conference Committee or not, but it's not my intention to deal with any -- Regional Superintendent of School's problem outside of my area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1815 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. House Bill 1815, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading is House Bill 1819, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1819.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. House Bill 1819 amends the Certified Shorthand Reporters' Act. It clarifies the appropriate length of continuing service as a Board member, gives the Director the power to remove Board members for missing three meetings, increases disciplinary action fines, and establish continuing education requirements and extends the sunset to the year 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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Thank you, Mr. President. A couple of questions of the sponsor. Senator, I see this Act sunsets in December, 1993. Are you now extending that for ten years?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, that's what the bill says, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Did you hold Statewide hearings on this issue, Senator, and go through the usual sunset process?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, they did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

What do you mean, they did?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Those that are involved in the profession as such and these were the recommended changes that are included herein. And this is the reason why the bill is this way. It's unlike the Insurance Code which impact on millions of people across the State of Illinois. The two cannot be considered the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah, I understand. This only impacts on the courts. But why

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are we extending this this year, two years before it expires? And in the case of the Insurance Code that you just dealt with, you weren't willing to deal with that until this year and then you -- then you want to extend it only one year. What are the differences here? I don't quite understand this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The difference between the two is that the Insurance Code impacts on every individual life, all eleven million four hundred thousand people in the State of Illinois. This is a very, very small group that is licensed by the Department of Professional Regulation. The changes that are made herein have been agreed to by those in the profession, as well as the Department, and the Senate Bill with the similar provisions have already passed this Body. This is just the House Bill. So it's the difference in the two. And I'm quite sure, you being involved in the industry and a Member of the illustrious Insurance Committee, you understand the difference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I -- I have some understanding of the insurance business, and I have no particular quarrel with the shorthand reporters either, but it is contrary to our usual practice here. We normally wait until an Act expires and then hold hearings and decide whether or not we should renew the -- the Act; whereas, here it appears to me what you're doing is reaching out ahead of the expiration date and renewing it for ten years. And I'm just curious as to why you're doing that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

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SENATOR JONES:

Well, in my previous remarks, I indicated to you that those in the profession have sat down with the Department, worked out what needs -- changes need to be in their Act, and they have agreed to this. This is the reason why these changes are made, and this is the reason why the extension is given.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House -- I'm sorry. Senator Jacobs.

SENATOR JACOBS:

Well, thank you, Mr. President. I guess I just have to play Jack Schaffer's advocate here. And I guess I'm getting to the point, too, to where -- wouldn't we be better off to come up with a bill that lists those that we're not licensing? It would be a hell of a lot shorter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1819 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Deborah. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 18, 2 voting Present. House Bill 1819, having received the required constitutional majority, is declared passed. 1827. Senator Holmberg. Senator Jones, did you -- I can't see -- Senator Holmberg. On the Order of House Bills 3rd Reading is House Bill 1827, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1827.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 1827 simply states that



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if a county auditor is temporarily unable to perform his or her duties, the deputy auditor, if there is one, will assume the duties of the auditor until the auditor is able to return to his or her duties or a replacement is chosen. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, then the question is, shall House Bill 1827 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 1827, having received the required constitutional majority, is declared passed. 1831. Senator Berman. On the Order of House Bills 3rd Reading, bottom of Page 15, is House Bill 1831, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1831.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill requires that the State provide information to persons who are eligible for the federal earned income tax credit, so that they can take advantage of those benefits. I'd be glad to respond to any questions and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1831 pass. All in favor, signify by voting Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? On this question, there are 59 Ayes, no Nays, none recorded

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as Present. This bill, having received the constitutional majority, is hereby declared passed. The next bill is on the Recall. Please turn to Page 16, appears House Bill 1855. Senator Leverenz. 1856. Senator Raica. 1856. Senator Raica. Can't see him, Bobby. Out of the record. 1864. Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1864.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. House Bill 1864, as amended, authorizes the promulgation of rules relative to loss ratios and minimum standards for marketing practices and reporting practices for long-term care insurance. This is a recommendation from the Department of Insurance and is suggested by the National Association of Insurance Commissioners. Also, it removes the requirement that workers' compensation insurance policies and applications for such policies that are negotiated, solicited or in effect by a nonresident insurance producer be countersigned by a resident insurance producer appointed by the company issuing that policy. I know of no opposition, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1864 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Leave of the

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Body, we'll go back to 1856. Read the bill, Mr. Secretary. 1856.

ACTING SECRETARY: (MR. HARRY)

House Bill 1856.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What the amendment did that we put on yesterday is it removed physician, dentist and nurse from those who gave injections, only because phlebotomists and paramedics and everyone else can give injections now. This is an agreed-to amendment, and I'd just ask for its adoption -- or I'd just ask for passage.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1856 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Right. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. On the Calendar on Page 16 is House Bill 1891. Senator del Valle. 1908. Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1908.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from LaSalle, Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is require the Department of Aging, in conjunction with the Department of Public

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Health, to execute a study to ascertain the need for and the viability of establishing laws and regulations pertaining to the operation of board and care homes. It describes a process of the hearings and what the report to the General Assembly will contain. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1908 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1910. Senator Kelly. Out of the record. 1911. Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1911.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Tazewell, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 1911 attempted to permit a board of directors of a bank, by unanimous consent, to transact business by teleconference calls. That subject has come under some debate - so I have eliminated that language from the bill, effectively making it a shell bill to be sent back to the House, whereupon they can readdress the problem or lack thereof of teleconference calls. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1911 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

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the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 1918. Senator Jacobs. 1934. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1934.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you. This bill addresses the temporary licenses for the hearing aid licensees and requires that a test be given every two months once the temporary license is provided. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1934 pass. All in favor, signify by voting Aye. All opposed, by voting Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Gentleman from Madison, Senator Vadalabene, what purpose you seek recognition?

SENATOR VADALABENE:

Yes, I would appreciate when you give the results, rather than say, "on this question," you would say, "House Bill --," give the number, rather than just, "this question."

PRESIDING OFFICER: (SENATOR LECHOWICZ)

We give the number when we call the bill.

SENATOR VADALABENE:

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Yes, but I'm requesting if you could do it after that, too.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Fine, sure. Senator Collins.

SENATOR COLLINS:

Point of personal privilege, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

State your point, Ma'am.

SENATOR COLLINS:

Yes, Mr. President and Members of the Senate, we have a distinct, very unique honor today, a young lady who, I'm sure last year at this time, had no idea that she would be celebrating her next birthday sitting in the Illinois -- Senate. And I'm not so sure, after being here for about a week or two, that she would rather be here than someplace else. But today, we have the pleasure of having to celebrate - the opportunity to congratulate and celebrate - with our new Senator Palmer, her birthday. Now, she didn't tell me how old she is, but looking at her, I'm sure she's about twenty, a little over twenty. Maybe sixteen -- sixteen. So we'll settle for her sixteenth birthday, and would just like to congratulate her and wish that she have many more happy birthdays serving right here with us in the Senate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let the record show that Alice Palmer doesn't look a day over twenty-one. And many more happy birthdays. The Lady from Macon, Senator Severns, what purpose you seek recognition?

SENATOR SEVERNS:

Thank you, Mr. President. I also want to add to Senator Collins' comments that, Senator Palmer, if there's one thing that we like to do here, or at least that I should say I like to do here, and I do all around my district, is eat my way around the district. And I think that all of us also like to eat on occasion here, and we have cake, all Members of the Senate, that will be

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arriving at the door by this back hallway rather shortly to help celebrate. And if for a moment you should forget it's your birthday, we'll all remind you. Happy birthday.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Palmer.

SENATOR PALMER:

Thank you very, very much to all of you. You've been very gracious to me.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Thank you. Back to the Calendar, on Page 16, appears House Bill 1935. That one's on the Recall List. House Bill 1949. Senator Berman. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1949.

*(Secretary reads title of bill)*

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This deletes the requirement that the constitutional officers submit to the Governor a semiannual report detailing the fees which the officers -- to which the officer is entitled. Be glad to respond to any questions, and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 1949 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. House Bill 1949 has received 55 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1960. Senator Brookins. Out of the record. Please turn to Page

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17. 1968. Senator Cullerton. Out of the record. 1970. Senator Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1970.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. House Bill 1970 amends the Nursing Home Administrative Licensing and Disciplinary Act, the Structural Engineering Licensing Act and the Interior Design Professional Title Act. And for nursing home - administrators may practice up -- under the temporary license, up to sixty days. It increases the length of term from three to five years for the Structural Engineering Board. And the Department of Professional Regulation -- it removes the Department of Professional Regulation from administering interior design exams, and require applicants to pass the exam offered by the National Council of Interior Design qualifications. Department of Professional Regulations is in support of the bill, as amended. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from St. Clair, Senator Hall. Art.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Art.

SENATOR HALL:

Senator Jones, would you explain to me, what is, "Interior Design Profession Title Act to eliminate the examination provided by the Department?" Are we eliminating examinations?



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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

No, we are not eliminating the examination. In most instances, the Department contracts out for the exam. So the exam would be given by the National Council for Interior Design Qualifications, and these are the groups that usually the Department contracts with, so no longer -- the Department doesn't have to be responsible for contracting. Doing the exam will be prepared by the National Organization, and they would take that exam.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hall.

SENATOR HALL:

Well, is the Department of Insurance approving this?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Department of Insurance doesn't have anything to do with this. This is the Department of Professional Regulation. These are all -- actually are licensed under the Department and the Department of Professional Regulation usually contracts for the exam or they may write the exam. What this does, with the agreement of the Department, is remove them the responsibility for administering the interior design exam. Matter of fact, it saves the Department some money by doing it this way.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. Speaker. Just one rather facetious comment. Maybe what we ought to do is make a list of everyone we haven't licensed and have some sort of an omnibus bill, and just get them

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all all at once. We're kind of nibbling away one -- I can't understand licensing interior designers.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Well, in response to the freshman Senator from the other side, this is not a new licensure Act. This is Acts that are already currently licensed by the Department of Professional Regulations. Contained in this bill are several changes that the Department has requested and those who are licensed by the Department, who regulate themselves. This is not a new licensure Act. And to compile everything into one bill like that, sometimes -- the professions disagree, the Department disagrees. So that's the reason why we have individual bills. They are licensed individually, and that's the reason why it's done this way.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler.

SENATOR BUTLER:

Senator, my comment stands. It was facetious. I understand it's not a new one. But I think it's a legitimate comment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The question is, shall House Bill 1970 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, 1 Nay, 1 recorded as Present. House Bill 1970, having received the constitutional majority, is hereby declared passed. 1971. House Bill 1971. Jones. Out of the record. 1972. Jones. Out of the record. 1981. Senator O'Daniel. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1981.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Jefferson, Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. House Bill 1981 exempts public areas with sprinkler systems from the Furniture Fire Safety Act, and it requires compliance with the California law on furniture testing. This bill was prompted by the Illinois Hotel/Motel Association, and it's supported by the State Fire Marshal's Office. And I would move for its adoption. If there's any questions, I'll attempt to answer them.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

According to our analysis, it says that public occupancies and public assembly areas include things like prisons, jails, hospitals, mental health facilities, nursing care and convalescent home, child care centers, public auditoriums and stadiums, public assembly areas in hotels and motels containing more than ten articles of seating furniture. We're going to have -- all these places are going to be required to have sprinkling systems? Is that what we're doing?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel.

SENATOR O'DANIEL:

No, they're not all required, but, you know, the ones that have -- there are existing ones that have sprinkler systems and if

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they have those sprinkler systems, they're not as stringent as the ones that don't have the sprinkler systems in them.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

I guess I'm -- I'm not hearing what you're saying. What are we doing?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell. Did you hear the question, Bill?

SENATOR FAWELL:

What are we -- what are we doing? I mean, we're talking about a sprinkling system Act, right?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel.

SENATOR FAWELL:

I mean, a Furniture Act. Furniture Act.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel, explain what you're doing.

SENATOR O'DANIEL:

That's right.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There was a lot of confusion about this bill in Committee, but Senator O'Daniel has worked very hard to attempt to rectify the problem. The State Fire Marshal's Office originally testified on this bill, and actually, the gentleman who testified from the State Fire Marshal's Office had no reason testifying on behalf of this bill. He was not the person that was supposed to testify. Senator O'Daniel and I have spoken to the State Fire Marshal's Office. We removed the two amendments that were on this

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bill. This is the bill the way it passed the House. It is in the form that the State Fire Marshal wanted it in to begin with. It just states that regarding furniture testing, it goes along with California's standards. There was confusion. That confusion has been corrected, and I think it's a good bill. The State Fire Marshal needs this bill regarding chemically treated furniture, as far as burning factors. And I just solicit everyone on this side's Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel, to close.

SENATOR O'DANIEL:

I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 1981 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. House Bill 1981, having received the constitutional majority, is hereby declared passed. 1982. Senator Luft. Read the bill, Mr. -- Madam Secretary.

SECRETARY HAWKER:

House Bill 1982.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

For what purpose does the Lady from DuPage seek recognition? Gentleman from Tazewell, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1982 is designed to solve a problem that is happening in the hotel and food industry. When a customer receives the bill, it has the cost of the food and beverages. It also has a service charge applied to the bill

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and then tips. Tips are exempt from sales tax. The problem is that in the service charge portion, there are gifts or tips with -- incorporated within the service charge. Under the present law, those -- that income is being taxed for sales tax purposes. And so what we are trying to do with House Bill 1982, exempt from sales tax purposes the proceeds of a mandatory service charge that are in lieu of tips.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I think this is not necessarily a good bill. It's one that -- maybe I stood alone in voting against it during the time of the committee hearing. But let's face it, there's -- the possibility for some shifting here as far as what constitutes a tip compares to what constitutes wages. The potential here is that as we go along there's no cap whatsoever in this legislation to say how much can be shifted into this so-called service charge. As I understand, you know, it started out at a rather modest figure and then it -- we kept adding to it. Fifteen percent kind of became the standard in the industry. Now I think maybe it's more like seventeen percent. And this can be expanded far beyond those people who we usually think of as the people who serve our food and are responsible for serving us at a banquet. I don't think there's much disagreement about the -- the waiters and the waitresses and there's not much disagreement maybe about the bus boy. But I think this could be expanded in such a way that you could probably include the cooks and the salad girl, and you can probably even extend it so far as to someone that actually hauled the food to the banquet site. I'm not sure you want to create all those loopholes in our law, and I suggest that, even though it may pass today, that probably some General Assembly in years to come will find that there will be some abuses that

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will simply have to be corrected. So I'm not sure that we want to pass this into law at this time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Thank you very much. I brought this issue up in front of JCAR. As I understand it, this legislation retroactively overrules the Department of Revenue's erroneous treatment of mandatory service charges under the existing Section of the Statute that was meant to be a broad exemption and which applies to any compensation paid to employees for a banquet. This was originally Senator Mitchler's legislation. I personally talked to Senator Mitchler and I reviewed the legislative debate when this came up in front of JCAR. And I don't think there was any doubt that this sales tax exemption was a mandatory service charge and -- and -- and it was for the idea that when somebody had a banquet and -- and if we are, for instance, having a banquet for a fund raiser and we are charged a hundred dollars a plate and there is an automatic fifteen percent, twenty percent, whatever they charge us, on that plate for service, that that, in effect, is a tip. And just like we don't pay a tax on a tip when we go out and maybe spend a hundred dollars on a -- on a dinner, we should not be charging a -- a tax on that -- that tip, in effect. It has always been the legislators' intent that all or any part of the mandatory service charge should be exempt from sales taxes, as long as the employer doesn't pocket -- pocket the service charge. House Bill 1982 clarifies the legislative original intent on this Statute, and I certainly urge the Members to support this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, President Rock.

SENATOR ROCK:

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

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I, too, rise in strong support of House Bill 1982. I had the opportunity to have a conversation with the -- with the Restaurant Association and the hotel/motel folks some months ago, and this is a matter of some real concern. You take a place like the Hyatt Hotel, who is big into the banquet business - the fact is that what the Department of Revenue is attempting to do simply isn't fair. And, Senator Rigney, I suppose we could all have some skepticism about virtually every measure we pass around here, if you're going focus on the possible abuse that might happen in the future. The fact of the matter is this is a business; and, if the service charge gets out of hand by any purveyor, they are not going to be in business very long. I think this is an eminently reasonable proposition, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I, too, rise in support. I have been usually a strong advocate of the Department's position, but I really believe that this opposition to this bill by the Department exceeds the normal levels of paranoia that that Department should exhibit.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Luft, to close.

SENATOR LUFT:

Thank you, Mr. President. Only to amplify what Senator Rock said. This is a business. If someone gets a service charge that is totally out of line, I'm certain that the person receiving that bill is going to ask many questions and cause many problems for the group that is performing the function in the future. So I don't -- I don't have any fear with this. I think it's fair to those people that are receiving parts of some sort of the service charge, and I don't think they should be assessed a sales tax on



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it. So I would hope that the Senate would pass House Bill 1982.  
PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 1982 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Thank you. Have all voted who wish? Please take the record. On this question, there are 50 Ayes, 4 Noes, 4 recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1995. Senator Davidson. Out of the record. 1996. Senator Karpziel. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1996.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 1996 comes to us from the Secretary of State's Office and the Illinois Library Association. The Library Systems Act is amended to increase the annual per capita grant from \$1.52 to \$1.558 and increases the annual area grant from \$54.00 to \$55.10 per square mile. And under current law these grants are administered by the Secretary of State as State Librarian, and they're the sole source of funding for library systems. There are eighteen library systems in the State of Illinois. This bill does not attempt to adjust the formula to address the population changes. It proposes instead to adjust the formula in order that all monies anticipated to be available can be disbursed and it addresses the State's requirement that the 1990 census data may be used. Some of the Members of the Committee have received the breakdown by library system. And if you'll -- what will happen under this bill is that

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there will be less money for some library systems because of the shift in population, but because of the increase in the amount per -- for the grants, the -- the reduction in their amount will be less than if this bill is not passed. So that, in other words, they'll be getting more money with this bill than they would be if this bill is not passed.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 1996 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. House Bill 1996, having received the constitutional majority, is hereby declared passed. House Bill 2-0-1-5. Senator Jacobs. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2-0-1-5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This House Bill 2015 merely removes the five-dollar maximum delinquency charge for motor vehicle and retail installment payments which are over ten days late. I know of no known opposition. Ask for its support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2015 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Adeline, you didn't have your light on. No, you didn't. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, 1 recorded as

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Present. This bill, having received the constitutional majority, is hereby declared passed. 2016. Out of the record. 2017. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2017.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from LaSalle, Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the bill we had yesterday, and I took it out of the record when a question came up. Basically, what the bill does is increase the civil penalties for violation of the Child Labor Law. This is a product of the Council on Children. What it does is it imposes duties on the Department of Labor. It has an exemption for minors delivering paper. It also -- there is -- the question that arose to take the bill out of the record was one about detasseling. There is a separate law that governs agricultural workers and those are not covered in this Statute. Basically, the idea is to cover children when they're in school. It affects kids under age sixteen, and limits the hours that they work. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2-0-1-7 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. House Bill 2017, having received the constitutional majority, is hereby declared passed. 2022. Senator Karpel. Out of the record. 2040. Senator Jones. Out of the record. Please turn to Page 18. 2-0-5-2. Senator

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Leverenz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2-0-5-2.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. This bill deals with pre-employment questionnaires and the questions asked on them. And it would prohibit asking what a person does in their private life, and would not have anything to do with any questions that were taken care of during an actual interview. Probably the most identified with folks that go home and have a couple of beers and watch the ball game. They also -- the bill does not do anything with pre- or post-testing - after employment or pre-employment. Answer any questions you might have. I ask for your support of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Sangamon, Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DAVIDSON:

For legislative intent, Senator Leverenz, according to my record, it says in committee you acknowledged that this bill does not prohibit pre-employment testing of potential employees by employers. And you stated in committee that that was not the intent of the bill. For legislative intent, would you please repeat that statement?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Leverenz.

SENATOR LEVERENZ:

You are indeed correct. It has nothing to do with pre-employment or post-employment testing of an employee. It has nothing to do with that at all. I appreciate your question.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The question is, shall House Bill 2-0-5-2 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 54 Ayes, 2 Nays, none recorded as Present. And House Bill 2-0-5-2, having received the constitutional majority, is hereby declared passed. 2067. Senator Watson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2067.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Bond, Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This bill does exactly what the Calendar says. It establishes fees and permits for moving house trailers and modular homes throughout this State. It's something of which all the states surrounding us have similar legislation. We passed a bill on the Agreed Bill List, a Senate Bill over in the House now, that did exactly the same as what we've done here. There was an amendment put on that addressed some of the concerns that the State Police and Department of Transportation and Secretary of State had concerning the legislation. And as far as I know, there's no opposition, and I appreciate your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, Senator Kelly.

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SENATOR KELLY:

Thank you, Mr. President. I'd like to ask Senator Watson about - he mentions fees in here. Does it also expand the size of trailers or modular homes and increase the size in any way, or does it strictly relate to fees?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Bond, Senator Watson.

SENATOR WATSON:

Yes, there's a significant fee increase in here for modular homes and trailers. Now, we're not talking about semitrailers. We're talking about trailers that are used as homes, as mobile homes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly.

SENATOR KELLY:

Back to my question. Are the size of these modular homes or trailers increasing or is that left alone?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

They are increasing. The permit that the Department of Transportation now issues or will issue as a result of this would establish the roadways by which the trailers would be towed.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Question is, shall House Bill 2-0-6-7 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, 3 Nays, none recorded as Present. And this bill, having received the constitutional majority, is hereby declared passed. Now, the purpose of an introduction. I will recognize Senator Woodyard. And who's a very good long personal friend, as well.

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SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. We're fortunate to have with us today not only the Gentleman I'm going to introduce, but quite a number of consuls -- Consul Generals from the Chicago area that are visiting in Springfield today. I'm fortunate to be hosting the Consul General from Austria to the United States and -- from Chicago. His name is Clemmons Coreth. I hope I'm pronouncing that correctly, Clemmons. But anyway, he has a long and distinguished career in diplomacy and also in the foreign service of Austria. And I think it's rather unique that I also have a friend with me from Danville, Illinois, Paul Foran. And tomorrow, the Consul General will be traveling to Danville, where he'll be hosted by the Economic Development Corporation Board over there for a major luncheon. And I'll tell you, we downstaters are -- are really pleased to see some of our Consul Generals and foreign dignitaries get into downstate Illinois. And I think it's -- it'll be beneficial to certainly us, and we hope to those visiting us. And with that, Mr. Consul General, would you like to make a presentation? Welcome to the Senate.

CONSUL GENERAL CLEMMONS CORETH:

(Remarks by Consul General Coreth)

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Thank you, Mr. Consul General, for those fine words of encouragement. Please give our best to the Burgermeister. I know Senator Pate Philip and I and Jack Schaffer enjoyed that visit immensely. And actually, Stan Weaver as well. Back on the Calendar. Would you please turn your Calendar to Page 18? 2-0-7-4. Senator Smith. House Bill 2-0-7-4. Please read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2-0-7-4.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2074 requires the Department of Labor to monitor the employment progress of women and minorities in the workforce, and to submit by 04/01 an annual report to the General Assembly on such progress. The Citizens Assembly Council on Women proposed this bill. Its purpose is to research, compile and make readily available comprehensive employment data on women and minorities in the Illinois workforce. Adequate data on the subject is difficult to find. I ask for your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2-0-7-4 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. And House Bill 2-0-7-4, having received the constitutional majority, is hereby declared passed. 2075. Senator Smith. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2075.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Excuse me. House Bill 2075, as amended, creates and defines the offense of disclosure of the location of a domestic violent victim. Disclosure made with the knowledge that the



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threat of bodily harm to an individual or individuals will result in a Class A misdemeanor. Confidential communications between a lawyer and client are exempted. And this should be effective immediately. House Bill 2075 simply tries to discourage anyone seeking to disclose the location of a domestic violent victim by making such a disclose a Class A -- misdemeanor. I urge your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2-0-7-5 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 2-0-7-5, having received the constitutional majority, is hereby declared passed. 2100. Senator Severns. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2100.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Macon, Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. House Bill 2100 is an agreed bill which permits -- which provides that Prairie State 2000 can expand their services. I'll be happy to answer any questions. Would urge a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Question is, shall House Bill 2100 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. House Bill 2100, having

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received the constitutional majority, is hereby declared passed.  
2108. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Tazewell, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2108 creates the State Treasurer's Bank Compensation Pilot Program Act. The bill directs the State Treasurer to conduct a pilot program to develop alternative methods, if possible, of compensating financial institutions for check processing services. There is no opposition to the bill. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2108 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Okay. Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. 2125 is on the Recall List. 2134. Senator Joyce. Not there. Okay. 2138. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2138.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

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Thank you, Mr. President. House Bill 2138 simply provides that if property tax installments are paid late because of an error by a mortgage lender or services, they shall pay the interest, and not the owner of the property.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2138 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. And House Bill 2138, having received the constitutional majority, is hereby declared passed. 2139 is on the Recall List. 2147. Senator Joyce. Out of the record. House Bill 2148. Senator Daley. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2148.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. House Bill 2145 - the major part of it is -- was an amendment that was put on by Senator Butler - would permit the municipal clerk in downstate municipalities to appoint one deputy clerk, when authorized by the city council, who need not to be a resident of that municipality.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2148 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 2148, having received the

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constitutional majority, is hereby declared passed. Please turn to Page 19 on your Calendar, appears House Bill 2149. Senator Savickas. Out of the record. 2168. Senator DeAngelis. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2168.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The bill does exactly what it says. House Bill 2168 simply says that when a regional board of trustees fails to deny or approve a petition for a change in school district boundaries, that that same petition should be taken to the State Superintendent of Education. All of you have been reading where in Cook County school districts have had to wait at least five years and then they still not have a meeting on these types of petitions. I urge the passage of House Bill 2168.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Question is, shall House Bill 2-1-6-8 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. And House Bill 2168, having received the constitutional majority, is hereby declared passed. 2169. Senator Savickas. Out of the record. 2174. Leave of the Body, Senator Weaver will handle that bill for Senator Watson. Weaver, are you ready? 2174. Read the bill.

SECRETARY HAWKER:

House Bill 2174.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Champaign, Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. This is the annual release of easements. There have been several amendments on it. I think it's in good shape, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2174 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, 2 Nays, none recorded as Present. And House Bill 2174, having received the constitutional majority, is hereby declared passed. 2181. Senator Davidson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2181.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Sangamon, Senator Davidson.

SENATOR DAVIDSON:

Mr. President, Members of the Senate, House Bill 2181 does three -- well actually, five things. The original bill said that when a third party payer -- insurer paid damage for a State vehicle, presently it goes into General Revenue, and this now puts it into the Department which the insured -- the damaged vehicle is from so they can replace it. We amended it day before yesterday to take care of internal/external audits that's already performed by an agency. That was a request from the Legislative Audit Commission. The second part has to do with telecommunication

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units of other federal/local governments, public or not-for-profit, to be able to use the telecommunications systems. State Government still has first priority. The third one was also from the Legislative Audit Commission, has to do about printing bills. The fourth allows agencies to use travel allotment to pay for video conferencing. I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 2181 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present. And House Bill 2181, having received the constitutional majority, is hereby declared passed. 2190. Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2190.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. There are and have been five attempts to create tax checkoffs for income tax purposes. There is a Senate Bill that has put in all five of them in the House, and what we are doing here is adding all five to a House Bill. The bill originally created the Ryan White AIDS Victim Assistance Fund, the Youth Drug Abuse Prevention Fund and the Assistive Technology for Disabled Persons Fund. We in the Senate have amended it to include the United States Olympian Assistance Fund and the Domestic Violence Shelter and Service Checkoff Fund. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Any discussion? Question is, shall 2190 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. And House Bill 2190, having received the constitutional majority, is hereby declared passed. 2208. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2208.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill, as amended, provides an alternate method of serving of civil summons. It provides a court with broader discretion, upon verified petition, to provide alternate methods of serving of a defendant. The previous provisions in there, which had some questions raised by Senator Hawkinson, have been deleted. I will solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, Shall House Bill 2208 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 54 Ayes, no Nays and 3 recorded as Present. And House Bill 2208, having received the constitutional majority, is hereby declared passed. 2228. Senator Cullerton. Out of the record. 2234. Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2234.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This bill would require the Department of Public Aid to pay attorneys for winning SSI veterans' benefit cases for GA individuals. We put on an amendment earlier that eliminated the fiscal impact of the bill and any opposition of the Department of Public Aid. This is for the veterans of our State to get the benefits that they are entitled to, and I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2234 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, 2 recorded as Present. And House Bill 2234, having received the constitutional majority, is hereby declared passed. 2250 is on the Recall List. 2282. Senator Jones. Out of the record. 2335. Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2335.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 2335 requires the Human Rights Commission to publish written opinions within a hundred and twenty calendar days of



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serving the parties with the decision. I know of no opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 2335 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. And House Bill 2335, having received the constitutional majority, is hereby declared passed. 2352 is on the Recall List. Please turn to Page 20 of the Calendar, appears 2355. Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2355.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2355 creates the Community Investment Recovery Act. It permits the recovery of damages, if after the State or any unit of local government provides or improves real property for a private business, if that business closes operations within twenty-four months, it provides a mechanism by which the incentives that were offered are retrieved by the unit of government.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, then the question is, shall House Bill 2355 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 59 Ayes, none voting Nay, none voting Present. House Bill 2355, having received the constitutional

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majority, is declared passed. House Bill 2418. Senator Demuzio.  
Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2418.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
This is a product of Comptroller Netsch. It requires that - with  
respect to the balanced budget note - that a sponsor of a bill or  
an amendment to have prepared a brief note estimating a  
supplemental appropriations bill's effect on the State budget for  
that fiscal year to be filed before 2nd Reading in the House of  
origin, and does other things with respect to that nature. And I  
would ask for your consideration.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, then the question is --  
Senator Welch. I'm sorry.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR WELCH:

This requires every time we introduce a bill we have to file a  
note signed by one of us saying how much we think it's going to  
cost?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Only on the supplemental appropriation.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Welch.

SENATOR WELCH:

Well, doesn't a supplemental appropriation specifically have monetary -- it has money in it on its face. I'm not sure I understand it. If it's a supplemental appropriation, it says how much it's going to cost. Why do you need a note in addition to that?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

Doesn't have the effect as to the supplemental on the entire budget. That's what the fiscal notes -- that's what the note is requiring.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Welch.

SENATOR WELCH:

So you want -- if the supplemental is a hundred million dollars, you want a note saying what percent of that -- like the DCFS budget is increased by the supplemental, or what is the note going to say? Let's say it's a hundred-million-dollar supplemental appropriation, ten million dollars for DCFS. What does my note say?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

We'll take it out of the record and let Comptroller Netsch come up and explain it to you, and we'll do it tomorrow.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Take it out of the record. House Bill 2437. Senator Berman.  
Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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House Bill 2437.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill and the next four bills are -- nonsubstantive bills which come from the Legislative Reference Bureau. This bill amends the Uniform Commercial Code regarding Crop Security Interest Act and the Secretary of State's Uniform Commercial Code Liability Act. Repeals the two Acts being incorporated into the Uniform Commercial Code. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, then the question is, shall House Bill 2437 pass. Those in favor will vote Aye. Opposed, vote Nay. 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 59 Ayes, none voting Nay, none voting Present. House Bill 2437, having received the constitutional majority, is declared passed. 2438. Senator Berman.

ACTING SECRETARY: (MR. HARRY)

House Bill 2438.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Berman.

SENATOR BERMAN:

This Legislative Reference Bureau bill creates the State Commemorative Dates Act, putting all of the different commemorative dates into one -- one Act. It does not make any substantive change. Solicit your Aye vote.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Karpel. Is there any discussion? If not, then the question is, shall House Bill 2438 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, Mr. Secretary. On that, there are 58 Ayes, none voting No and none voting Present. House Bill 2438, having received the constitutional majority, is declared passed. Senate Bill 2439. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2439.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Berman.

SENATOR BERMAN:

This Legislative Reference Bureau bill creates the State Designation Act. It does not make any -- any substantive change whatsoever.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, then the question is, shall House Bill 2439 pass. Those in favor will vote Aye. 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, Mr. Secretary. On that, there are 59 voting Aye, none voting Nay, none voting Present. House Bill 2439, having received the constitutional majority, is declared passed. Senator Berman. 2440. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2440.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Berman.

SENATOR BERMAN:

Thank you. This Legislative Reference Bureau bill folds in the Name Change, Interpreter Privilege and Tender Acts into the Code of Civil Procedure, and abolishes the other three. Move the adoption -- or the passage of 2440.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, then the question is, shall House Bill 2440 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that, the Ayes are 59, the Nays are none, none voting Present. House Bill 2440, having received the constitutional majority, is declared passed. House Bill 2443. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2443.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Berman.

SENATOR BERMAN:

This bill from the Legislative Reference Bureau deletes certain portions of the Code which has been declared unconstitutional pursuant to Illinois Supreme Court decisions. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, then the question is, shall House Bill 2443 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, Mr.

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Secretary. On that, the Ayes are 57, none voting Nay and none voting Present. House Bill 2443, having received the constitutional majority, is declared passed. House Bill 2462. Senator Welch. House Bill 2463. Senator Jacobs. Too late. Senator Jacobs. House Bill 2463.

ACTING SECRETARY: (MR. HARRY)

House Bill 2463.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill establishes a Task Force to study the zebra mussel problems in Illinois, and also establishes a fee of up to two dollars to be used for those groups - conservation organizations - authorized to issue licenses to fund that organization's conservation projects in Illinois. And I ask for your support.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR WOODYARD:

Well, Senator Jacobs, I certainly support, and I'm going to vote for, this piece of legislation. But do you have any idea how much money would be raised with the imposition of this fee?

END OF TAPE

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TAPE 3

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jacobs.

SENATOR JACOBS:

No, at this particular point, we won't know how much is there, but we do know that it will go for the bird dogs of America.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Woodyard.

SENATOR WOODYARD:

Second question is, where is the money going, and is there a possibility we could get some bird dog trial money there?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jacobs, to close.

SENATOR JACOBS:

I think that's possible, but, yeah, this is permissive. And what it does, it allows those organizations -- if it is a bird dog organization, it allows them to spend the money to curb or to help those organizations. In this case with the zebra mussel, it could even have an organization that might want to protect them or go after them a little heavier, and it could be used for that also.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall House Bill 2463 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 57, the Nays are 2 and none voting Present. House Bill 2463, having received the required constitutional majority, is declared passed. 2465. Senator Hall. 2465. Senator Hall. Okay. 2466. Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)



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House Bill 2466.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 2466 simply codifies the PACE model demonstration program, which means the program of all-inclusive care for the elderly. The demonstration program shall be administered by DPA, which is already proceeding with the program in Chicago. And it will basically assure full review of that program and decide whether or not we should accept it for the entire State.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Vadalabene. Senator Sam.

SENATOR VADALABENE:

Yes, I would ask leave to come back to House Bill 2462 for Senator Welch. He's a team player.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right, Senator. We'll get back to him. Any further discussion? Then the question is, shall House Bill 2466 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2466, having received the required constitutional majority, is declared passed. Leave to go back to 2462 to the team player? Leave is granted. 2462. Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2462.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does - it requires the notice of any conviction of a violation of the Environmental Protection Act or settlement of an enforcement action to be filed in the office of the county recorder in the county in which the landowner who was a party to the action resides. It also requires the Department of -- of Public Health to perform blood screening for former employees of a facility with polychlorinated biphenyl contamination on the National Priority List within one year of the effective date of the Act. That part of the bill we passed out of the Senate, and the House fooled around with it and ended up Tabling the bill. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR GEO-KARIS:

What is the purpose of this lien?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Welch. I think you stumped him.

SENATOR WELCH:

Well, the environmental notice is if you're going to buy a piece of property, you will know if the person who owns it had an environmental problem with that property, so you don't go buying property that's got -- that is contaminated and you have to clean it up.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Assuming that the person who did have that illegal dumping, so to speak, cleaned it up - are you saying that there should be a notice put against his property after it's cleaned up?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Welch.

SENATOR WELCH:

Once it's cleaned up, the notice will be vacated or removed - when it's cleaned up.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Welch, Floor Amendment No. 1 -- could you tell me - I don't know anything about it, obviously - the LaSalle Electric Plant, why we're going to be giving money to the Department of Public Health to do blood screenings for people that worked at LaSalle Electric Plant. Was there some contamination problem there or something?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Welch.

SENATOR WELCH:

The electrical utility company is a Super Fund site, in which the Federal Government has spent over twenty-five million dollars cleaning up. The individuals who worked in there, worked on transformers that you see, like on telephone poles, that are full of oil. The oil was contaminated with polychlorinated biphenyls. Many of the people who worked in the plant have gotten together. They feel they've had an inordinate amount of cancer problems, and they wanted the Department of Public Health to test. The money for the tests would come from the Hazardous Waste Fund that deals with problems like this. And the Department of Public Health

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initially opposed a bill that covered all Super Fund sites, so we narrowed it down just to this one site, sort of as a trial project. It's still subject to appropriation from that Fund. And the Department of Public Health, I believe, removed their opposition.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Karpziel.

SENATOR KARPIEL:

We're not talking a big amount of money, are we, taking out of that Fund?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Welch.

SENATOR WELCH:

No, it will be a one-time test -- blood test. I think there are fewer than five hundred people. I don't think it's cost more than twenty-five thousand dollars.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Maitland. Further discussion? Senator Maitland. Turn your light out, then. Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR HAWKINSON:

Senator, back on the subject of the lien. This lien would not go on the property of third parties' properties that may have been contaminated, or -- I'm thinking of the case where there is a single source contamination into a stream and that stream may run through other people's property. This would not affect those other person's property, would it?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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Senator Welch.

SENATOR WELCH:

No, it's designed for those people who have -- like, live on a ravine and decide to start dumping over the side of the hill, thinking this is a good way to make money. It's only on their own property.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hawkinson.

SENATOR HAWKINSON:

Any further discussion? If not, then the question is, shall House Bill 2462 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2462, having received the required constitutional majority, is declared passed. 2466. Senator Holmberg. 2486. Senator Cullerton. All right. 2489. Senator Karpziel. The top of Page 21, 2494. Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2494.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. House Bill 2494 makes some minor, clarifying changes in the Condominium Property Act. It confirms the extinguishment of a lien on a condominium for common expenses by payment of those expenses at a foreclosure sale of the condominium by the purchaser. And if the sale is not completed, the lien is not extinguished. It also gives the

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association the ability to recoup its costs and expenses where a unit owner fails or refuses to inform the association of the name and address of the lender from which it got its mortgage. And I would ask for adoption -- favorable roll call on the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Senator, just a brief question. My notes from committee indicated that there was going to be an amendment to satisfy some concerns of the Illinois State Bar Association. Has that amendment been adopted?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, it has.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? If not, then the question is, shall House Bill 2494 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present. House Bill 2494, having received the required constitutional majority, is declared passed. 2510. Senator Cullerton. 2524. Senator Collins. Senator Collins, 2524? 2556. Senator Severns? Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2556.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Severns.

SENATOR SEVERNS:

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Thank you, Mr. President, Members of the Senate. This permits superintendents to add one more subject to their teacher institute days - that of sexual abuse and assault awareness - and also attempts to deal with the dropout problem. I'll be happy to answer any questions. Would urge a favorable vote.

PRESIDENT ROCK:

All right. Senator Severns has moved passage of House Bill 2556. Discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I realize that Senator Severns' bill dealing with the -- not allowing driving privileges or permits for anyone eighteen if they have not -- or over if they have not completed high school or are enrolled, et cetera. But I just wanted to alert the Members. I know that bill went out of here 44 to whatever, but that this was put on as an amendment yesterday.

PRESIDENT ROCK:

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

SENATOR SEVERNS:

I just thank the Members for their support in the past and would appreciate a favorable vote on this bill.

PRESIDENT ROCK:

Question is, shall House Bill 2556 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 44 Ayes, 9 Nays, none voting Present. House Bill 2556, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading, middle of Page 21, is House Bill 2578. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

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House Bill 2578.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This -- 2578 requires the Department of Public Health to reevaluate federally designated health professional shortage areas after each decennial census. This was recommended by Lieutenant Governor Ryan's Task Force. I'd ask for the passage.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 2578 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. House Bill 2578, having received the required constitutional majority, is declared passed. 2592. Senator Savickas. 2611. Senator Joyce. 2642. Senator Holmberg. 2-6-4-2. Senator Holmberg. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2642.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. Chairman. House Bill 2642 increases the number of teachers on the State Teacher Certification Board by at least three classroom teachers, beginning July 1, 1992. An amendment that we placed on at the request of the committee, provides that



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one of the two teachers added to the State Teacher Certification Board shall be from the Chicago public schools. I think this amendment satisfies the committee, and I know of no opposition, and would recommend a favorable roll call.

PRESIDENT ROCK:

All right. The Lady has moved passage of House Bill 2642. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much. Thank you very much, Mr. President, Members of the Senate. A question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator, why are we -- you're a former teacher. Why are we doing this?

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

By allowing a number of teachers to be on the Certification Board, we're doing things that we have done for other professions: the Medical Society, the legal profession, and so forth, which basically police their own members. And the Teacher Certification Board replicates this and has as many teachers as others now, to oversee the certification of its own.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

I'm not sure that -- Senator, that all certification boards are like this. I guess -- I guess my concern is - and if I was a teacher, I think I would even be concerned about this - there are a number of things that the Board does. There are teachers, as you know, on the Certification Board now. This simply moves the

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balance of power to the profession, and I'm not sure that that's -- that's good for -- for teachers in the State, for the good and quality teachers. And I believe that maybe - just maybe - there might not be that objective look at some of the problems that face the Certification Board from time to time. And I -- this has been around a long time. We've talked about this for years. I think it's a bad -- a bad notion to do, and we ought to reject it.

PRESIDENT ROCK:

Further discussion? Senator Berman. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of this bill. The sponsor has responded to some of the suggestions made in committee, and I certainly think that it's proper for teachers to be in control of their criteria in the process of certification. I urge an Aye vote.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Holmberg, I'd like to buy the idea that this is similar to other boards in which professionals regulate their own industry. But I do believe the selection process for whoever serves on this Board is not that simply teachers apply and then they're selected. I believe it's organizations who represent teachers that make those -- submit those names. Is that correct?

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

To the best of our knowledge, it's the State Board of

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Education that does the appointing.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

That is correct, except they do it from a list that's submitted to them. And I believe that that list that's submitted to them is, in fact, from teachers' organizations. So the process is not quite as democratic as you described it, or quite as similar as the one regarding those other professionals who can be anybody who is licensed under that profession. Here, you have to come through an organization. And frankly, there are, across the State, some schools in which those teachers don't belong to those organizations. So essentially, you're disenfranchising a group of the very members that they're representing. I really believe that. Has this bill been amended? I would like to have you, if it passes, to give consideration to removing any obstacle to somebody serving on this Board.

PRESIDENT ROCK:

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

SENATOR HOLMBERG:

Thank you, Mr. President. In answering remarks of Senator DeAngelis, it's much like any other election that we go through. Any teacher who has a petition and receives the signatures of two hundred and fifty other teachers may apply to the Board to be appointed. It does not necessarily have to come from someone at the top of an organization. It then gives the teachers an even number of representatives on the Board. The other representatives include the State Superintendent of Education, five university or college faculty members, three administrators, and one Regional Superintendent of Schools - I think an all-inclusive, well-balanced Certification Board. I would ask for a favorable

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vote from the Membership.

PRESIDENT ROCK:

Question is, shall House Bill 2642 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 41 Ayes, 12 Nays, 1 voting Present. House Bill 2642, having received the required constitutional majority, is declared passed. If you turn to Page 6 on the Calendar. Page 6, Ladies and Gentlemen. Page 6 on the Calendar. We'll begin again at the beginning. House Bill 16. Senator Cullerton. House Bill 56. Senator Joyce. 57. Senator Marovitz. On the Order of House Bills 3rd Reading - we're in the middle of Page 6, Ladies and Gentlemen - is found House Bill 57. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 57.

(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. House Bill 57 creates the Currency Reporting Act. It requires financial institutions to report to the Department of State Police any transactions involving currency or coin over three thousand dollars. Requires motor vehicle, boat and aircraft sales in coin or currency of five thousand or more to be reported, and requires real estate transactions in currency or coin of over ten thousand to be reported. The purpose of this bill is to try and get at drug dealers who are trying to use their greenbacks - illegally achieved - in commerce. And that is what this bill is all about. And I would solicit your Aye vote.

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PRESIDENT ROCK:

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Senator, just a quick question. As I understand, the Secretary of State had some slight concerns about the reporting requirements. Is it your intention that this go to conference so that we can work those concerns out?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

It is my intention that this go to conference. And if the Secretary of State has problems - which he has not communicated to me with -- about - at all - but if he has problems, I will be very happy to try and take care of them.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall House Bill 57 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 54 Ayes, no Nays, none voting Present. House Bill 57, having received the required constitutional majority, is declared passed. 65. Senator Marovitz. Yes, no, maybe. Yes. Read the bill, please.

SECRETARY HAWKER:

House Bill 65.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 65 creates the Cannabis and Controlled Substances Tort

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Claims Act, which provides that a person who uses or causes to be used any property, without the consent of the owner of that property, to facilitate a violation of the Cannabis Control Act or the Illinois Controlled Substances Act is liable to the owner for civil damages. It also provides that a person who delivers or causes to be delivered, in violation of the Controlled Substances Act or Cannabis Act, a controlled substance of cannabis to an unemancipated minor under the age of eighteen is liable to the parent or legal guardian of the minor. We also clarify that the safe school zone protection includes school buses as part of the safe school zone. And I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 65 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 65 is declared passed. House Bill 72. Senator Mahar. - House Bill 94. Senator del Valle. Senator del Valle, House Bill 94. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 94.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam Chairperson. House Bill 94 requires the Board of Higher Education to direct, monitor, budget and report to the GA on programs to improve race and ethnic relations at the public universities and colleges. It was amended, and the bill now reads that the programs are to improve human relations in

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colleges and universities. And as far as I know, there is no opposition to this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 94 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 94 is declared passed. House Bill 114. Senator Joyce. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 114.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes, thank you, Madam President. This creates the Local Hazardous Waste Collection Act. It pretty much mirrors what the EPA is doing right now. It also would continue the tipping fee at the sixty cents per cubic yard, because this fee is scheduled to go down to forty-five cents on 12/31/91. So it would continue that at the current price that it is costing right now, because there's a lot of reasons why we need to keep that at the same level that it is. The recycling programs are working better than anticipated, and it's cost money. The yard waste not going into the landfills costs money for the State in revenue that they were getting. So I'd be happy to answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 114 pass. Those in favor will vote Aye. Opposed, Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 38 Ayes, 16 Nays, 3 voting Present. Having received the required constitutional majority, House Bill 114 is declared passed. House Bill 129. Senator Holmberg. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1-2-9.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Madam President. House Bill 129 allows units of local government and rehabilitation facilities to enroll eighty-five percent, rather than a hundred percent, of their employees in the local government health insurance pool. To do so, officials shall attest that those employees not enrolled are covered dependents or spouses of another policy. It's a problem that we ran into, and this -- this seems to clear it up. CMS supports this bill. And in addition, the bill now carries an amendment, added by Senator Mahar yesterday, which is a bill that passed out of here, I think, unanimously, allowing employees and their dependents of Illinois domestic violence shelters and services that are funded by the Illinois Department of Public Aid to be granted insurance coverage at the expense of shelters. I know of no opposition, and -- but would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Discussion? If not, the question is, shall House Bill 129 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have



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all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 129 is declared passed. House Bill 143 on the Recall List. House Bill 185. Senator Carroll. House Bill 240. Senator Holmberg. Senator Holmberg? Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 240.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Madam President. House Bill 240 creates an Act to ratify a Midwestern Higher Education Compact. It obligates the State to enter into the already-existing Midwestern Higher Education Compact, establishes the purpose of the Compact, and creates a commission composed of representatives of states participating in the Compact. It is now operational, as five states have already joined: Ohio, Kansas, Minnesota, Missouri and Michigan. Representative Gordon Ropp in the House and I have attended some of the meetings, but we have not officially joined. This bill would allow us to do that.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 240 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 240 is declared passed. House Bill 244. Senator D'Arco. I'm sorry - Recall. House Bill 266. Senator Demuzio. Read the bill, Mr. Secretary.

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ACTING SECRETARY: (MR. HARRY)

House Bill 266.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 266 would require the State Board of Education to conduct an annual survey of each school district's salaries and benefits of certified and educational support personnel. The information is already collected for teachers via a two-page survey, and the State Board would simply have to expand their survey to include additional information which is covered in the bill. There are about ten or fifteen items of data that's to be collected, and I would ask for your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. I stand in opposition to this bill. Currently, the State Board of Education publishes an annual teacher study in cooperation with the IEA and the Illinois Association of School Boards. This goes much further than simply salary schedules or even a lot of the benefits that are being provided by the different districts. There are twenty-one different criteria on this, as he said, two-page form, that they will have to be filling out, and it includes things like sick leave bank provisions and percentage of salary the board pays to employee retirement systems, and whether the district provides long -- pay beyond the salary schedule. I mean, it just goes on and on with a whole bunch of things that's a lot of paperwork. And I think this is just a bad bill, a lot of busywork, and it --

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really if anyone wants to find that out from a particular school district, I'm sure they can go there and get that information if they want.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio, to close.

SENATOR DEMUZIO:

Well, thank you. This is not anything other than what they are currently doing. It does require them some additional information. It seems to me to be appropriate, and I would ask for your support.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 266 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 35 Ayes, 23 Nays, 1 voting Present. Having received the required constitutional majority, House Bill 266 is declared passed. House Bill 274. Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 274.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Madam President. This bill would require the Department of Public Aid to provide prenatal care for pregnant women, and children up to one year of age, up to a hundred and sixty percent of the official poverty income level and up to a hundred and thirty-three percent for children one to age six. Today, in America, as you know, America has the highest infant mortality rate of all industrial nations. Illinois has one of the

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highest infant mortality rates in the country. This bill is simply saying what the federal law has told the states is absolutely permissible - to apply their standard according to what the federal standard is. There is no doubt in my mind that we have to start at the prenatal level in order to save our children. And all this bill is saying - and the cost of this bill is actually very minimal - it's probably around a million dollars a year. And we have to say to our children that we do care about you, and we are willing, and it is our public policy to take care of our children in order that they can become productive citizens in our society.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Madam President and Ladies and Gentlemen of the Senate. You know, I would commend Senator D'Arco for trying to address, you know, a real-life problem - no question. I also would commend him for trying to work this out, as he said he would, with the Department of Public Aid. However, we started life here with a 14.1-million-dollar expense in the out-years. In terms of working this out, he's got it down to about ten million dollars. I would merely like to point out in my usual speech that we are now seven hundred million dollars in the hole and counting. Those are last year's bills. That does not cover the care and feeding of this year's programs or paying for any new programs which may have slipped out of here. We just can't afford it, again, unless you are willing to cut in some other direction or raise taxes. That is the -- those are -- the only two options. So, although this is well-intentioned, at this moment in time we cannot afford the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco, to close.

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SENATOR D'ARCO:

Thank you. Madam President, the Federal Government today allows for the states to implement programs for pregnant women and children up to -- up to a hundred and eighty percent of the poverty level. What we did with the amendment yesterday was say we are only going to apply the standard up to a hundred and sixty percent, and then only for pregnant women, and infants up to one year. The purpose of this is to reduce as much as possible the cost to the Department. Now the figure that Senator Topinka gave us is absolutely incorrect. With the amendment, the cost to the Department is much, much, much less than that figure is, and we are required by the government to take care of the pregnant women and children under the Prenatal Program. This is an absolutely vital and essential program for pregnant women who need prenatal care in our State. And we should wholeheartedly support this program, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 274 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 31 Ayes, 22 Nays, 5 voting Present. Having received the constitutional majority, House Bill 274 is declared passed. Senator Topinka.

SENATOR TOPINKA:

I reluctantly rise to verify the affirmative roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The Lady has asked to verify the affirmative roll call. Will the Secretary read those who voted in the affirmative?

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Daley, D'Arco, del Valle,

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Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka.

SENATOR TOPINKA:

Yes.

PRESIDING OFFICER: (SENATOR COLLINS)

Whose name did you call?

SENATOR TOPINKA:

Senator Palmer.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Palmer is at her desk.

SENATOR TOPINKA:

Okay. Senator Leverenz.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz. Is Senator Leverenz on the Floor? Senator Leverenz. Strike his name, please.

SENATOR TOPINKA:

Senator Jones.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones is -- is on the Floor.

SENATOR TOPINKA:

It was good to see Senator Jones on the Republican side. I just make note of that.

PRESIDING OFFICER: (SENATOR COLLINS)

Do you request --

SENATOR TOPINKA:

That's all. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Okay. The roll call has been verified. And the Ayes are 30,

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the Nays are 22, 5 voting Present. Having received the constitutional majority, House Bill 274 is declared passed. The middle of the page, House Bill 293. Senator Joyce. House Bill 298 on Recall. House Bill 342 - Recall. House Bill 370. Senator Daley. House Bill 406. Senator Luft. House Bill 426. Senator Smith. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 426.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Smith.

SENATOR SMITH:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 426, as amended, the bill retains the General Assistance Project Chance provisions, exempts district office workers from diagnosing alcohol or drug dependency, requires the Department of Public Aid to develop an employment plan for each recipient on an employment and training program. This bill is supported by Public Aid and the Legal Assistance Foundation.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, may I ask -- of the sponsor?

PRESIDING OFFICER: (SENATOR COLLINS)

She indicates she will yield.

SENATOR TOPINKA:

Yeah. Since this does involve a grant program - an outright grant program - would you have any idea of how much this is going to cost the State at this time?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Smith.

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SENATOR SMITH:

Madam Topinka -- Senator Topinka, I have in my hand dated June 20th from the Department of Public Aid, "House Bill 426, with Senate Amendment No. 1, eliminates the fiscal impact to the Department of Public Aid." I ask for a favorable vote, please.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 426 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, -- Mr. Secretary. On that question, there are 56 Ayes, 2 Nays, none voting Present. Having received the constitutional majority, House Bill 426 is declared passed. At the top of Page 8, House Bill 431. Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 431.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Madam President. House Bill 431 again deals with Articles 3 and 4 of the Uniform Commercial Code, and revises them in conjunction with the recommendations of the Conference on Uniform State Laws. Yesterday, I put the amendment on the bill - which I think is also incorporated in -- now maybe over in the House in Senate Bill 1167 - the language which represents the compromise between the bankers and the various retail groups concerning their differences regarding bad check fees. And I solicit your Aye votes.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 431 pass. Those in favor will -- Senator Demuzio.



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SENATOR DEMUZIO:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR DEMUZIO:

What are we doing here, Senator? Are we increasing the fees here? This is a pretty thick proposal. Could you run us through that one more time?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator, I'm not sure whether your question had to do with the substance of the bill, which itself, I'm sure, is quite thick, or the amendment, which should be quite short. But with regard to the bad check fees, the compromise amount limits the -- the bad check fee, I think, to four dollars and fifty cents; and before the amendment of yesterday, it was seven dollars and fifty cents.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussions? The question is, shall House Bill 431 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, 2 Nays, none voting Present. Having received the required constitutional majority, House Bill 431 is declared passed. House Bill 434. Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 434.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dunn.

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SENATOR T. DUNN:

Thank you, Madam President. This is, you'll recall, the bill that we earlier passed, and this amends the Criminal Code to provide for the theft of milk crates. And you'll also recall we took out the felony provision because of objections. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 434 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, 1 voting Present. Having received the required constitutional majority, House Bill 434 is declared passed. House Bill 455. Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 455.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Madam President. House Bill 455 authorizes the State Board of Education to place public high school teachers in private or public sector employment positions which will provide a continuing education experience. The State currently funds the Vocational Education Staff Development Program, which provides grants of up to two thousand dollars per teacher to do this. This merely expands it to other categories of teachers. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 455 pass. Those in favor will vote Aye. Opposed, Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 455 is declared passed. House Bill 474. Senator Savickas. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill --

PRESIDING OFFICER: (SENATOR COLLINS)

477. I'm sorry.

ACTING SECRETARY: (MR. HARRY)

House Bill 477.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Madam Chairman and Members of the Senate, this bill was introduced to continue the eighteen-months' moratorium on constructing hazardous waste incinerators in heavily urban areas. It's continued because of -- the proponents of the constituents in our communities fear that once this moratorium is ended, that hazardous waste incinerators will be built in our community. It was amended three times -- once to answer a question and concern of the Illinois Hospital Association, and took care of their concerns. It was amended also to take care of the concerns of those business groups and the university groups that are conducting research in the development and demonstration of technologies for the incineration of hazardous waste to try to come up with a reasonable approach to this problem. So we continue working with them. And also, the third amendment addresses a problem where they skirt the local siting by using incinerators to burn waste oil. I would ask your support of this

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proposal.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Madam President. I rise in strong opposition to this bill. A year ago we did put a moratorium on incinerators. In the meantime, with much research and understanding exactly where we are with incinerators, we certainly have state-of-the-art incinerators, and to put an additional five-year moratorium on incinerators and incineration at this point is absolutely unnecessary, and it will delay our ability to go forward with a combination of waste management in this State. And I would say to you that I hope we carefully pay attention to what this bill is doing. It is unnecessary, with the technology at the peak that it is, for us to now continue to delay for five more years the option of incineration. I urge you to vote No on this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President -- Madam President and Ladies and Gentlemen of the Senate. I rise also in opposition to this legislation, more -- as well as what Senator Macdonald was talking about, but more in relationship to Amendment No. 3. This prohibits the burning of waste oil. And many of the facilities that have incineration capabilities burn their waste oil, and it has a value to them, and it's an environmentally safe way of doing it. The Federal Government does not consider this type of waste as a hazardous waste; and for this reason, I hope we can defeat this legislation.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

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Well, thank you very much, Madam President and Members of the Senate. I -- I, too, rise in strong opposition to House Bill 477. I sometimes wonder where we're going with this whole issue. Senator Macdonald is absolutely correct - the technology on this issue that's right here before us now, to allow us to completely and safely incinerate hazardous waste, ought not be rejected. And that's what we're doing here. And five years? My gracious. Those of you who are concerned about solid waste have to leave this option open. And if anything -- I mean, one year would be bad enough. Two years would be bad enough. But five years - my gracious, what are you trying to tell us? This bill is absolutely wrong and ought to be rejected.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Madam President. We've had this bill before us in a shorter period of time - this is a five-year moratorium. Last year, the reason this issue came about was because of an incinerator going into Bedford Park for a particular chemical company, SUN Chemical. One of the arguments was that the incinerator would keep hazardous waste out of Illinois landfills. By State law, you cannot put liquid hazardous waste in State landfills now. So it didn't exactly prevent it. You couldn't put it in the landfill anyway. But what was interesting about that incinerator was that more than fifty percent of what they were going to burn was going to come from outside of the State of Illinois. And I don't think that we should be an importing state of hazardous waste for incineration or any other reason. In another instance, there was an attempt to fire up a boiler in Oglesby, Illinois, to make cement. There was no requirement that any particular tonnage of cement be produced, but they were going to use waste fuel oil. So the company entered into a contract

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with an Ohio firm to bring in hazardous waste as fuel oil into Illinois so we could burn it in Illinois in an incinerator that was not permitted. You don't have to get a permit if you use hazardous waste as fuel, and that's what they were trying to do, which is the reason I put the amendment on Senator Savickas' bill. There is no reason in the world why Illinois should become an importer of hazardous waste. Nobody wants this stuff. In fact, I was going through my desk today and found a note from the University of Illinois that said in the country of Nigeria, they have a very interesting way to keep out hazardous waste. Nigeria declared that anyone importing hazardous waste would be executed by a firing squad. Now, that's not exactly my amendment -- but it may not be a bad idea. But no one wants this stuff. No -- there is no reason why Illinois should be an importing state, because what happens is you have transportation problems. You transport hazardous waste; the trucks turn over; you have a cleanup problem. That's something we don't need. So I would urge support of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald, for a second time.

SENATOR MACDONALD:

I apologize for rising a second time, but I would advise that if it is that we do not want waste and we want to control it in another way, then perhaps additional legislation would be the way to approach what we're talking about. The simple matter of fact is that we need incineration in Illinois as a combination with landfilling and other recycling and other methods for reduction of solid waste. And if we don't want to take imports and all of the restrictions that Senator Welch is talking about, I would suggest that we do this in another piece of legislation. It is absolutely unfair and unworkable for us to put a five-year moratorium on incinerators. And one more time, I would ask for your rejection

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of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Savickas, to close.

SENATOR SAVICKAS:

Well, let me first, before we go into closing, point out that this is not regular garbage or municipal garbage or municipal waste. This is hazardous waste. Yes, Senator Macdonald, we do at this point, if we were just concerned with the State of Illinois and not importing it, we do have the capacity, with our five hazardous waste incinerators, to take care of all of Illinois' waste. In the last year, there has been no concern - no demonstrated concern - that this is a problem, and no request for new or enlarged incinerators. It's been a fact - and this is a fact - that our present capacity is good for the next twenty years in handling our Illinois hazardous waste. There's no demonstrated need to continue to build new or larger incinerators for importing the waste. There's no incentive for our business community to develop safer and more economical ways to dispose of our hazardous waste if there is a -- if there's not a prohibition on just building newer and bigger incinerators. And these are being built, under our present conditions, in local urban areas - local urban communities. And yes, Senator Welch stated it started in Bedford Park - because Bedford Park had the zoning for this - right next to a high school -- right next to a high school that these people wanted to put up these incinerators. And there is no law on our present books that would prohibit the same thing happening in any other local community in this State. So yes, I say let's keep this moratorium on the books. Let's continue it. Let's work with our business community and our universities on research and development in finding safer and better ways. And until there is a concern and a demonstrated need by our business community that our capacity is inadequate, then we should address

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that problem. And I would be willing to go along and help address that problem. But at this point, Mr. -- Madam Chairman and Members of the Senate, I would ask for your support in passing this legislation that is needed, not only in my community and Senator Raica's community, but in the whole State of Illinois.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 477 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam -- Mr. Secretary. On that question, there are 31 Ayes, 25 Nays, 2 voting Present. Having received the required constitutional majority -- Senator Macdonald is requesting a verification of the affirmative roll call. Will the Secretary read those who voted in the affirmative?

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Berman, Carroll, Collins, Cullerton, Daley, D'Arco, del Valle, Demuzio, Dudycz, Ralph Dunn, Thomas Dunn, Geo-Karis, Hall, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Mahar, Marovitz, O'Daniel, Palmer, Raica, Rea, Savickas, Severns, Smith, Topinka and Welch.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald, do you question the names of any of those voting in the affirmative?

SENATOR MACDONALD:

Senator Cullerton.

PRESIDING OFFICER: (SENATOR COLLINS)

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

SENATOR MACDONALD:

Senator Jones.

PRESIDING OFFICER: (SENATOR COLLINS)



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Senator Jones is on the Floor.

SENATOR MACDONALD:

Senator Dunn. Ralph Dunn.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Dunn -- Is Senator Dunn on the Floor? Senator Dunn on the Floor? Strike his name.

SENATOR MACDONALD:

That's enough. No more.

PRESIDING OFFICER: (SENATOR COLLINS)

The roll call has been -- did -- he's been removed already. The roll call has been -- Senator -- Senator Savickas.

SENATOR SAVICKAS:

I would like to verify the negative votes.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Savickas is requesting a verification of the negative vote. Will the Secretary read the names of those -- the roll call has been verified. There are 29 Ayes, 25 Nays, 2 voting Present. Having failed to receive the -- Senator Savickas.

SENATOR SAVICKAS:

Madam, under what rule was my request denied?

PRESIDING OFFICER: (SENATOR COLLINS)

Actually, it would be -- can you just wait for a minute?

SENATOR SAVICKAS:

Cullerton's on the Floor.

PRESIDING OFFICER: (SENATOR COLLINS)

It is out of order, Senator Savickas, under Rule 23, which simply states that after any roll call vote, except for a vote which requires a specific number of affirmative votes and which has not received the required votes and before intervening business, shall be in order -- Senator Raica.

SENATOR RAICA:

Madam President, question of the Chair. Senator Cullerton

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returned to the Floor before you announced a final roll call. Can his name be added?

PRESIDING OFFICER: (SENATOR COLLINS)

Yes, if he returned to the Floor before the final roll call is announced, his name can be added to the roll call. The roll call has been taken and it has been verified. Having failed to receive the constitutional majority -- Senator -- Senator, the roll call has been verified and the roll has been taken prior to him coming to the Floor. And you questioned the ruling. We've read the ruling. Senator Demuzio.

SENATOR DEMUZIO:

Well, I think -- I think where we are here is that you announced that the roll had been verified, but you didn't announce the count. And therefore, you didn't pronounce the bill having been defeated. Senator Savickas did not even, at that point, request Postponed Consideration. So it seems to me that the roll call was still active, and therefore, that the Gentleman has returned to the Floor. He is entitled to be restored to the count.

PRESIDING OFFICER: (SENATOR COLLINS)

Well -- Senator Holmberg.

SENATOR HOLMBERG:

Madam President, having voted on the prevailing side, I would like to request a reconsideration of the vote.

PRESIDING OFFICER: (SENATOR COLLINS)

It is in order. Senator, having voted on the prevailing side, Senator Holmberg -- having voted on the prevailing side, Senator Holmberg requests that House Bill 477 -- moves to reconsider House Bill -- the vote by which House Bill 477 lost. Senator Philip, on the motion.

SENATOR PHILIP:

Thank you, Madam President. I don't think there has been a

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prevailing side. It did not prevail. You announced the roll call. You verified the roll call. It's too late. The ship has sunk. Now, if he wants to put it on Postponed Consideration, fine. Other than that, I don't think there are any other options.  
PRESIDING OFFICER: (SENATOR COLLINS)

Senator, I'm assuming that Senator Holmberg voted in the negative. If she voted in the negative, she voted on the prevailing side. You can speak to the motion. Her motion is to -- having voted on the prevailing side, she moved to reconsider. If you want to discuss that, that's fine. Now, at this point, the voting is open. On the Motion to Reconsider. It is required 30 votes -- a majority, a majority of votes. On the Motion to Reconsider, there are -- take the record, Madam Secretary. On the Motion to Reconsider, there are 34 Ayes, 19 Nays, 1 voting Present. The motion prevails. Now, House Bill 477 is reconsidered. Now the question is, shall House Bill 477 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 32 Ayes, 23 Nays, 2 voting Present. Having received the required constitutional majority -- Senator Macdonald.

SENATOR MACDONALD:

Verification, please.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald is requesting a verification. The bill is declared passed. So Senator Macdonald is requesting a verification of those who voted in the affirmative. Will the Secretary please read the names of those who voted in the affirmative?

SECRETARY HAWKER:

The following Members voted in the affirmative: Berman, Carroll, Collins, Cullerton, Daley, D'Arco, del Valle, Demuzio,

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Dudycz, Thomas Dunn, Geo-Karis, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Mahar, Marovitz, O'Daniel, Palmer, Raica, Rea, Savickas, Severns, Smith, Topinka and Welch.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald, do you question the presence of any of those voting in the affirmative?

SENATOR MACDONALD:

Senator Holmberg.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg is at her desk.

SENATOR MACDONALD:

Senator Joyce, J.E.

PRESIDING OFFICER: (SENATOR COLLINS)

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

SENATOR MACDONALD:

Senator Dudycz.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dudycz. There he is, standing right there.

SENATOR MACDONALD:

Senator Jones.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Jones on the Floor? Senator Jones on the Floor? I hear his voice. Strike his name.

SENATOR MACDONALD:

Senator Dunn. Ralph Dunn.

PRESIDING OFFICER: (SENATOR COLLINS)

Which one? Senator Ralph Dunn on the Floor?

SENATOR MACDONALD:

Tom Dunn, excuse me. Tom Dunn. Tom Dunn.

PRESIDING OFFICER: (SENATOR COLLINS)

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There's Senator Dunn in the back of the Chambers.

SENATOR MACDONALD:

No other questions.

PRESIDING OFFICER: (SENATOR COLLINS)

The roll call has been verified. Senator -- Senator Carroll. The roll call has been verified. There are -- on that question, there are 30 -- on the verified roll call there are 30 Ayes, 23 Nays, 2 voting Present. Having received the constitutional majority, House Bill 477 is declared passed. Now, Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. Voting on the prevailing side, I move to reconsider the vote by which House Bill 477 passed.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll moves to reconsider the vote by which 477 passed. Senator Berman moved to have that motion lie on the table. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion is tabled. In the middle of the page, top of page -- middle of the Page 8, House Bill 478. Senator Kelly. House Bill 516. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HAWKER:

House Bill 516.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members of the Senate. The genesis of this bill comes from a small town in my community - a town that does not levy a property tax. They recently developed a large track of land commercially and have a surplus of funds, and

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they wish that the residents of that town be beneficiaries of that increased revenue. So therefore, we have, by this legislation, created the Local Tax Reimbursement Fund so -- that the community can give back money to those taxpayers so that they can pay their taxes from other governmental units which is levied within the town. I know of no opposition. It is supported by the Taxpayers' Federation of Illinois, the Farm Bureau and the Realtors. And I would ask for your favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Is there discussion? If not, the question is, shall House Bill 516 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 516, having received the required constitutional majority, is declared passed. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR PHILIP:

The First Lady of the State of Illinois is here today - up, I believe, in the south gallery - Brenda Edgar. I would ask that the Senate would recognize her.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome to the Senate. 518. Senator Savickas. On the Order of House Bills 3rd Reading, middle of Page 8, is House Bill 5-1-6, Madam Secretary. Read the bill, please. 5-1-8.

SECRETARY HAWKER:

House Bill 5-1-8.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and Members of the Senate, originally, this bill dealt with the sheriff -- Cook County Sheriff's Merit Board regarding accused deputy sheriffs in administrative hearings. There was a problem with language. It was turned into a vehicle bill waiting for new language. They still haven't decided on how to address their problem. I would ask at this time that we pass it over to the House, and just leave it there till they do get the language and work it out. So --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 518 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, none voting Present. House Bill 518, having received the required constitutional majority, is declared passed. 528. Senator Joyce. On the Order of House Bills 3rd Reading is House Bill 528, Madam Secretary.

SECRETARY HAWKER:

House Bill 5-2-8.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. House Bill 528 has to do with motorboat noise. It sets a decibel level of seventy-five decibels, as prescribed by the Society of Automotive Engineers. It also deals with the pocket certificate number. Says as long as you

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have the numbers on your boat, you need not carry that little thing with you. So I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 528 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 528, having received the required constitutional majority, is declared passed. 5-5-1 is on the Recall List. 562. Senator Jones. 575. Senator J.E. Joyce. 5-8-0. Senator D'Arco. 606. Holmberg. Bottom of Page 8 is House Bill 606, Madam Secretary. Read the bill.

SECRETARY HAWKER:

House Bill 606.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 606 amends a number of Statutes to add clinical social workers to the other qualified professions whose services may be used. No other group is either being added or deleted from the law by this bill. The bill has been amended to reflect changes requested by the Attorney General, the State's Attorney of Cook County, Senator Carl Hawkinson, the State Medical Society, the State Psychiatric Society and the Illinois Psychological Association. It basically deleted -- the amendment has deleted numerous criminal provisions from the bill and also removes the sexually dangerous persons provisions. I believe in its present form - the small expansion of the role and duties of clinical social workers - there is no opposition.



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PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Is there discussion? If not, the question is, shall House Bill 606 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 606, having received the required constitutional majority, is declared passed. Page 9; turn the page. 614. On the Order of House Bills 3rd Reading is House Bill 614, Madam Secretary.

SECRETARY HAWKER:

House Bill 614.

(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. House Bill 614 simply requires the Department of Veterans' Affairs to promulgate rules governing admission to all veterans' homes administrated -- administered by the Department. The Department is also supportive. I know of no opposition, and would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 614 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. House Bill 614, having received the required constitutional majority, is declared passed. 619. Senator Welch. 673. Senator Luft. On the Order of House Bills 3rd Reading is House Bill

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6-7-3, Madam Secretary.

SECRETARY HAWKER:

House Bill 6-7-3.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The bill sunsets the deduction for enterprise zone business dividends as of 12/31/1991, and we amended the bill in the Senate that requires local governments to hold a hearing and publish any effort by that local government unit to issue debt.

END OF TAPE

TAPE 4

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 673 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, 2 voting Present. House Bill 6-7-3, having received the required constitutional majority, is declared passed. 687. Senator Philip. On the Order of House Bills 3rd Reading is House Bill 687, Madam Secretary.

SECRETARY HAWKER:

House Bill 6-8-7.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 6-8-7, as amended, amends the EPA Act to include secured credit exemptions regarding lenders' liability for EPA cleanups. In simple laymen's language, it protects innocent lender. Be happy to answer any questions, and ask for some green lights.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Would this Act offer any protection to people from cigar smokers in their immediate vicinities?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I hope so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 687 -- Senator Welch.

SENATOR WELCH:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All you have to do is turn your light on.

SENATOR WELCH:

It's been on for five minutes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Must be burned out.

SENATOR WELCH:

Well, the light or me? I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, my notes indicate that the Environmental Protection Agency is opposed to this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I -- could you tell us why they're opposed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah, I think they want to wait and let the feds do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you. Well, this bill allows financial institutions to now foreclose on property that have environmental problems and environmental liens, without being responsible for paying off that lien. Is that correct? Is that the gist of what the bill is going to do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Only if -- if the lender has actual possession and control of that facility. Let me try to explain to you what this really does. Just say hypothetically somebody owns and operates a gas station. He sells it to somebody. That person goes to a bank and borrows money on that. Later on they go bankrupt, and all of a

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sudden EPA comes in and wants to fine the bank the money. Now, the bank had nothing to do with it. They lend the guy the money to buy the place. They didn't know the thing had a leak or had a problem. In my judgment, I don't know why they -- why they should be liable. The person that should be liable is the person that put it in the ground in the first place and let it incur a leak or some damage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

If it's an abandoned gasoline station and the bank forecloses on it and it has to be cleaned up, doesn't the public pay for the cleanup and then the bank -- does the bank end up with property free and clear of the lien, or does the lien stay on the property for as long as the State is unpaid for its cleanup?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

The guilty party, I think, would be, in the end, responsible, not the lender.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, the -- the idea behind the bill is to allow for property to be returned to the bank's possession and then put back into commerce without necessarily taking care of the cleanup of the property on the behalf of the bank. I'm not -- I'm not sure if this is a good idea or a bad idea, frankly. But it does -- my understanding is, though, for clarification, a lien will remain on the property. If the State or Federal Government cleans it up, that lien has to be paid off before the bank can resell the property to another person. Is that the gist of the bill?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yes, I believe that is correct; that the EPA, I think, would say, "Hey" -- red tag it and say, "Hey, you can't sell this or resell this until it's cleaned up." I think that's absolutely correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, Amendment 1 that was put in committee should satisfy the EPA, because it clarifies that in order for a financial institution to be held liable, must have possession, exercise direct "control in the operation of the vessel or facility that causes a release or substantial threat of a release of a hazardous substance or pesticide resulting in removal or remedial action." I had some qualms about the bill; but once this amendment went on - in fact, I put it on in committee - I think the bill is okay, and it will avail monies by banking institutions for loans to people that need it with small businesses. And I speak for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in support of the bill and for another reason that hasn't been mentioned. In my area, you have a situation where there's been a single source polluter who's polluted a stream, and that stream winds through a lot of property owners' property and into a lake that has a lot of property owners around it. Right now, they're not able to sell their properties, because the banks are afraid that if they finance the purchase of those properties, the banks are going to be stuck. Even though

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those homeowners had nothing to do with polluting the stream, they cannot get a letter from EPA absolving them of liability. The EPA refuses to do it, even though they had nothing to do with it. As a result, the banks won't write mortgages, and none of these folks can sell their property. We need this legislation to prevent situations like that from happening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I recognize that the banks have a problem, and I'm willing to try to do something to solve it. What I am concerned about, though, is whether we're setting up one set of criteria for banks and another set for everybody else in the world. If I buy one of those properties and pay for it, am I relieved from any responsibility?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Senator Schuneman, I think if you know the leak is there, and the EPA knows the leak is there, and you buy it and pay cash for it, I think you're going to end up paying to have it cleaned up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, am I -- I'm assuming that this applies not only to cases where there's a known leak, but also cases where the leak may not have yet been discovered. Am I wrong about that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah, I don't think I know the answer to that. We're dealing with banks -- or I shouldn't say banks - I should say financial

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institutions. All this is trying to do is protect innocent lenders.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

And I'm concerned about that, but I'm also concerned about people who buy property, who pay for that property, and then discover that there is something on the property that they didn't know was there when they bought it, whether they're a bank or not. And I guess what I'm looking for is -- is reassurance by you or someone who's worked with this bill that we're not setting up one set of standards for banks and another set for everybody else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, do you wish to respond to that? Senator Philip.

SENATOR PHILIP:

Let me just say this - you know, most people can't pay cash for it. If you have to go to the bank and the bank knows about it, you'll never be able to buy -- borrow the money to buy that property, because the bank has liability for it -- or savings and loan. And if that is a problem, I would suggest that you ought to introduce a bill to take care of that innocent bystander who buys a piece of property that has a leaky tank. Myself, if I had done that, I'd probably file suit and take them to court and make them pay for the cleanup.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis, for a second time.

SENATOR GEO-KARIS:

Apologize for a second time, but we already have a law on the books called the Illinois Property Transfer Act, which makes it incumbent upon a seller of a piece of property - commercial property - to provide a statement, a verified statement, that



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there is no hazardous stuff on the land.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Philip may close.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. All this is trying to do is protect innocent lenders who, in my judgment, have no liability, and there's no reason that they should be stuck with this when it's not their fault. I ask for a favorable -- votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 687 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. House Bill 687, having received the required constitutional majority, is declared passed. 691. On the Order of House Bills 3rd Reading is House Bill 691, Madam Secretary.

SECRETARY HAWKER:

House Bill 691.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 691 adds basic first aid, including CPR instruction and the Heimlich Maneuver instruction, to the Comprehensive Health Education Program developed by the State Board of Education. It is purely permissive. It is not a mandate. These are things which may be included with the State Board of Education in order to heighten students' awareness of the need in this area. That's

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why we have the bill. CPR and the Heimlich Maneuver have become very, very important. Again, it's not a State mandate, but I think if we pass the legislation, it will let the State Board of Education know that -- that this is a very important subject to the Legislature. Permissive only, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 691 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. House Bill 691, having received the required constitutional majority, is declared passed. 700. Senator Leverenz. 742. Senator Severns. On the Order of House Bills 3rd Reading, middle of Page 9, is House Bill 742, Madam Secretary.

SECRETARY HAWKER:

House Bill 7-4-2.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. House Bill 742 simply prohibits the clear-cutting of trees within thirty feet of any navigable waters. We've worked with the Farm Bureau, Soil and Water Conservation, and the Home Builders on this. I know of no opposition. Would appreciate a favorable vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 742 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 56 Ayes, no Nays, none voting Present. House Bill 742, having received the required constitutional majority, is declared passed. 760. Senator Berman. 761. Senator Berman. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 7-6-1.

(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. House Bill 761 provides that nonexempt resources are resources other than those listed in the Public Aid Code if they are equal to or less than the maximum community resources allowance permitted by federal law. It's a benefit for seniors. Be glad to respond to any questions, and solicit your Aye vote.

PRESIDENT ROCK:

Senator Berman has moved passage of House Bill 761. Discussion? If not, the question is, shall House Bill 761 pass. Those in favor, vote Aye. Opposed, vote Nay. And 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. House Bill 761, having received the required constitutional majority, is declared passed. 763 is on the Recall, I'm told. We will, by the way, get to the Recall List immediately after we conclude where we started this morning on House Bills 3rd. 7-6-4. Senator Jones. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 7-6-4.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. House Bill 764 as amended is a bill put in at the request of the County of Cook as it relate to their jurisdiction over Lake Michigan, certain portions therein. It's just a vehicle bill they want to use later on. So I ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Senator Fawell.

SENATOR FAWELL:

Senator Jones, you know, we gave you a number of vehicles in Local Government, and I never did quite understand what in the world this one was for. This doesn't seem to have wheels. It seems to have sails. Why are you trying to do -- what are you trying to do to Lake Michigan and why?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

As I indicated in committee and as I indicated at this particular point, the County of Cook wanted the bill. They put in the request. I don't know what they want to do with it. So far they have not come forth with any information. So, at which time -- if they use it, it will be used as a vehicle to do with whatever they want to do with. And you -- and you will be involved in that if and when that comes about.

PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

Well, you know, I would suggest maybe we ought to just leave this here until we find out what we're talking about. Now we're

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getting into, you know, international waters and the whole bit, and I don't know that we want to start talking about doing things to Lake Michigan and have the Country of Canada come down on us. You know -- I just think we ought to have a hearing on this. I don't think this is something that should be thrown into a conference committee.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Well, Senator Jones, you've come up with a new kind of vehicle. Now you're going overseas here. So, you're going from a sixteen-wheeler to a yacht. Congratulations.

PRESIDENT ROCK:

Further discussion? Senator Jones, to close.

SENATOR JONES:

As I indicated, you know and I know that the Lake Michigan jurisdiction is controlled by the feds, not the County of Cook, but the shores of Lake Michigan - the county may have some legislation they want to deal with. And you being the Minority Spokesman on Local Government, any discussions that would be held, you would automatically be involved. And that's all that the bill does, and I ask for a vote on it.

PRESIDENT ROCK:

Question is, shall House Bill 764 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 13 Nays, 13 Present. House Bill 764, having received the required constitutional majority, is declared passed. 796. Senator Holmberg. Read the bill, please.

SECRETARY HAWKER:

House Bill 7-9-6.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This amendment basically -- as it is now the bill, requires the design of the Winnebago County Vietnam Veterans' Memorial to be an agreed design between the Vietnam Veterans' Honor Society and the Department of Conservation. At the request of the Department, we deleted language that the Department would need to provide the landscaping, maintenance, access and parking for the Memorial. That is all going to be taken care of by the veterans' organization.

PRESIDENT ROCK:

Discussion? Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I wonder if the sponsor will yield.

PRESIDENT ROCK:

Indicates she will yield, Senator Dunn.

SENATOR T. DUNN:

Senator, was that an agreement between the two parties?

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

Yes. Yes, it was.

PRESIDENT ROCK:

Any further discussion? If not, the question is, shall House Bill 796 pass. Those in favor, vote Aye. Opposed, vote Nay. And 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 58 Ayes, no Nays, none voting Present. House Bill 796,

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having received the required constitutional majority, is declared passed. 7-9-8. Senator O'Daniel. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 7-9-8.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. House Bill 798 was requested by the Township Officials and simply gives township trustees more time to review the annual financial report prepared by the supervisor, prior to the annual town meeting. The bill also permits certain counties to charge the same fee already permitted in current law for county law libraries. And this -- this bill was on the Agreed Bill List in committee. I'll attempt to answer any questions. If not, I move for its passage.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 798 pass. Those in favor, vote Aye. Opposed, vote Nay. And 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 59 Ayes, no Nays, none voting Present. House Bill 798, having received the required constitutional majority, is declared passed. 7-9-9. Senator O'Daniel. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 799.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

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Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. House Bill 799, as amended, requires a frontdoor referendum prior to issuing revenue bonds for senior citizens' housing by townships. The bill was also amended with language permitting counties to pay more to sheriffs and also serve -- who also serve as coroners at the request of the county board. Senate Amendment 1 removes all the controversial portions of the bill. And this was a House County and Township Committee bill.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 799 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 799, having received the required constitutional majority, is declared passed. Top of Page 10, Ladies and Gentlemen. We're on Page 10, at the top, 801. Senator Joyce. 803 is on the Recall. 811. Senator Joyce. 816 is on the Recall. 847. Senator Daley. 883 is on the Recall. 897. Senator Jacobs. 908. Senator Luft. 927. Senator Cullerton. 945 is on the Recall. 969. Senator Jones. 1007 is on the Recall. 1014. Senator Berman. Top of Page 11. Senator Jones. 1035. On the Order of House Bills 3rd Reading, top of Page 11, is House Bill 1035. Read the bill, please.

SECRETARY HAWKER:

House Bill 1035.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jones.



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SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. House Bill 1035 provides title protection for industrial hygienists. This is a very important piece of environmental legislation. The administrative and enforcement costs will be derived from the fees set by the Department of Public Health, deposited in a special fund for such purposes. Industrial hygienists are an increasingly important profession, particularly with respect to asbestos, radon, chemical emission, hazardous waste and related environmental safety problems. In the absence of title protection, unqualified individuals who are calling themselves industrial hygienists are making vital environmental decisions which adversely affect the public industry as well as labor. The Department of Public Health presently licenses eight thousand asbestos workers and the -- three to five hundred industrial hygienists will cause no additional financial burden. This bill was amended to reflect all the changes recommended by the Department of Public Health, and I respectfully request an Aye vote on this bill.

PRESIDENT ROCK:

All right. The Gentleman has moved -- moved passage of House Bill 1035. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I'd like to make a few comments, but before that I'd also like to have a ruling from the Chair whether this bill preempts home rule. Our staff over here feels that it might, and we would like an opinion. I am under the -- I am told by the Department of Public Health that the licensure costs, because of the small number of people involved and the requirements of the bill, would create a situation where the Department would have to charge three hundred and seventy-five dollars per license to meet the administrative costs. Now, I -- I confess that I do not know

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what an industrial hygienist might do. I think of someone working on your teeth with an air hammer, but -- I'm sure it's a noble -- a noble profession - ranks right in there with some of the other things we've licensed the last few weeks. I think the Department of Public Health is in a position to make the following statement, which is - there is no evidence that this profession has exhibited any problem that would cause us to want to license it. There is literally no reason to do this. They haven't even held a reception and bought eggrolls, you know. There is no justification for this other than to create more jobs for bureaucrats and more paper-shuffling. In short, this is insanity.

PRESIDENT ROCK:

Senator Schaffer, the Chair is prepared to rule that you are correct; that it does, by its terms in Section 20 -- 120, deny and limit home rule powers and functions under Subsection H of Section 6 of Article VII, and we have previously ruled that that preemption requires only thirty votes, a constitutional majority. Senator Schaffer.

SENATOR SCHAFFER:

The implications of that ruling would mean that thirty-six of us would have to be out of our minds for this bill to pass. Thank you.

PRESIDENT ROCK:

Senator Jones, to close.

SENATOR JONES:

Well, you know, Senator Schaffer can make all those snide remarks about the environment as he want to, but all you got to do is go look in the telephone directory and you will see industrial hygienists in there. And as we deal with the environment and more and more critical issues as it relate to radon and chemical and hazardous waste, you cannot have persons out there calling themselves such. So the Society of Industrial Hygienists want to

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totally regulate so that you will have qualified people doing such, and I ask for a favorable vote.

PRESIDENT ROCK:

Question is, shall House Bill 1035 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? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 25 Nays, 1 voting Present. House Bill 1035, having received the required constitutional majority, is declared passed. 1040. Senator D'Arco. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1040.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Bill 1040 creates the Physical Therapist Lien Act and allows licensed physical therapists, who provide services by way of treatment to injured persons, to have a lien upon all claims and causes of actions by those injured persons for the amount of the reasonable charges incurred. It also would exempt the Workers' Compensation Act and the Industrial Occupation Disease Act. And I would ask for a favorable vote.

PRESIDENT ROCK:

Any discussion? If not, the question is, shall House Bill 1040 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 51 Ayes, no Nays, none voting Present. House

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Bill 1040, having received the required constitutional majority, is declared passed. 1073. Senator Cullerton. Read the bill, please, Madam Secretary.

SECRETARY HAWKER:

House Bill 1073.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The House passed four shell bills that were designed to carry amendments proposed by the Governor's Commission to Revise the Mental Health Code. When I realized that these amendments were somewhat potentially controversial, I suggested that we just take one of the bills, put it into a conference committee and then see if we can come up with some agreed language. So this bill is simply a shell, the purpose of which is to go to a conference committee to see if we can come up with any common denominator everybody would agree to with the -- on the Governor's Commission to Revise the Mental Health Code. So I move for its passage.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 1073 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1073, having received the required constitutional majority, is declared passed. Senator Berman, I apologize. I think I skipped over 1014. On the Order of House Bills 3rd Reading, bottom of Page 10, is House Bill 1014. Read the bill, please.

SECRETARY HAWKER:

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House Bill 1014.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill creates a matching grant program for inventors in residence, provides for twenty-five thousand dollar matching grants to five universities that would apply. Because of concerns for the fiscal impact, we responded to requests in the Higher Education Committee and amended the bill, making it effective in 1994. Would be glad to solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 1014 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? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1014, having received the required constitutional majority, is declared passed. 1085. Senator Cullerton. Read the bill, please, Madam Secretary. 1-0-8-5.

SECRETARY HAWKER:

House Bill 1085.

(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 concerns the applicability of the Illinois invested capital tax to commercial office buildings which resell electricity to building

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tenants. The Department of Revenue has agreed that the invested capital tax does not, nor has ever been intended to, apply to these buildings that resell utility services to tenants, because they are not considered public utilities. And the purpose of the bill is simply to clarify the intent of the invested capital tax legislation. So I move for its passage.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 1085 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 59 Ayes, no Nays, none voting Present. House Bill 1085, having received the required constitutional majority, is declared passed. And that brings us to where we began today. So I would direct your attention -- the Secretary informs the Chair that the Recall List has been distributed. It should be titled Thursday, June 20, four o'clock p.m. And we will go down through the Recall List. There has also been a request that we get to the Order of Resolutions. One change on the Recall List. 816 has been removed from the Recall List, if anybody -- all right. Senator Brookins, you ready to begin here? We're on the Order of House Bills 3rd Reading. If you'll turn to Page 7 of the Calendar. Page 7. On the Order of House Bills 3rd Reading is House Bill 143. Senator Brookins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 143, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Brookins.

SENATOR BROOKINS:

Senator Brookins, on Amendment No. 2.

SENATOR BROOKINS:

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Thank you, Mr. President. Amendment No. 2 to House Bill 143 eliminates the Purchasing Act that restricts the State to purchase goods made in Illinois, the U.S., or Canada, unless they cost ten percent or more than the equivalent goods made.

PRESIDENT ROCK:

All right. Discussion on Amendment No. 2? If not, Senator Brookins moves that Amendment No. 2 to House Bill 143 be adopted. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2-4-4. The Sponsor has requested that that bill be withdrawn from the -- or stricken from the Recall List and amendments withdrawn. Senator Luft on the Floor? Senator del Valle, on 342. Bottom of Page 7, On the Order of House Bills 3rd Reading is House Bill 342. Senator del Valle seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 342, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator del Valle.

PRESIDENT ROCK:

Senator del Valle, on Amendment No. 2.

SENATOR DEL VALLE:

Thank you, Mr. President. This amendment was worked out between the Department of Public Aid, the Commissioner of Banks and Trusts and Members of the Finance Committee. And it's an amendment that's been agreed to by all parties, and I move for its adoption.

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PRESIDENT ROCK:

Senator del Valle has moved the adoption of Amendment No. 2 to House Bill 342. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Right above there. Senator Luft, do you wish to recall 298? Senator Luft seeks leave of the Body to recall House Bill 298 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2-9-8, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton, on Amendment No. 2.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. Mr. President, recently, as you know, the Chicago Bulls were involved in a playoff out in California, and it turned out that we discovered through an article in the Chicago Tribune, that the -- when Michael Jordan and the rest of the Bulls played out in California, they were taxed; their income was taxed by California. And yet, when Magic Johnson and the rest of the Lakers played here in Chicago, we did not have a similar tax. And so, the amendment simply does to the Lakers what they would have done to us, and that is to tax their earnings when they come to Illinois. If there's a state that does not have this tax on us, then it would not apply to their professional athletes who come into the State of Illinois. I think this is just strictly a matter of fairness. It is definitely lost revenue to the State of Illinois. By



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correcting this oversight, we will bring in some revenue, and it will be equitable. So I move for its adoption.

PRESIDENT ROCK:

Senator Cullerton has moved the adoption of Amendment No. 2 to House Bill 298. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator, it sounds like a very interesting idea. Do you have any notion as to how much revenue might be generated by this move?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Well, it would be every professional sports team that comes into Illinois. So you have two baseball teams; you have the hockey team, the Bulls team. And the salaries, as you know, of the athletes are escalating. And so I don't know from the Department of Revenue exactly what the amount would be, but it clearly would be substantial and growing.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

It would be helpful to us - we don't have a copy of this amendment for us - could you just read that portion of the amendment which would limit the application to those states that tax our athletes?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Yes. We're talking about the Revenue Act, Chapter 120, Section

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3-302, and this is current law. And it says, "Compensation paid to nonresidents. In general, all items of compensation paid in this State (as determined under Section 304(a)(2)(B)) to an individual who is a nonresident at the time of such payment and all items of deduction directly allocable thereto, shall be allocated to this State." In other words, people -- individuals who are nonresidents, who are working in this State, have to pay a tax. So then, the amendment amends that Section that they refer to by saying, "For purposes of this paragraph (B), in the case of persons who perform personal services under personal service contracts for sports performances, services by that person at a sporting event taking place in Illinois shall be deemed to be a performance entirely within the State." And then we refer to the current law which talks about reciprocal exemptions, and that says - this is current law now - "The Director may enter into an agreement with the taxing authorities of any state which imposes a tax on or measured by income to provide that compensation paid in such state to residents of this State shall be exempt from such tax." That's the current law.

PRESIDENT ROCK:

Senator Etheredge. Further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Hall.

SENATOR HALL:

I'm sorry. I didn't hear that. Are you saying any athlete that comes into Illinois and does not live here, if he performs in this area, then he's got to be taxed? Is that what you're saying? We do that, baseball players or anything, right?

PRESIDENT ROCK:

Senator Cullerton.

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SENATOR CULLERTON:

Yes, Senator Hall, let me explain how this came to my attention. When the Chicago Bulls go to California, they have a similar type of law there. Michael Jordan's -- and all the other Bulls who are nonresidents who are performing in California, their salary is taxed. And Michael Jordan has to pay it out there, and when he comes back to Illinois on his Illinois income tax, he gets a credit. But what we're saying with this amendment is when those athletes who come from states who have this type of a tax, when they come to Illinois, we shall impose upon them the same tax, so that if athletes from California, where they have this tax on us, when they come to Illinois, we're going to tax them the same way.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Well, you take a baseball team that -- they have players that live in practically every state in the Union. In other words, that the whole team or just the people who don't live -- the people on that team who live in Illinois -- when they in Illinois, they don't have to pay a tax. Is that right?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR HALL:

That's what I want to get straight now.

SENATOR CULLERTON:

Right. This is just a tax on nonresidents - people who are traveling into our State to play. And baseball players from California, where they have a tax on our players when we go out there and play, would have to pay the tax when they come here to Illinois. That's what it says. If they come from a state where there is no tax, then because of the reciprocity agreements, they -- we wouldn't impose a tax on them. It's only on the states that

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have it. I understand that Ohio has this tax, Wisconsin has this tax, California has this tax. There may be others. So it's just a matter of equity. They tax us when we go to their states; we want to do the same thing to their players when they come here.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you. Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

Thank you. This is an unusual concept. Now this is athletes only? We're not talking about rock stars and performers and people such as that.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Actually, rock stars are already covered. When they come into Illinois, it's deemed to be performing a service entirely within the State under a single contract. They, right now, have to pay tax. All we're saying with this amendment is to clarify that when athletes from outside our State come in and perform in Illinois, that it's deemed to be performing entirely within the State and it just clarifies that they are subject to the tax. Right now, the Department of Revenue does not believe that they are performing entirely within the State. Their attitude is they're performing throughout the whole country, and that the particular game they play here is not taxable.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Well, thank you. Now, a professional athlete has a contract

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with the team -- let's -- for this particular case, the Chicago Bulls. He has a contract with that team. Now how -- how do we perceive or how is it perceived that he has income coming from a game in which he played in California?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

What they did out in California was that they take Michael Jordan's salary, they divide it by the number of games that he played in California, and they literally impose the tax on him based on that amount. And then -- then Jordan, when he comes back to Illinois, can get a deduction - I think a credit - on his Illinois income tax for the taxes that he paid in another state. But the end run is that Illinois loses the income.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

So then, we're talking about playoff money. We're not actually talking about the contract by which they have signed to play for the entire year. We're talking about playoff money and playoff money only. Okay. Thank you.

PRESIDENT ROCK:

Senator Raica.

SENATOR RAICA:

Senator Cullerton, a question, Mr. President.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Raica.

SENATOR RAICA:

John, all we're saying - this is a reciprocal tax. If they charge to us, we're going to charge them. There's nothing new or magic about this. This is -- it's been in the newspapers, and I just think this is a great idea. If nobody ever voted for a tax,

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this is one tax we all should vote for. And I think it's a great idea.

PRESIDENT ROCK:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the speaker. I just wonder, would this be looked upon as being a tax measured by income?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Well, I refer you to the -- the current Statute which is at Chapter 120, Section 3-302, and it says, "Compensation paid to nonresidents." And this is what we use right now to tax rock stars who come into Illinois and perform. They are now being taxed. And all this amendment does is to clarify that for the purposes of this Section, when professional athletes come in and perform personal service under personal service contracts for sports performances, that they shall be deemed to be performed entirely within the State. And what that means is, if it's performed entirely within the State, then it comes under this tax. So it's just extending and making clear that the tax which is now imposed on people who perform personal service contracts should also apply to those who perform sports performances.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a question of clarification. If the Cubs or the White Sox go out to California for a game, does California tax the Cubs and every White Sox player for every game that they play out there?

PRESIDENT ROCK:

Senator Cullerton.

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SENATOR CULLERTON:

That is my understanding. They take a proportion of their salary based on the number of days that they play out in California. And it came to light when the Bulls played out there, and all we're saying here with this amendment is that when California players come here, that the same thing would be true for them.

PRESIDENT ROCK:

Senator Marovitz. Senator Jacobs. Senator Brookins.

SENATOR BROOKINS:

Thank you. One question to the sponsor.

PRESIDENT ROCK:

Sponsor indicates --

SENATOR BROOKINS:

Would this only happen in states that tax us, or would it happen in all states for incoming players?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Only in the states that have a similar tax. So if Missouri doesn't have a tax, when the St. Louis Cardinals come to Chicago, they wouldn't be taxed. It's only those states that have that tax, and that's covered in this reciprocal exemption language which is in the law right now.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Detroit came in. What position would they have been in? We know what happened with California. But when we played Detroit in the playoffs, what would have happened then?

PRESIDENT ROCK:

Senator Cullerton.

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SENATOR CULLERTON:

I think we would have won. I don't know what the law in Michigan is. I know they have it in Ohio and Wisconsin and California.

PRESIDENT ROCK:

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Maybe for some, I hope this will clarify just a little bit of what Senator Cullerton has actually been saying. First of all, this only goes into effect if another state is taxing our athletes the same as we would be taxing them. Secondly, what he's been trying to tell you is that there is a reciprocity agreement clause in our Tax Code which would simply allow the State of Illinois, and in this case the State of California, to get together and say, "We're not going to impose this tax on either athlete in either state," which would then allow us to tax Michael Jordan at his full salary, rather than just parts of it.

PRESIDENT ROCK:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

I just wanted to continue my questioning here a little bit. I assume that rock stars and now baseball players and others would be taxed at our rate of three percent. Is that correct?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

I -- yes, we're talking about the State income tax. Maybe -- right. And remember, it might go down to two and half percent in a few days, but whatever the existing tax rate is in the State, yes.

PRESIDENT ROCK:



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Senator Rigney.

SENATOR RIGNEY:

What's the California rate?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

It's higher than three percent, I'm told. Senator D'Arco thinks it's nine percent.

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

I don't think they get credit for having paid that much money when they return to pay their Illinois income tax. I assume in every way it's a nongraduated tax. Is that true also of California?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

I'm sorry. I understand that they would get a deduction or -- I'm sorry -- a credit on their Illinois income tax for the amount that they would have had to have paid in Illinois, that being three percent.

PRESIDENT ROCK:

Further discussion? Further discussion? If not, the question is, shall House Bill 298 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. This is the adoption of the amendment. All voted who wish? Take the record. On that question, the adoption of the amendment, 55 Ayes, no Nays, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

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3rd Reading. 551. Senator Topinka seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 551, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka, on Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 1 seeks to reflect some of the ongoing workings which we have had between CUB and the Illinois Commerce Commission regarding a code of ethics for the Illinois Commerce Commission.

PRESIDENT ROCK:

Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 551. Discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Welch.

SENATOR WELCH:

One of the reasons for legislation concerning ethics in the Commerce Commission was the appointment of Lynn Shoshido Topel who worked for Commonwealth Edison and now is on the Commerce Commission. Does this bill take her out of -- this amendment take her out of coverage under the bill?

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

No, it does not take her out; however, once she became reappointed, it would comply. The bill would now be prospective.

PRESIDENT ROCK:

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Senator Welch.

SENATOR WELCH:

So then, from now on, she has to disqualify herself from Commonwealth Edison rate increase cases?

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Only if she is reappointed. However, we do make sure that we -- we reflect the judicial code of ethics so, indeed, it does zero in on her involvement within the last three years.

PRESIDENT ROCK:

Further discussion? If not, Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 551. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 7-6-3. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 763, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill -- this amendment builds into House Bill 763 the original provisions of House Bill 760, and that is to abolish the Office of Cook County Regional Superintendent as of August 7, 1995.

PRESIDENT ROCK:

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Senator Berman has moved the adoption of Amendment No. 2 to House Bill 763. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Berman, do you currently have a bill that does that? Do you have a -- do you currently have a bill that does that?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

The bill -- House Bill 760 that originally did it does not do it as of August, 1995, any more.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

So this amendment takes a bill that abolishes an office immediately and extends it for four years?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

I'm -- maybe I'm confused. This bill -- this amendment would take the Office of Regional Superintendent of Schools in Cook County and abolish it as of August, 1995.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

So, 1995, as contrasted to 760, which would do it immediately.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

That's correct.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

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Well, I have a question of the sponsor.

PRESIDENT ROCK:

And the sponsor indicates he will yield.

SENATOR DeANGELIS:

If it is our intention to abolish that office, it would seem to me that any action short of doing it right now is no action at all, because successive General Assemblies could come down here and then, once again, change what you're attempting to do. If you're going to wait till '95, that means in '94 somebody could come in and say, "Oh no, we're not going to do it." So the only way to ensure that that office is to be abolished is to do right now. Is that correct?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

No, I think that doing it right now -- doing it right now violates some very important principles, and I'll be glad to go into that at my closing.

PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, let's forget about the principle implication. The point is this - and I would like to have an answer to this - if you wait till then in order to do what you said, it could mean that somewhere down the line that action, which is to take place in '95, could be rescinded, and that office could be continued. Is that correct?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Hypothetically, yes.

PRESIDENT ROCK:

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Senator DeAngelis.

SENATOR DeANGELIS:

Well, not hypothetically. In reality, it could.

PRESIDENT ROCK:

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

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen, this amendment addresses the question of the Cook County Regional Superintendent of Education in several ways. Number one, it carries out the agreement that has been reached affecting a number of areas, between Dick Phelan, the President of the Cook County Board, and Dick Martwick, the current Superintendent; number one, we are honoring that agreement. Number two, I have with me a letter that addresses the amendment and the subject matter that Senator DeAngelis talked about, about immediate termination of that office. And this letter that I have in my hand, dated today from the Illinois State Board of Education, the bottom line is that the -- the State Board of Education, if they were required to comply with Senator DeAngelis' approach, would have a cost of two million dollars during FY '92. Every one of us knows that there are expenses, there are programs that we are being asked to cut, and I am suggesting that the wrong way to go is to undertake a FY '92 cost of two million dollars that nobody - outside of Senator DeAngelis - really wants to undertake. So I ask for your affirmative vote on Amendment No. 2 to House Bill 763.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 2 to House Bill 7-6-3. Those in favor of the amendment 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 29 Ayes, 27 Nays, none voting Present. Amendment No. 2 is

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adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

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

SENATOR DeANGELIS:

I was trying to rise -- and I realized he was closing, but he mentioned my name in the close. The fact of the matter is, is if that is correct, if that is correct, we ought not to be abolishing that office at all, because if it costs two million dollars for the State Board to do it, and it costs the county a million-six, we shouldn't be abolishing it at all. And I question those numbers on that basis.

PRESIDENT ROCK:

803. Senator Cullerton seeks leave of the Body to return House Bill 803. We're on Page 10, Ladies and Gentlemen. Senator Cullerton seeks leave of the Body to return 803 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 803, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Philip and Cullerton.

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 803 is a clarification of the original language. This has been drafted by the Illinois EPA, and what it says in regards to forest preserves and conservation districts - they may fill up their landfills, but they may not expand them. Move the adoption of Amendment No. 2.

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PRESIDENT ROCK:

Senator Philip's moved the adoption of Amendment No. 2 to House Bill 803. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Collins, on 8-8-3. Senator Collins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 883, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Collins.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and Members of the Senate. This amendment does three things. First, it limits the enrollment of this pilot program to fifty students. It takes CMS out of the bill, which -- they requested to be taken out of it. It changes -- responds to the request from one of the Members of the Committee from that side of the aisle that the program be taken from the State Community College in East St. Louis and put under the Illinois Community College Board. And I would move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of Amendment No. 1 to House Bill 883. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Will the sponsor yield?



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PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this is the bill that you and Representative Younge, Wyvetter Younge, presented in Committee, and it's my understanding that your amendment does, in fact, remove the State Community College of East St. Louis as the sponsoring and oversight group, and also that the Illinois Community College Board has been named as the group that would coordinate this -- this work. We've been in touch with the Community College Board and they say they don't know anything about the fact that they're supposed to be designated here, and that they -- they don't know where the money is going to come from to pay to do this. It's my understanding that -- that they were in support of the bill and now they are neutral on it, because they really don't know where they're going to get the money to do this. So I guess my question is, have you been in touch with the Illinois Community College Board about their undertaking these duties?

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

I am informed by the -- the sponsor of this bill, which is Wyvetter Younge, that they did agree. I don't know. I'm relying here on what I've been told by the sponsor - that they had agreed.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I simply wanted to raise that issue, Senator, and I don't know that I'm in a great opposition to your amendment at this time. But before we get to 3rd Reading, I think you're going to have to answer some of these questions that we've raised.

PRESIDENT ROCK:

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Senator Hall.

SENATOR HALL:

Senator Collins, I had no idea that this was about to take place. I would ask that you would hold this at this time until we can confer. Because if she's coming -- now, that, you know, we got a lot of problems and now she wants to change this and take this out of -- from -- could we just hold that until we get a chance to do some talking?

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Senator, let me try and respond to you, because it wasn't -- she did not request this. This was requested in committee from the other side -- that it be taken from -- the overseer from East St. Louis Community College. And it's my understanding, for record of appearance, Senator Schuneman, the -- the State College Board member came in and put in a slip in favor of the bill but did not testify, but it was for record of appearance. So they did endorse this project.

PRESIDENT ROCK:

All right. Senator -- Senator Hall.

SENATOR HALL:

Well, do you have any problem just holding that for today and then we can see what's -- just what's happening here. Wyvetter does some strange things around here, and I just want to know that -- I'm not holding you responsible, but I mean that she does that.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Senator, let me -- let me do what Senator Schuneman suggested, because this is -- let's move it. Put the amendment on, move it to 3rd Reading, then you talk with Wyvetter Younge, and then if

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there's some problems at that point, then, you know, we can talk about bringing it back for amendment - because of the time factor involved here.

PRESIDENT ROCK:

All right. Senator Collins has moved the adoption of Amendment No. 1 to House Bill 883. Further discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 945. Senator Lechowicz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 945, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Lechowicz.

PRESIDENT ROCK:

Senator Lechowicz, on Amendment No. 1.

SENATOR LECHOWICZ:

Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 just changes the effective date of the Act, and I move for its adoption.

PRESIDENT ROCK:

Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 945. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1007. Senator Marovitz seeks leave of the Body

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to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1007, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 1.

SENATOR MAROVITZ:

Thank you very much -- thank you very much, Mr. President and Members of the Senate. Amendment No. 1 makes minor technical changes to Committee Amendment No. 1, at the suggestion of the Office of the Chief Judge of the Circuit Court of Cook County. In addition, the amendment raises the maximum daily fee -- that -- that may be assessed on electronic home monitors from two to five dollars, and I move -- Okay. I'm sorry. I was doing 1499, which is coming up next. This one is a very technical amendment which makes reference to the bill gender-neutral and updates a reference to the clerk of the court.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 1007. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDENT ROCK:

He indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, there have been some concerns expressed to me that this may become a vehicle bill for some major child support changes, and I wonder if you could commit to us that this isn't going to conference committee for that purpose.

PRESIDENT ROCK:

Senator Marovitz.

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SENATOR MAROVITZ:

There may be some child support concerns that will be addressed by this, but it's not my intention to use this as a major rewrite of the child support guidelines.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

Well, as you know, this is a highly controversial area. The bills were held in committee. It was agreed that there were going to be some hearings held on this subject. And I just -- I'd just, I guess, like a commitment that we're not going to see -- before those hearings take place around the State -- that we're not going to see within the next week or so, changes in those guidelines on this bill.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

If there are child support concerns, and I know there are some that many people have asked to be addressed, they may be addressed on this or other bills which are also floating around here. But in terms of a major rewrite of all the child support guidelines, it is not my intent to use this bill for that.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

Well, I guess I would rise in opposition to this amendment. The bill itself is all right, but I don't think we ought to be getting into the other area on it without firm commitments. And I would urge a roll call and a No vote.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 1 to House Bill 1007. A roll call has been requested. Those in favor of the

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amendment will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 29 Nays, and the amendment fails. Senator Marovitz, for what purpose do you seek recognition?

SENATOR MAROVITZ:

Verification.

PRESIDENT ROCK:

The Gentleman has requested a verification of the negative vote. Will the Members please be in their seats? Madam Secretary, please read the negative roll call.

SECRETARY HAWKER:

The following Members voted in the negative: Barkhausen, Butler, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Thomas Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpel, Keats, Macdonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

PRESIDENT ROCK:

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

SENATOR MAROVITZ:

Senator Ralph Dunn.

PRESIDENT ROCK:

Senator Ralph Dunn's in his chair.

SENATOR MAROVITZ:

Senator Barkhausen.

PRESIDENT ROCK:

Senator Barkhausen is coming out of the phone booth.

SENATOR MAROVITZ:

Senator Madigan.

PRESIDENT ROCK:

Senator Madigan is in the Chamber.

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SENATOR MAROVITZ:

Senator Watson.

PRESIDENT ROCK:

Senator Watson. Senator Watson in the Chamber? Senator Watson is in the Chamber. All right. The roll has been verified. On that question, there are 28 Ayes, 29 Nays, and the amendment fails. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1405. Senator Maitland seeks leave of the Body to return House Bill 1405 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1405, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Maitland.

PRESIDENT ROCK:

Senator Maitland, on Amendment No. 2.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Amendment No. 2 to House Bill 1405 allows contractors who work in the City of Chicago to call the city's one-call system instead of JULIE. This was brought to me by the City, and I would move for the adoption.

PRESIDENT ROCK:

Senator Maitland has moved the adoption of Amendment No. 2 to House Bill 1405. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDENT ROCK:

3rd Reading. Senator Cullerton. 1470. Senator Cullerton seeks leave of the Body to return House Bill 1470 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1470, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. Amendment No. 1 had been defeated yesterday. There was some people that indicated willingness to perhaps support an amendment if there were some modifications. Amendment No. 2 results in those modifications. This bill deals with the issue of providing insurance for people who need the treatment and diagnosis of infertility. What we've done with this amendment is to say that it does not apply to individual insurance policies. It would only apply to group policies - more than twenty-five employees. Hopefully, with this change, we can garner enough support. I think everybody remembers the issue, and I would appreciate an Aye vote.

PRESIDENT ROCK:

Gentleman has moved the adoption of Amendment No. 2 to House Bill 1405. Discussion? Senator Schuneman. I'm sorry. 1470. We had the wrong number on the board.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think this makes about the third bite of the apple now. This is -- second -- second bite of the apple. This is the bill that, on a bipartisan basis, we thought should be held in committee to be studied. I think there's still



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a lot of unanswered questions, and believe that the proper course is to do what the committee decision resulted in. I think that -- that many people who are supporting this idea - many Senators who are supporting it - may not realize the very small group of people that are even going to be affected by this bill. So I would urge opposition to the amendment, and that we stop this one more time.

PRESIDENT ROCK:

Further discussion on Amendment No. 2? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I just want to reiterate what Senator Schuneman has just stated; that it was the agreement of the committee to hold this bill in committee, and I think that that's what we should be doing with this measure.

PRESIDENT ROCK:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Mr. President, I supported the bill in the committee and supported the amendment here when it was offered yesterday. But I don't think we can afford, as we head down to June 30th, to give everybody a chance to, you know, three times to -- to try to pass their bill. And so this time, I'm going to be voting on the other side.

PRESIDENT ROCK:

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This doesn't affect a small amount of people. This affects eighty-five thousand couples throughout the State of Illinois, and I think eighty-five thousand people is definitely a number to be reckoned with. I think it's worth three times, if Senator Rigney wants to say, coming back. And I just hope we can support Senator Cullerton.

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PRESIDENT ROCK:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Mr. President. I think that we know what this amendment is, but I wouldn't accept the claim that this thing being tried for the third time ought to be a reason to vote against it, because I've seen things in this General Assembly that have come back here more than three times.

PRESIDENT ROCK:

Further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Well, thank you, Mr. President. I just want to reiterate that I did change it. It's not the same amendment. I took out a substantial concession -- made a substantial concession by taking out the -- the applicability to individual policies. Now it would only apply to group policies. So for that reason, I think it's a reasonable amendment, and I move for its adoption.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Amendment No. 2 to House Bill 1470. 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 30 Ayes, 21 Nays. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1499. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading - we're on Page 14 - is House Bill 1499, Madam Secretary.

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SECRETARY HAWKER:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Just for the purpose of identification, Madam Secretary. Is this the one that ends mcam01?

SECRETARY HAWKER:

Yes, it is.

SENATOR MAROVITZ:

Okay. This amendment makes minor technical changes in Committee Amendment No. 1, which has already been adopted, at the suggestion of the Office of the Chief Judge of the Circuit Court of Cook County. In addition, the amendment raises the maximum daily fee that can be assessed on electronic home monitors from two dollars to five dollars. It is strictly permissive, and I move adoption of the amendment.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 1499. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 3.

SENATOR MAROVITZ:

This is the one that reads mbam02?

SECRETARY HAWKER:

Yes, it is.

SENATOR MAROVITZ:

Please withdraw that amendment.

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PRESIDENT ROCK:

Withdrawn. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1850. Senator O'Daniel seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1850. We're at the bottom of Page 15. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator O'Daniel.

PRESIDENT ROCK:

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. House Bill 1850, as amended, establishes a pooled fund to allow the Department of Mines and Minerals to plug out and repair abandoned, leaking wells contaminating the environment. It eliminates the surety bond requirement, and it's a restructuring and continuation of fees to enable the Department to maintain primacy over the Federal Injection Well Program, and clarifying changes regarding submission of geological data and the regulation of off-field waste haulers. This is an agreement between the Illinois Department of Mines and Minerals, the petroleum industry, Illinois Oil and Gas Association and the Illinois strippers, to a certain extent. Senator Woodyard and myself worked on this thing with the Department and all concerned all spring, and this is a halfway agreement, and I'd move for its adoption.

PRESIDENT ROCK:

Senator O'Daniel has moved the adoption of Amendment No. 1 to House Bill 1850. All in favor, indicate by saying Aye. All

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opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2125. Senator Barkhausen in the house? 2139. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Leave granted? Leave is granted. On the Order of House Bills 2nd Reading - we're on Page 18 - is House Bill 2139, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Jones.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Prior to the adoption of Amendment No. 3, I'd like leave to reconsider the vote for Amendment No. 2.

PRESIDENT ROCK:

All right. The Gentleman, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 2 to House Bill 2139 has been adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote's reconsidered. Senator Jones now moves to Table Committee Amendment No. 2 to House Bill 2139. Discussion on the motion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments, Madam Secretary?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Jones.

PRESIDENT ROCK:

Senator Jones.

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SENATOR JONES:

Yes, thank you, Mr. President, Members of the Senate. Amendment No. 3 is the township amendment which shall be included in the Act as it relate to the cemeteries. This is an agreed amendment, and I move its adoption.

PRESIDENT ROCK:

Senator Jones has moved the adoption of Amendment No. 2 -- Amendment No. 3 to House Bill 2139. Further discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. Amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2250. Senator Welch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading - Page 19 on the Calendar - is House Bill 2250, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Welch.

SENATOR WELCH:

Senator Welch, on Amendment No. 2.

SENATOR WELCH:

Thank you, Mr. President. What this bill affects is the Environmental Protection Act Section clarifying the provisions exempting farm operations from the landscape waste composting permit requirement, and the amendment that's been worked out with the Solid Waste Management Association states that a composting area must be located at least one-eighth of a mile from the nearest residence, either a facility that's developed or permitted composting area of the facility. I'd be glad to answer any questions; otherwise, I'd move for the adoption of the amendment.

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PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 2 to House Bill 2250. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Welch.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Amendment No. 3 is similar to Senate Bill 923 that the Senate passed unanimously. What it does is amend the Environmental Protection Act prohibiting the distribution of water from a public water supply that would be dangerous to life, health or property. Basically, it clears up the Statute so that the Attorney General can enforce the law. I would be glad to answer any questions.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 3 to House Bill 2250. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Philip. 2352. Page 19. Senator Philip seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2352, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Philip.

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SENATE TRANSCRIPT

47th Legislative Day

June 20, 1991

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would create the DuPage County Flood Control Act. It would limit people from building within a hundred and fifty yards of each side of two streams in DuPage - Salt Creek and DuPage. It would allow them to put berms in, allow them to put reservoir, public utilities, and if somebody had a home there, would allow them to add onto that home if it was there already. Be happy to ask any -- answer any questions.

PRESIDENT ROCK:

Senator Philip's moved the adoption of Amendment No. 1 to House Bill 2352. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. Chairman. Just a question or two of -- of the sponsor for my own edification. Pate, first of all, let me say that I appreciate what you have done and are trying to do to alleviate some of -- a few concerns that I've had on this bill. So I do appreciate it. Just a question. Now, as I understand it, your amendment becomes the bill, and under the provisions of the amendment, nobody within the flood plain - not the floodway, but within the flood plain - would be permitted to subdivide or build, you know, if they had a big tract of property. I think that's been one of my -- one of my concerns. They couldn't do that under -- under your bill.

PRESIDENT ROCK:

Senator Philip.

SENATOR PHILIP:

That is correct, unless they were building a berm or they -- they were having a reservoir or a -- right of way for public utilities, et cetera. That is correct.



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PRESIDENT ROCK:

Senator Hudson.

SENATOR HUDSON:

All right. Well, thank you. I think I understand. I do have a church concern there, but we're checking into that to see what the distance there is. That's my concern.

PRESIDENT ROCK:

Senator Philip has moved the adoption of Amendment No. 1 to House Bill 2352. Further discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Ladies and Gentlemen, tomorrow is Friday, the 21st. We will begin at nine o'clock in the morning and go through the entire 2nd Reading Calendar. I understand the appropriations people have been meeting this afternoon to prepare us for tomorrow. So we will deal with the bills, including appropriation bills, on 2nd Reading tomorrow. We will work no later than - no later than - one o'clock tomorrow and come back then on Monday. My judgment is we've had enough for today. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 560 offered by Senator Welch.

Senate Resolution 561 offered by Senator Welch.

Senate Resolution 562 offered by Senators Welch and Donahue.

Senate Resolution 563 offered by Senator Macdonald.

Senate Resolution 564 offered by Senators DeAngelis and Kelly.

Senate Resolution 565 offered by Senator Jerome Joyce.

Senate Joint Resolution 76 offered by Senator Geo-Karis.

They're all congratulatory and death resolutions.

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PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 566 offered by Senators Dudycz and Raica.

It is substantive.

PRESIDENT ROCK:

Executive. Any further business to come before the Senate? If not, Senator Vadalabene moves that the Senate stand adjourned until Friday, June 21st - tomorrow morning at nine o'clock in the morning, Ladies and Gentlemen. I'd encourage you to be prompt so we can get our business concluded and get out of town. Friday at 9:00 a.m. Senate stands adjourned.

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