

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

123rd Legislative Day

June 23, 1992

PRESIDENT ROCK:

The hour of nine having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Prayer this morning by Senator Kenneth Hall, East St. Louis, Illinois. Senator Hall.

SENATOR KENNETH HALL:

(Prayer by Senator Kenneth Hall)

PRESIDENT ROCK:

Amen. Thank you, Senator. Reading of the Journal, Madam Secretary. Senator Hall.

SENATOR HALL:

Thank you. Mr. President, I move that reading and approval of the Journals of Tuesday, June 16th; Wednesday, June 17th; Thursday, June 18th; Friday, June 19th; and Monday, June the 22nd, in the year 1992, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. All right. Ladies and Gentlemen, I'm sure the Recall List has been distributed. I would turn your attention to the Recall List. We will begin on the Order of House Bills 3rd Reading, and we will handle the Recall List first. That's Senators Geo-Karis, Jacobs, Woodyard, Dart, Cullerton, Dart, DeAngelis, Jacobs, Savickas, Topinka, Marovitz and Welch. And then we will begin where we left off yesterday, at page 17 on the Order of House Bills 3rd Reading, with House Bill 3598. I would remind you, if you need reminding, that it's June 23rd and that we are confronted with two deadlines on the 24th and 25th. All right. I'd direct your attention to page 10. On the the Order of House Bills 3rd Reading is House Bill 1852. Senator Geo-Karis

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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 1852, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the short title -- we struck up everything after the enacting clause and we substitute the following: This Act be cited as the Trench Safety Act. Section 5. Trench inspection. A unit of local government shall have the authority to inspect every trench of more than five feet in depth on a construction site within its jurisdiction and its boundaries to determine whether the trench is protected in accordance with the Occupational Safety and Health Administration's (OSHA) Construction Standards for Excavations, and et cetera. And if, following inspection, the local government determines that the trench is not protected according to Subpart P, the local government shall notify the nearest OSHA area office and advise them of the alleged violation. I move for its adoption.

PRESIDENT ROCK:

Senator Geo-Karis has moved the adoption of Amendment No. 1 to House Bill 1852. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I didn't understand a word of it, because I couldn't hear it. Are we doing, Senator Geo-Karis, that which the committee had requested, apparently removing some liability from units of local government? Is that correct?

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Senator Geo-Karis.

SENATOR GEO-KARIS:

In a -- in a way it does, because it said a unit of local government shall have the authority to inspect every trench of more than five feet in depth on a construction site within its jurisdiction and its boundaries to determine whether the trench is protected in accordance with the Occupational Safety and Health Administration's -- OSHA's Construction Standards for Excavations, 29 CFR Part 1926 Subpart B -- P. If, following inspection, the local government determines that the trench is not protected according to Subpart P, the local government shall notify the nearest OSHA area office and advise them of the alleged violation. That's the whole amendment.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my understanding that there is some opposition that has been developing as a result of this. According to your amendment, this is permissive; it just says that the unit -- a unit local -- a unit local government shall have the authority to inspect - shall have the authority to inspect. And there has been -- some question had been raised apparently over on this side, with respect to what we are doing here from local governments. I suspect, according to the analysis, the current law is silent on this regard. So apparently they can go ahead and do it anyway, I suspect. I don't know of the controversy, but I suspect you'll put it on this morning. I guess we will debate it on 3rd Reading. But I just call it to the Members' attention.

PRESIDENT ROCK:

Further discussion on Amendment No. 1? Senator Cullerton.

SENATOR CULLERTON:

Yes. Will the sponsor yield?

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PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, as you know, this bill was on 3rd Reading, we recommited it to committee, we had hearings, and the bill passed out of committee. But at the time it was said that it was going to be worked on so that there could be a potential agreement. It's my understanding that this amendment is not an agreed amendment. Is that correct?

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

We had several -- we had two big meetings on this and we've been working and working on it. We can't satisfy everyone. The contractors are satisfied with this one. Labor told me it does not oppose this amendment.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Okay. So that leaves then the Municipal League as being the one that's opposed to it? I -- I'm not trying to debate the bill. I can wait -- we can wait for 3rd Reading. I just want to understand in my mind who's for and who's against.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

The contractors are for it, and the -- the -- Mr. Johnson from the labor -- representing labor, told me they would not oppose it. And that's exactly what he told me yesterday after we had several meetings. And I feel that if we have any problem, let's pass this bill out - because we've had people killed in these trenches - and let -- let it go back to the House sponsor, and if there's any

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changes to be made, Senator -- Representative Matijevich can make them there.

PRESIDENT ROCK:

Senator Vadalabene.

SENATOR VADALABENE:

Yes. Would Senator yield, please?

PRESIDENT ROCK:

Indicates she will yield, Senator Vadalabene.

SENATOR VADALABENE:

Yeah. Senator Geo-Karis, I just got a call - hasn't been over ten minutes ago - from our Madison County Superintendent of Highways, who wants me to oppose this amendment. Do you know -- why?

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't know of any reason why, because it says -- it simply says that a local government shall have the authority to inspect every trench of more than five feet. We've had two people killed right in Sangamon County from these trenches. I've had two people killed in my county, and I think we should do something. And, as I said, if you're not happy with this amendment, let's pass the bill out with this amendment, send it to the House, and the House sponsor can make any change that he wishes. But I feel we should do something to protect the lives of people who work in trenches.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 1 to House Bill 1852. Senator Geo-Karis, you wish to close?

SENATOR GEO-KARIS:

I ask for a favorable vote.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 1 to House Bill

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1852. Those in favor will 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? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 15 Nays, 2 voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2016. Senator Jacobs 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 2016, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Keats.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

Excuse me. The sponsor would like me to table Amendment No. 1.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Yes. To make this track, we'd have to table Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Jacobs, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 1 to House Bill 2016 was adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote's reconsidered. Senator Jacobs now moves to table Amendment No. 1 to House Bill 2016. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is tabled. Further amendments?

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SECRETARY HAWKER:

Amendment No. 2 offered by Senator Keats.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

What this amendment does is allow a credit company to adjust rates based upon favorable track records of those people who have borrowed, et cetera. We'll give more information for everyone later, but the basic thrust of the amendment is to allow a credit company to offer a better interest rate for their stronger customers, so they don't end up losing them to other financial institutions that, you know -- part of their strength is being able to maintain long-term working relationships with borrowers, and this allows them to base their rates on the creditworthiness of that customer. Senator Jacobs and I have been working on the bill, and would appreciate that it'd be put on the -- on the amendment, and appreciate it be put on the bill.

PRESIDENT ROCK:

Senator Keats has moved the adoption of Amendment No. 2 to House Bill 2016. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Woodyard, are we ready today? 2723. Senator Woodyard 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 2723, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Rea.

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PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I want to thank the sponsor, Senator Woodyard, and the House sponsor, Representative Black, for calling the -- House Bill 2723 back for this amendment. I know of no opposition to it. It amends the Professional Engineering Practice Act, and it makes a provision for a person who has been in another state, who has all the qualifications and meet all the requirements, to receive the professional engineering designation. Would ask for an Aye vote.

PRESIDENT ROCK:

Gentleman's moved the adoption of Amendment No. 1 to House Bill 2723. 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. Bottom of page 11. 2767. Senator Dart 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 2767, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Dart.

PRESIDENT ROCK:

Senator Dart.

SENATOR DART:

Thank you, Mr. President. Amendment No. 1 would create the offense of sexual exploitation of a child, which would, in a sense, clarify and also clear up a loophole that's in the law

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right now, and I'd ask for its adoption.

PRESIDENT ROCK:

Senator Dart's moved the adoption of Amendment No. 1 to House Bill 2767. Any 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. Middle of page 13. 2987. All right. Senator Cullerton apparently does not wish this recalled. 3185. Middle of page 14. On the Order of House Bills 3rd Reading is House Bill 3185. Senator Dart seeks leave 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 3185. Senator Dart.

SENATOR DART:

Thank you, Mr. President. I seek leave to table Amendment No. 1 to 3185.

PRESIDENT ROCK:

The Gentleman, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 1 to House Bill 3185 was adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Dart now moves to table Amendment No. 1 to House Bill 3185. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is tabled. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top of page 16. 3437. Senator DeAngelis seeks

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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 3437, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 limits the amount of dollars that the State can invest in a farm credit administration bank to one million dollars. There are twelve of those banks across the country, none -- none in Illinois. Several of them are in deep trouble, the others are risking insolvency, and I don't think it's a wise idea for the State of Illinois to invest, as it has in the past, a hundred million dollars in these kind of banks.

PRESIDENT ROCK:

Senator DeAngelis has moved the adoption of Amendment No. 1 on House Bill -- to House Bill 3437. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator DeAngelis, let me ask you a question here. Is it not true that - with the Treasurer's program - that farm loans are -- are -- are of a lesser interest rate, and therefore, is it an advantage for the Treasurer to continue this program in order to make loans to rural farmers?

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Demuzio, as in everything else in life, there are two sides. Banks on the border of insolvency tend to have lower rates than those banks that are solvent. In addition to that, they

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actually disrupt -- they disrupt the rural marketplace banking system in Illinois.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I guess the answer is Yes, and that is because they give cheaper interest rates, and as a result, this program has been a successful one indeed. Now I understand that there is some difficulty with the commercial banks because of the nature of these loans. However, it is without question - and it's very clear - that this program has been successful -- the program has been of an advantage to rural ag -- the rural ag community, particularly to -- to farmers, and I just don't know why we ought to be prohibiting the Treasurer from making this type of -- of loan. After all, he is attempting to - in my judgment - to do something productive in the ag community, since there is always a financial credit crisis with rural -- rural ag and farmers.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 1. A number of Members have indicated a desire to speak. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Yeah, I just wanted to point out I -- I stand in support of this amendment, for many reasons. But I think the most important reason is that some of these farm credit banks are in trouble, and they risk insolvency, and if any one goes under, we -- the good banks share in that -- in that loss. So we in Illinois very well may be underwriting a loss of a bank completely out of the region, let alone in the area. So I think it's a good amendment. I think it's -- it's wanted by the banking community, and I think it's one that we should pass.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 1. Further

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discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I apologize for getting into this at this late date, but Senator Demuzio's question caused me to inquire. Does your amendment have any effect at all on the Illinois Farm Development Authority loans that guarantee loans for farmers, or what is the effect on rural downstate Illinois banks, as a result of your amendment?

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it will help the rural downstate banks, because the farm credit administrative -- administration banks have been a little more erratic in their rate structure.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, that's hardly specific. In what way is this going to assist rural banks in Illinois in making farm loans?

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if the State Treasurer were to invest that hundred million dollars in banks in Illinois, it would help those farmers. Right now, he's currently investing it in St. Louis.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

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Well then, this is aimed at the -- at the Treasurer's investment of some seventy million dollars in the St. Louis farm loan bank. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Weaver. All right. Senator -- Senator Weaver, you wish to -- okay. Turn your light off. Further discussion? Senator DeAngelis, you wish to close?

SENATOR DeANGELIS:

I just ask for a favorable roll call.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 1 to House Bill 3437. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 31 Ayes, 17 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3495. Middle of page 16. Senator Jacobs 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 3495, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Hawkinson and Maitland.

PRESIDENT ROCK:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This amendment deals with the subjects of State's attorneys' report of fees. Many years ago Section 4-2006 was placed in our Code, requiring State's attorneys

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to make an annual report of all fees collected by the State's attorney, and that they would have been paid over. Well, for many, many years now, the State's attorney's office collects no fees. All fees in court are paid through the -- the clerk's office. This bill does not abolish the report requirement, but does allow for a waiver of a report of fees by the State's attorney, when there is a written administrative order of the chief judge of the circuit upon written request and affidavit of the State's attorney of a county that all fines, fees, forfeitures and restitutions are collected by the clerk of the circuit court, and that none of those funds pass through the office of the State's attorney. I would be happy to try and answer any questions; otherwise, would ask for the adoption of Senate Amendment No. 2.

PRESIDENT ROCK:

The Gentleman has moved the adoption of Amendment No. 2 to House Bill 3495. 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. 3739. Senator Topinka seeks leave of the Body to return House Bill 3739 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 3739, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Topinka.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

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Yes. Mr. President, Ladies and Gentlemen of the Senate, this amendment would add language to clarify the definition of educational facilities that may be leased by school districts. It's brought to us by one of my high schools - Morton High School District - and it's recommended by their legal counsel and bond counsel, and that's what this does.

PRESIDENT ROCK:

Senator Topinka's moved the adoption of Amendment No. 2 to House Bill 3739. 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. 3857. 4027. Senator Welch seeks leave of the Body to return that bill - bottom of page 20 - to return 4027 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 4027, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Palmer and Welch.

PRESIDENT ROCK:

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President and Members of the Body. This amendment requires municipalities and counties having more than a hundred thousand inhabitants to study the feasibility of quantity based fees, and to implement those fees at the earliest opportunity. It requires the City of Chicago, in cooperation with the Energy and Natural Resources, to implement two pilot quantity based fee collection projects. It amends the Illinois Solid Waste Management Act to require the Governor to appoint a fifteen-member

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solid waste advisory committee and adds an immediate effective date. This amendment was asked for by the Citizens for a Better Environment, and the Illinois Environmental Council, which had been working with various interest to design a bill that would encourage quantity based waste fees and yet would allow flexibility to municipalities. Such a program is already in operation in the City of Springfield and in Woodstock, Illinois, and I ask for a favorable vote.

PRESIDENT ROCK:

All right. The Lady has moved the adoption of Amendment No. 1 to House Bill 4027. Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I have a question of the sponsor, please.

PRESIDENT ROCK:

Indicates she will yield, Senator Donahue.

SENATOR DONAHUE:

Senator Palmer, is this the one that creates the task force situation?

PRESIDENT ROCK:

Senator Palmer.

SENATOR PALMER:

No, Senator.

PRESIDENT ROCK:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Another question?

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Kelly.

SENATOR KELLY:

Senator Palmer, you know that the South Suburban Mayors and Managers Association had done an extensive and very costly review

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of -- of this matter. Will this place an additional burden upon them, and will there be a cost factor, and will they be required after they've already gone through this study?

PRESIDENT ROCK:

Senator Palmer.

SENATOR PALMER:

To my knowledge, no, Senator. They've already done the study.

PRESIDENT ROCK:

Further discussion? If not, the Lady's moved the adoption of Amendment No. 1 to House Bill 4027. 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. Page 17, Ladies and Gentlemen, on the Order of House Bills 3rd Reading, we will continue where we left off yesterday and proceed immediately, numerically, through the Calendar, dealing with all those bills that have been ruled exempt. And again, I remind you that the Chair has been informed that at five o'clock this afternoon there will be a memorial service at the Cathedral in honor of -- in memory of Michael Howlett. All, obviously -- the family has invited all to participate. So we will make the proper adjustments so that we can be there. Page 17 on the Calendar. On the Order of House Bills 3rd Reading. 3598. Senator Davidson. 3605. Senator Welch. 3607. Senator Raica. 3610. Senator Savickas. 3622. Senator Rea. Read the bill, Madam Secretary, please. Middle of page 17, Ladies and Gentlemen. This is final action. We're on the Order of House Bills 3rd Reading. Read the bill, please.

SECRETARY HAWKER:

House Bill 3622.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. House Bill 3622 amends the Explosive Act, defining "magazine" as a storage place for explosives either above or below ground. I know of no opposition to this, and would ask for an Aye vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3622 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 56 Ayes, no Nays, none voting Present. House Bill 3622, having received the required constitutional majority, is declared passed. 3625. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3625.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Bill 3625 does indeed consolidate the Comptroller's three local government advisory boards into one board. Currently the Comptroller appoints members of the local advisory -- Local Government Advisory Board, the Board of -- Municipal Audit Advisory Board, and the County Audit Advisory Board. And what she wants to do is to combine those into -- those three boards into one. I know of no opposition, and

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would seek your favorable support.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3625 pass. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 3625, having received the required constitutional majority, is declared passed. 3628. Senator Demuzio. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3628.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This bill has two provisions. One - it requires the Economic and Fiscal Commission to issue estimates of group health insurance costs and required pension contributions during the third week of March, when the Commission issues its revenue estimate. And we amended the bill in the -- in the Senate to codify currently what the House and Senate accounting practices already are for district office expenses. The change would permit the Comptroller's Office to eliminate the need for duplicative accounting, and I would ask for your support.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3628 pass. Those in favor will 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 54 Ayes, no Nays, none voting Present.

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House Bill 3628, having received the required constitutional majority, is declared passed. 3630. Senator Cullerton. 3650. Senator Severns. 3651. Senator Carroll. 3666. Senator Welch. Read the bill, please. We're at the bottom of page 17. On the Order of House Bills 3rd Reading is House Bill 3666, Madam Secretary.

SECRETARY HAWKER:

House Bill 3666.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is amend the Environmental Protection Act by exempting the medical waste transportation permit requirement for haulers of potentially infectious medical waste, which are noncommercial - those are the ones that are not professional waste haulers - and involve less than fifty pounds of such waste at any one time. What the bill also does is extend by six months the deadline for the Pollution Control Board rules concerning potentially infectious medical waste treatment storage and transfer. And it also establishes a one-and-a-half-cent-per-pound fee on potentially infectious medical waste received by a storage or treatment facility delivered by haulers exempted from permits. I'd be glad to answer any questions.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 3666 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? All voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present.

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House Bill 3666, having received the required constitutional majority, is declared passed. Top of page 18. Page 18, Ladies and Gentlemen. 3673. Senator Jones. Read the bill -- 3674. Senator Luft. 3676. Senator Jones. Read the bill, please.

SECRETARY HAWKER:

House Bill 3676.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. House Bill 3676, as amended, amends the Metropolitan Water Reclamation District, and it appoints a director of information technology. This year the department created a blue-ribbon committee -- advisory committee composed of informational officers from five major corporations, and it advised the district that they should have this -- this position as -- as information director, because by pulling all -- pooling all this computer work under one resource they will be able to save money and at the same time have growth and not spend money outside the district for consultants. So this is what the bill does. That's all that it does. Ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3676 pass. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 8 Nays, none voting Present. House Bill 3676, having received the required constitutional majority, is declared passed. 3692. Senator DeAngelis. 3695. Senator Berman. 3707. Senator Schuneman. 3711. Senator Jones. Read

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the bill, please. 3711. Middle of page 18.

SECRETARY HAWKER:

House Bill 3711.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. House Bill 3711 permits State banks to acquire national banks which are in default or in danger of default. That's all the bill does. I ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 3711 pass. Those in favor will 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 55 Ayes, no Nays, none voting Present. House Bill 3711, having received the required constitutional majority, is declared passed. 3713. Senator Schaffer. Read the bill, please.

SECRETARY HAWKER:

House Bill 3713.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, House Bill 3713 amends the Public Aid Act and the Department of Mental Health and Developmental Disabilities Act. It requires the various State agencies involved with services for the developmentally disabled to work together, through cooperative agreements, to put central control for

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developmental disability programs under the Department of DD -- Mental Health and Developmental Disabilities. Any of us that have dealt with these issues for the last few years know how diversified these programs are. Some of it is because of federal requirements; some of it is, I don't know, evolution, but the bottom line is that the system is unnecessarily complicated, cumbersome, and a lot of people are not receiving the kind of services and treatment that I think most of us would like to see them get. The bill has a one-year delay, and I suspect in the course of that one year, as these various agencies and the outside groups that provide services for or advocate for the developmentally disabled work on this project, that next year's General Assembly will probably see some follow-up on this legislation. But the central idea of the bill is to see that programs for the developmentally disabled are located in the appropriate department; they are not fragmented, and that people receive the type of services and treatment that they should receive from the State. I'd be happy to answer any questions.

PRESIDENT ROCK:

Discussion? Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor, Mr. President.

PRESIDENT ROCK:

Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Schaffer, what happens if these agencies reach impasse?

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

I think, frankly, they all do work for the same person, and the Governor's Office is in support of the bill and -- as are the

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various departments. I see no reason that impasse should be arrived at. I see some spirited debate. I see some controversy, but in the final analysis, I think everyone in the departments has the interest of the developmentally disabled first and foremost in their minds, and that compromise will be arrived at.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, when we discussed this bill in committee, I would like to point out that probably every mental health and developmentally disabled group in the State, save one, supported this concept and with Director McDonald's hands-on approach to basically one-stop shopping to try and make some kind of sense on what is this morass that is now what we have in this nonsystem system of trying to get services for our mental health and developmentally disabled people. It's a tremendous first step. Is it -- is it an overwhelming first step? Yeah, but you got to start somewhere, and I think this is very courageous, does the job, and certainly does have the support of 99.9 percent of all the organizations involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Alexander.

SENATOR ALEXANDER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR ALEXANDER:

Thank you, so kindly. Senator Schaffer, I'm looking at the Democratic analysis of this piece of legislation, where it says that the department does not - does not - have an excellent record of managing and overseeing its own facilities and services,

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relative to the developmental disabled, and that it - the department - has been cited numerous of times for violations of federal Medicaid standards by the U.S. Health Care Financing Administration. I guess my question is, whether or not these community care workers, who are in our various districts - have they, to your knowledge, not -- not been doing a reasonable job, to your knowledge?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, to my knowledge, part of the problem, I suspect mentioned in your staff analysis, brought about by the fact that these programs are fragmented between many departments. Everybody has a piece of the action; nobody's responsible. Public Aid funds this; DORS funds that; DMHDD funds this. They have conflicting policies, conflicting rate structures. We have evolved a very complicated, cumbersome system, and anyone that's tried to place, particularly adolescent children, through the State system, either in a State institution or through a community program, knows exactly what I'm talking about. Yes, there are problems, but the bill attempts to solve those problems and to improve the system. And will it be without controversy? No. Will there be serious discussions? Will there be turf fights? Yes. But when we get done, what will we have? We will have a system that provides better services for the developmentally disabled in this State. That is what the bill is trying to do, and that's what we ask for your support for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. We have a similar system like this already in play in -- in DuPage County. Everybody is sitting

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down. We did have turf wars at first. The lead agency is the Department of Mental Health. What we are doing is, we are saying that -- that the concern for the DD kids and adults is that they are retarded, or they have special needs which are best met by the Department of -- of Mental Health, who have the skills and the knowledge on how to take care of these people. Public Aid's basic portion of this whole problem is that they are the ones that furnish the moneys to feed and clothe them, but they really do not have the programs that take care of them and -- and assist them to lead a better quality of life. I think this is an excellent idea. I have seen that it works. We ought to -- we ought to go forward with this bill, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Smith.

SENATOR SMITH:

Thank you. Senator Schaffer, I am a little bit concerned about this bill. I know that they said that most everybody was for it, except one of the providers, which is the Illinois Association for Rehabilitation. But I am wondering about the providers and how soon -- you said that you have a whole year of waiting - and the way that they are and the condition that our rehabilitation services and providers are right now, I don't see how we can wait a whole year in order to give them the satisfaction of what you have under this bill. I just don't -- I don't see how we can do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

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Well, frankly, I think the -- the type of intergovernmental agreements that need to be hammered out will take a year, and the alternative is to do nothing, which obviously doesn't help anybody. There was a suggestion that this bill be delayed an additional year. In fact, I think it was your amendment, which you kindly withdrew. So I -- I think, frankly, sometimes you've just -- to get progress, you've just got to set a deadline and put people on task and get them to it, and that's what this bill attempts to do. If we were to make it a shorter period, I think many of the groups that are for it would be concerned about the lack of public input. I think it's a reasonable time period. It -- it sets a definite date and gives them the time to get the job done. The departments are committed to doing this; I think we ought to allow them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes. And I would like the record to show that this is not my second appearance; it's the last half of the first one that you cut me off from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your time is up.

SENATOR DeANGELIS:

The -- Senator Schaffer, I'm glad that -- I'm glad you've heard some of the other comments, because I myself, personally, heartily endorse this bill. My concern, however, is that there are current programs housed in other agencies that are doing real, real well. What we don't want to see is the movement of a program from one place to another, and then find that that program that once was excellent becomes either mediocre or bad. So what I would like the legislation to reflect - or at least the legislative intent to reflect - is that every effort will be made

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between now and next year, to input -- get the input -- from all these people, to make sure when the implementation is done, it's done in the best manner.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR COLLINS:

Senator, did this bill have any input from the community-based agencies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I have a list in my hand of almost a hundred community-based agencies who formally endorsed this proposal - who advocated, who plead for it. A hundred and forty-one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes. I -- then does it -- how does it impact on the real problem that we have in the administration of these programs and making sure that these people who are entitled to service, get program? How does it really impact on the difference between our laws and how we -- eligibility criteria and the federal criteria, which one is functional and one is categorical? Because that has posed -- has been one of the most serious obstacles in the way of a lot of these people falling through the cracks in Illinois and not being able to receive service. So that, would this kind of coordination and consolidation you're talking about enhance that situation in any way?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

It does not address or attempt to address the qualifications -- the definitions that we've argued about 10, these many years. So it doesn't impact on the first part of your question. On the second part of your question, it most definitely is designed to provide better services for more people. That's the goal - to eliminate this complicated crazy quilt system that we have now, where somebody has to deal with a bunch of agencies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

To -- to the issue: Senator, I -- I concur with you, not -- not only this program, but I think that we would serve people better, and save tax dollars, if we consolidate many of the human service programs out there. So therefore, I am not opposing to that concept. I am a little skeptical, at this point, as to just what is the impact of what you're doing and how it's being done. I -- I guess I would feel a little more comfortable here if we could really see some kind of real proposal as to how this is going to be done and what is the overall impact. Has there been an impact study, and how did you make the determination that this, in fact -- this kind of consolidation would in fact improve delivery of services? And I'm not sure that those questions has been answered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Cullerton. Senator Leverenz.

SENATOR LEVERENZ:

I rise simply to support House Bill 3713. I think it's the right thing to do and the time is right. There will only be a few

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months between the time it is signed and the time that we can actually see some progress toward the goal, and with the director that we have there, I think we will have a excellent work product.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Smith may -- Senator -- Senator Smith.

SENATOR SMITH:

Yes, sir. I want to say to our sponsor: the concept that you have possibly is good, but the only thing that I'm concerned about is when we leave these Chambers and have to go back into our communities and witness all of the suffering that is going on with these providers, and you say, wait another year. I don't think a lot of those people won't be here another year, because of our laxity here. It's nice to wait, but there always -- as the saying is -- there's -- "A - sittin' and a-waitin' never made a body great. God provides the fishin', but you must dig the bait." And so I'm saying to you, in this Legislature, that I think that we should be busy about diggin' some baits, and do something for these people. These people are citizens here in the State of Illinois, and where you are comfortable in your setting, these people are suffering every night. It's very easy to say we'll wait another year, but time is -- is at a premium, and so I hope that in the deliberation and -- and -- and the -- and the exercising of this legislation, you think about that. That's all I have to say. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

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Senator Schaffer, I just want to read you something here that's in our analysis. And I know you've often worked to try to say and help this place along. It says here, DMHDD does not have an excellent record of managing and overseeing its own facilities and services relating to the developmentally disabled. It has frequently been cited for problems at the Howe/Tinley Park Development Center for violation of federal Medicaid standards by the U.S. Health Care Financing Administration and by the Illinois Department of Public Health. It is difficult to justify DMHDD taking the lead role for systems integration, considering historic deficiencies of the current State system that mental health experts across this country have rated as one of the worst in the nation. And now you want to turn that over to those people?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

To answer that question again: one of the reasons, I think, some of those criticisms are justifiable is because of the complicated diverse system we have, where everybody has part of the action and nobody's responsible. What we're attempting to do with this is to finally get all the DD programs, DD planning, the DD responsibilities, in the hands of one agency and saying, "You are responsible. Don't tell us it's the Public Aid Department's fault or Public Health, or DORS. It's yours. We hold you accountable. We hold you responsible for the stewardship for these people, and you no longer have any excuses." That's what we're trying to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Palmer.

SENATOR PALMER:

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

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator Schaffer, I certainly agree with you in that we need a system that provides leadership. I just have one question, and I'm not clear from our analysis. What will be the input -- what means will the agencies have for input into this system, so that their varied interests are protected?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I've talked to Director McDonald and some of the other people that'll be involved in this process, and I have been assured that all community agencies and advocacy groups for the developmentally disabled, be those people that are primarily interested in community-based or institutional-based, will be - have been already, as witness the fact that a hundred and forty-one of their groups have formerly endorsed this proposal - involved in the process to have it work. They have to be. And if anyone is familiar -- I -- I shouldn't get too effusive about a director, but if we've every had a Director of the Department of Mental Health who understands the duplicity of the State system, and who understands how to make it work, that gentleman is in place today. This is a golden opportunity to move forward - to evolve a better system for the developmentally disabled in this State - and I only hope we'll take it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer, do you wish to close?
Senator Schaffer.

SENATOR SCHAFFER:

You know, perhaps out of bad times occasionally good things come. The last few years have not been very much fun for those of

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us in State Government, when it comes to money. But one of the outgrowths of that is that I think it has, for the first time, made some of our bureaucracies receptive to change - change to develop systems more efficiently. They understand that there isn't unlimited money. They aren't going to be able to have duplicate services and duplicate inspectors. They understand that they need to become more efficient. And because of the hard times - I think for the first times - we have an historic opportunity to get the agencies together and to move forward for real progress to eliminate this complicated system that's evolved in the last forty years - to get people to think perhaps of the clients instead of turf. This is a golden opportunity, and I urge your support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3713 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 47, the Nays are 5, 2 voting Present. House Bill 3713, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3716, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3716.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. House Bill 3716 would require that the Auditor General conduct a single program audit of the Section of the Public Aid Code pertaining to the enforcement of property transfers of institutionalized persons. The intent of the bill is

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to review the Medicaid eligibility requirements, and make them a priority for the department, to target the limited Medicaid funds for the very poor or low income, and would save money for the State. I urge your Aye vote. Answer any questions that you may have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3716 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 3716, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3718, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3718.

(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 3718 may not be quite enough. It appropriates five dollars to the Department of Commerce -- Conservation, and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3718 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 3718, having received the required

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constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3719, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3719.

(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 3719 appropriates five dollars to the State Fire Marshal. I would answer questions, and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is -- if not, the question is, shall House Bill 3719 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, none voting Present. House Bill 3719, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3720, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 3720 is a DASA bill. It's a vehicle. It deletes the effective date and appropriates five dollars to DASA. I move for

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the adoption -- for the passage of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, then the question is, shall House Bill 3720 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 52, the Nays are 2, 1 voting Present. House Bill 3720, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3724, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3724.

(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 3724 appropriates five dollars to the Auditor General. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3724 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 50, the Nays are 1, 1 voting Present. House Bill 3724, having received the required constitutional majority, is declared passed. Page 19. House Bills 3rd Reading, House Bill 3726, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3726.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Would you hold, please, 3726, 27 and 28.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. 3729 is on the Recall -- was on the Recall List this morning. 3746. Senator Jones. House Bills 3rd Reading is House Bill 3746, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3746.

(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 3746, as amended -- it allows a converter dolly to change semi-trailers to full-trailers to allow for multiple use of trailers. This is a recommendation from the State Police, and defining the dolly will clarify the enforcement when it is pulled alone, avoiding the charge of illegal combination. Also in the bill is that local governments can fine overweight trucks that -- exceeds posted speed <sic> limit, and that fine can be for fifty dollars, and if the -- it is over the weight limit, it's seventy-five dollars per five hundred pounds or a fraction thereof. This amendment was worked out with the Municipal League, had a little controversy in committee. I know of no opposition; I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

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

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR KELLY:

Senator Jones, I know right now that you have like two trailers, you know, connected to a truck. Does this extend it to three?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

No, it doesn't. What it does is -- this is a common practice that is used -- it's a converter dolly. See, right now, if they had that vehicle out there with that dolly by itself, and they convert it, then -- it's a technicality. All this does is clear up the technicality. They may drop a trailer, go a hundred miles, pick up another trailer; so this allows them to do this without being in violation of the Vehicle Code. So the State Police recommended this, and there's no problem there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones may close.

SENATOR JONES:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3746 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 3746, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3754, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3754.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. House Bill 3754 is the State Police and CMS administration bill that basically does three things. It would allow the State Police to capture funds from private foundations, which it presently, evidently cannot do. There is a total of sixty-one million dollars that are donated to law enforcement agencies in the entire United States, and our hope is to at least be able to capture part of that. It also expands language in the Missing and Exploited Childrens Trust Fund, and the third component is that it would allow for recovery of training expenses incurred by the Illinois State Police for in-house training. Also within that particular component, it -- it would say that a trainee would have to be employed by the State Police for at least two months for every one month of -- of training. Very similar to what we do with other student-type loans. The fourth component is the amendment that we added yesterday, that deals with us opting as a State into the compact formed by Florida, Georgia, Tennessee, Kentucky and Indiana, for the establishment -- of an Amtrak service line between Jacksonville, Atlanta and Chicago. And the intent by Amtrak is to -- is to get their trains into the Chicago market by 1996 for the Olympics that would be held in Atlanta. The bill is -- has no money in it, and it would be subject to any appropriations, so thereby the State is not obligating itself for any money, and the Department of Transportation is neutral on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3754 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3754, having received the required constitutional majority, is declared passed. House Bill 3769. 3785. Senator Carroll. 3785, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3785.

(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. As House Bill 3785 now stands, this creates the Child Fatality Task Force within the Department of Children and Family Services, some twenty-five members, basically uncompensated, and -- the purpose of which is to review cases when a child's death occurs and the child had been a ward of DCFS. I believe that this is something long past due. I think this has been worked on long and hard by Members of all sides of the aisle, both sides of the Rotunda. I would be willing to answer questions; would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3785 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 3785, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3787. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

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House Bill 3787.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If anyone wishes to ask Senator DeAngelis some questions, he has his adviser standing right behind him. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 3787 comes from the Fire Marshal's Office, and extensively amends the Boiler and Pressure Vessel Safety Act to conform with the American Petroleum Institute and the National Board of Boiler and Pressure Vessel Inspectors. I urge the adoption of House Bill 3787.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3787 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 3787, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 3794, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3794.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The Legislature, back in 1897, passed a bill which -- a portion of which we would wish to repeal. That law permits aliens to hold title to property for only six years, after which time the land

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must be conveyed to someone else. What this bill does is to take that requirement out of the law. However, we do say that this Act does not apply to the Agricultural Foreign Investment Disclosure Act, which was a more recent bill which we passed to have an idea as to how -- how many foreign -- what the foreign ownership is of our farmland. Be happy to answer any questions. I think this is a time to repeal an outdated Act, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

The other day when this bill was up, someone asked about what other countries do as far as United States citizens owning land in their countries. What is the law in -- in Japan? Can -- can Americans own land in Japan? Can Americans own land in England? Can they -- what -- what do you know about the reciprocity of enacting such a law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. You're correct, Senator; we did take this out of the record so that I could do research on all of the nations of the world to see what their laws were with regard to foreign ownership. But then I stopped, because I realized that that task would be too great, and it occurred to me in discussions with Senator Dudycz, that what this bill is really aimed at would be a situation -- a typical situation in Chicago, where you could have an immigrant from Eastern Europe come over to the United States, save money, purchase a two-flat or a bungalow, and not realize

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that the law says that they cannot own that for more than six years. If we were to look for reciprocity with other nations, especially the nations of Eastern Europe, where we would say a Polish immigrant can't own land here unless Poland changes the law and says that Americans can own land there, it would be disastrous, because I would suspect that in Eastern Europe, those Communist -- former Communist states don't have reciprocity. So I think as a -- as a philosophy, we just decided - that is the sponsor, and Senator Dudycz is now a co-sponsor - as a philosophy, we're saying, "Lookit, if someone comes to this country, they save their money, they purchase property, there's no reason in the world not to let them own that property." However, we do say, with regard to agricultural land, that we passed a bill a few years ago that said we want to have a register. We want to have an idea as to how much land is owned by foreigners. That remains the same. But the -- the prohibition that was put in the law in 1897, saying foreigners -- aliens could not own property, is outdated, and as a result we -- we've rejected the concept of reciprocity, and -- and for that reason, I would urge an Aye vote again.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Well, Senator, I commend you on using the country of Poland as an example to get Senator Dudycz's sponsorship, but let's -- let's take a -- let's take an example of a piece of property that is not owner-occupied, but it is used and purchased by a country that has high real estate costs and very little land - such as the country of Japan - and they want to speculate in the American real estate market. The agricultural exemption was basically done to prevent speculation by nonfarmers and corporations into farmland. I think that was the basic purpose, as opposed to your example, which is an owner-occupied piece of property. It -- what would

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you think of an amendment saying that an owner-occupied piece of property is -- is different from land that is not owner-occupied, which would tend to be speculative?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, the reason why the bill came from the Chicago Bar Association is that, -- as a matter of fact, for those people who were obeying the law, all they were doing was, after six years, they were conveying the land to a straw man, and then conveying it back to themselves. Just making work for some lawyers and avoiding the -- the requirement of the law that they not -- they can only own it for six years. So this was just a ruse that was going on in order to get around the law. The same ruse would -- could be established with regard to nonowner-occupied land, and I just don't see the need for it, myself. I really don't -- don't think that this concept of reciprocity is important. Why wouldn't a Polish person who bought a cleaners, or a Korean person who bought a cleaners, that's -- they don't live in -- why should that -- they have to go through this ruse? I just really don't see the -- the concept of reciprocity as fitting into this law.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. You know, a lot of what we do around here is perception rather than realism, and in this particular bill, I suppose that anybody who's running for reelection that -- this bill somehow or other can be perceived as somehow or other we have given to the foreigners all of our land and our buildings and our property and -- and whatever else is available. I think everyone ought to really take a close look at this one, simply on the political part of this, rather than on its

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merits, because if you're able to defend this, fine; if you are not, you ought to take a serious look at it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR GEO-KARIS:

Do I understand that there is a law on the books now that says that farmland cannot be acquired by aliens? Is that right?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

No. There is a Statute called the Agricultural Foreign Investment Disclosure Act, which simply does not prohibit foreigners from owning agricultural -- it just makes them -- I guess it makes a list of the owners. And -- and what we're saying is, with regard to this bill -- we're specifically exempting this Section from that Act.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies...(machine cutoff)...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Geo-Karis, please.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the bill that Senator Cullerton is trying to repeal is really an anachronism in the law, because if we all stop to think, we all come from foreign stock at one time or another. There are many people - a lot of older people - who probably don't realize that -

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the fact they may still be aliens, and yet they're good citizens - they could have their land taken away from them, if the State's Attorney goes out and files a petition against them, since they haven't become citizens in six years. I don't think we should discriminate. I think the bill has found its time, and I think the bill is in order, and I think we should clean up this anachronism, because we can't deprive people. Like Senator Cullerton says, some of these Korean people came over legally, they try to work, not to be public charges. Are we going to penalize them? I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR COLLINS:

Senator, when you -- how -- are you defining "alien" as just someone during that period where they have not acquired citizenship? It's just that period? Okay.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR COLLINS:

So then, if...

SENATOR CULLERTON:

Yes.

SENATOR COLLINS:

If they don't become a citizen they can still keep the land under your bill? Not being a citizen of the United States?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR COLLINS:

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Why -- I mean...

SENATOR CULLERTON:

Yes.

SENATOR COLLINS:

Senator, with all of the Fortune 500 - most of them - and the mergers and the reorganization and the restructuring of businesses and moving to other countries, are dodging paying taxes in this country, and taking all of the jobs to foreign country. Now somehow you want aliens to be able to -- and not become citizens, and then buy up the property and own it in America, too. You know -- what are we doing? I just don't quite understand what you're doing. Maybe it's something I'm missing here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, all of those evils that you speak of generally are in speculation in stocks and bonds. And this bill doesn't affect that. If foreign companies want to come in and buy out our companies with -- by purchasing stock, that's something which -- which goes on, and this bill doesn't affect it. What this bill talks about is specifically someone who is not a citizen, who owns property. Currently the law allows them to own that property for only six years; then, as a general rule, if they are not violating the law, if they are aware of the law, they transfer the property to a straw man, they transfer it back to them and then they go for another six years where they own the property. The Chicago Bar Association was aware of this practice. They thought it was outdated. We looked at the law that created this prohibition. It was passed in 1897, and so that's why they came up with this suggestion that we repeal it. It -- a more typical example is someone -- an immigrant -- who purchased either their home or a small shop, and this law requires them to -- to transfer it. Now

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why they don't become citizens -- maybe they didn't pass the test; maybe they have a problem with the language; maybe it takes them eight years to become a citizen. Well, why should they have to transfer their property after six years and then have it transferred back to them? That's -- it's silly.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

Senator, I -- first of all, I clearly understood when I made my first statements, that this bill had nothing to do with the restructuring and reorganization and people moving to foreign countries, and -- and manufacturing their goods or doing their business over there. I understand. But it fits into the whole economic picture in America, and that's why the federal deficit is the way it is - because people are not paying taxes and people are not being employed in this country, because of those practices. I am not opposed to - and it has nothing to do with this bill - but when -- then when you couple with this, and say now we would allow foreigners; they don't have to become citizens of the United States, ever - ever - to purchase land. That's what I asked you. Is this an indefinite thing? Because I am not opposed to someone who comes here with the sole intent purpose of becoming a citizen of this country, purchasing and owning land as a citizen, when they -- as a citizen, but not if they never intend to become a citizen, because what you are going to do here is add to what we already have that has totally destroyed this country economically, and we will never, ever be able to retrieve it again. And that's what -- what is so wrong with our policies - our federal policies - that have led us to where we are now with the federal deficit.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Lake, Senator Barkhausen.

SENATOR BARKHAUSEN:

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Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR BARKHAUSEN:

Senator Cullerton, is this your first bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Hopefully it is. Senator Cullerton <sic>.

SENATOR BARKHAUSEN:

I -- I must say, I'm having trouble wondering why so many questions are being asked about a bill that was on the Agreed Bill List in committee, and as the spokesman of that committee, and feeling strongly that, in general, there ought to be a free international market in property of all kinds. I -- I understand that we have a week yet to go here in Session and not too many bills to debate, and having been here for a few years, I recognize the tendency to go on ad nauseam to fill a void that might otherwise exist. But I think the sponsor's bill is a good one, and deserves support, and it probably doesn't merit any continuing debate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will not yield.

SENATOR KEATS:

Is this your last bill? I would rise in support. Senator Barkhausen just made a point. We're hearing all these political analyses of this bill. Let's not get carried away. You can read the whole bill. I mean, it's going to take you about two seconds. All it does is take an outdated 1887 <sic> Act and say, "Hey, if you move here, you can buy property." Really. Read your

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analysis. Read the bill. This is not a big thing. Believe me, it's a minor bill. It's just a fairness Act. I commend Senator Cullerton for enjoying this abuse and being kind enough to stand up and give us a figure to pillory for awhile, but believe me, this is not a major bill. Take a quick look at your analysis, and please give him some support and get on to the next bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I don't want to prolong the debate here, but I also rise in strong support of this legislation. I think this is a fairness issue. We're talking about individuals who are legal residents, individuals who pay plenty of taxes, individuals who are responsible homeowners, business people who are contributing greatly and are contributing to the stability of communities throughout the entire State. I think you'll find individuals who fall under this category in every single legislative district in the State of Illinois. So I hope that the Members will support this legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. I didn't realize at the time that this was on the Agreed List that it was -- this bill was tied to the federal deficit. I hope it's not. I hope it's just a simple bill, which I've tried to explain, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 3794 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 32 Ayes, 24 Nays, 1 recorded as Present, and House Bill 3794, having received the constitutional

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majority, is hereby declared passed. House Bill 3796.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hudson, for what purpose do you seek recognition?
Hudson, please. Senator Hudson, Ma'am.

SENATOR HUDSON:

Thank you, Mr. Chairman. A very quick point of personal
privilege, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

State your point, sir.

SENATOR HUDSON:

In the President's Gallery, we have a group of students from
Oswego High School and their teacher, Tom Fletcher. Tom has been
down many times with his students, and they are students in North
American Government.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let the Senate recognize the ladies and gentlemen in the
balcony. Let's give them a warm welcome. Hope you enjoy your
visit. House Bill 3796. Senator Jones. Read the bill, Mr.
Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3796.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

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SENATOR JONES:

Yeah. Thank you, Mr. President. House Bill 3796 amends the Nursing Home Care Act and sets forth conditions for which a nursing home can be issued a two-year license. It also will give the Department of Public Health more time to deal with those nursing homes who are deficient. I know of no opposition, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill -- excuse me. Senator Di Turi. Question is, shall House Bill 3796 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 3796, having received the constitutional majority, is hereby declared passed. House Bill 3810. Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3810.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This bill is agreed to by the Supreme Court, Secretary of State, State Police, Circuit Clerk of Cook County and DuPage. It establishes a uniform conversion date to the Illinois Compiled Statutes, and I urge its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 3810 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

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recorded as Present. And House Bill 3810, having received the constitutional majority, is hereby declared passed. Please turn to page 20. Page 20 appears House Bill 3814. Senator Tom Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3814.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This was an agreed bill, and it's at the request of LRB. Clarifies a technical error in the amendatory Act regarding the Child Labor Law. I urge its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 3814 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 3814, having received the constitutional majority, is hereby declared passed. House Bill 3815. Out of the record. 3823. Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3823.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 3823 prohibits the

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credit card sales from being passed through a merchant's accounts, unless the merchant actually provided the service or the product. There is an amendment on it to clear up the situation in which AT&T -- or stuff is ordered through the telephone. I urge the passage of House Bill 3823.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 3823 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 3823, having received the constitutional majority, is hereby declared passed. 3843. Senator Welch. Oh, that's on the Recall. 3857 was on Recall. 3867. Senator Philip. Lady from Lake, Senator Geo-Karis, what purpose you seek recognition?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have the pleasure of having in the President's Gallery today, Dr. Charles J. Schulze from the College of Lake County; and his mother and father, from West Palm Beach, Florida, Charles and Carmina Schulze - S-C-H-U-L-Z-E, and their two grandchildren, Chad and Danny Schulze. And my constituents are from Libertyville, Illinois - my new part of my district. And I'd like you to help me welcome all. They're in the gallery today with their distinguished son, Dr. Charles Schulze.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let's give them a nice warm welcome. Senator Severns, what purpose you seek recognition? Severns, please. Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I also rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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State your point.

SENATOR SEVERNS:

It's my honor today to have three of the best Senate Pages I think this Floor has ever had, and -- my nephew -- two nephews, Graham, Weston, and my niece, Christen - the children of my twin sister who's up in the gallery, Patty Love, and Doug Love and their grandparents - my parents, Don and Helen Severns. I'd like the Senate to join me in welcoming them.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let's give them a nice warm welcome. Make sure those Pages put in a full day. Senator Geo-Karis. Another introduction?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

State your point.

SENATOR GEO-KARIS:

We'd like everyone to know - and this is important - the Senate softball team of our young people beat the House softball team last Friday by a score of 10 to 4. And the members of our team here from the Senate were Chad Lucas, Chris Kratzer, Tony Trapani, Tim Nuding, Derrick Reynolds, Shelby Roberson, Dave Metnick, Tom Monroe, Chad Scaife and Don Maxfield. Now I think that's marvelous. They won two years in a row. We finally won our first one a couple of weeks ago. So I think it's a step in the right direction. I think we should congratulate and applaud our young people who worked for us here, winning the Senate softball team game against the House.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Congratulations, all. Any more introductions? What about -- let's go on back to Senate <sic> Bill 3867. Senator Philip. Out of the record. 3870. Senator Jones. Out of the record. 3898

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and 3902 are Recalls. 4002 -- 4022. Senator Kelly. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4022.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. House Bill 4022 would require the State Board of Education to complete a study and develop rules for the use of behavioral intervention for special education students. Behavioral education, as you know, is the use of physical techniques to restrain or control a special education student. We had -- in fact, what initiated this legislation was a special education student was actually locked in a box. This would require a -- a study, and certainly we should not have that kind of treatment of special education students. And I would appreciate your support, and answer any questions you might have.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Davidson.

SENATOR DAVIDSON:

Was the amendment that you tabled yesterday - removed the mandate on all the school districts?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly.

SENATOR KELLY:

The -- the amendment yesterday was Senator Berman's amendment, and that was -- that was tabled, and that would not have any impact on this bill. This bill strictly deals with behavioral intervention of special education students now.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Well, my understanding -- that's the intent of the bill, but my understanding the way the bill is written, that it would apply to all students, not just special education, in all school districts in the State. Is that correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly.

SENATOR KELLY:

No, that didn't have anything to do with that at all.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly, to close.

SENATOR KELLY:

Appreciate your favorable support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 4022 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 4022, having received the constitutional majority, is hereby declared passed. 4024. Senator Jones. 4025. Senator Welch. 4027 is on Recall. Please turn to page 21. Senate <sic> Bill 4030. Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4030.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Mahar.

SENATOR MAHAR:

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Thank you, Mr. President and Members. This -- House Bill 4030 does two things. First of all, it makes a technical correction which is being sought by the Legislative Reference Bureau, and secondly, there is -- includes a proposal of the Illinois Criminal Justice Information Authority, the State Police, and the Circuit Clerks Association to remove a redundant reporting requirement of the court dispositions to the Department of State Police by the circuit clerks.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 4030 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 55 Ayes, no Nays, none recorded as Present. And this -- and House Bill 4030, having received the constitutional majority, is hereby declared passed. 4037 and 4039 are Recalls. House Bill 4040. Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4040.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 4040 would authorize members of county boards or governing bodies to participate in public hearings regarding local siting approval. They may give testimony on the issue and subsequently vote on the relevant issues. If there's any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall House Bill 4040 pass. All in favor, vote Aye. All opposed, vote Nay. The

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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 4040, having received the constitutional majority, is hereby declared passed. 4049. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4049.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4049 clarifies that the Savings Statute of the Code of Civil Procedure covers causes of action dismissed by a federal district court for improper venue. We amended the bill to clarify this very limited intent. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 4049 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 4049, having received the constitutional majority, is hereby declared passed. 4056. Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4056.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

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Thank you, Mr. President. Yes, this does amend the AIDS Confidentiality Act, and will allow for a health care provider or a physician to notify the parents of a minor when they have tested positive for HIV virus. This does not mandate that the physician contact the parents. They must do so after consultation with the minor, in hopes that the minor will talk to his parents and notify them. Then the physician would do this only if they felt that it was in the best interest of the -- of the minor. There's no requirement here that they do this. What we're simply saying is that the list of those exemptions under the Confidentiality Act of the AIDS Act, we're going to add that a physician may contact the parents if a minor tests positive for HIV.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

So, Senator Watson, there's no mandate in this language at all?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Originally there was a mandate, but that was taken out by an amendment in the House. There is no mandate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton <sic>.

SENATOR MAROVITZ:

Let me -- let me ask you a question, Senator. Do you feel that -- you know, I think the thing that we'd like to see happen most is for people voluntarily to go in and get tested, and that anything that encourages testing would be in everybody's best interest. That's why it's so important to encourage testing and to have counseling and to have confidentiality. One of the fears that many in the medical profession have said is that if you -- if

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you do any mandates or you -- you break the confidentiality code, you are going to discourage people from testing. All this bill says is that a doctor or a health care worker "may" inform parents if they feel it's in the best interest of the child?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman. I'm sorry. Senator Marovitz.

SENATOR MAROVITZ:

We all look the same, but...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

No, Art had his light on. Don't give me that nonsense.

SENATOR MAROVITZ:

That's all right. Senator Watson, does the health care worker have to notify the patient - the one who was tested - if they're going to notify the parents, or can they do it behind the child's back?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Well, it would be done after a consultation with the child, first of all. There would be consultation with the child and encourage that child to discuss this with his -- with his parents. I don't believe that there's anything in here that would mandate that the health care worker notify the minor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman. Berman.

SENATOR BERMAN:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Indicates he'll yield.

SENATOR BERMAN:

Let us assume that the patient -- Senator Watson, that the patient is a seventeen-year-old female. Without this bill, if there is any development, whether it be HIV positive or anything else - syphilis, some other disease - may a doctor communicate that to the parent of that seventeen-year-old?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

I believe that is covered under another Section in another Act, and I believe that, yes, in fact, they can.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Then explain why we need this, if the doctor already has that authority.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

This -- this is the AIDS Confidentiality Act, and this prohibits a physician from talking to a parent. What we're saying is that the physician may disclose to the parents if, in fact, there's a positive test for HIV.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Then if the seventeen-year-old patient says to the doctor, "Doctor, I don't want you to tell my parent," may, under this bill, the doctor still tell the parent?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

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SENATOR WATSON:

If that physician felt it was in the best interest of the child, yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

To the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Please proceed.

SENATOR BERMAN:

I think that I'm -- this is one of those dilemmas, I think, that we are faced with. With the passage of this, that changes the confidentiality of the AIDS Law, people out there -- and I say people, because we're not dealing with children. You know, we're -- we're not talking about four-year-olds and five-year-olds. We're talking about -- to a great extent, you're talking about people who happen to be fourteen, fifteen, sixteen, seventeen years of age. Will this change discourage them from getting the kind of treatment that we want them to get? I don't know the answer. That's my dilemma. That's the dilemma that this bill poses. And I'm confronted with the problem of -- that we had when we passed the AIDS Confidentiality Law. We decided that it was public policy to keep this confidential in order to encourage treatment, and this appears to be a step in the wrong direction, if we're going to maintain the encouragement for treatment. So I -- I think I'm coming down on the side to oppose this. I would appreciate hearing the sponsor's responses to this, but that's where I'm coming down. We passed it - to protect confidentiality - to encourage treatment. We're not saying AIDS is good or bad or anything else. We passed the Confidentiality Law to encourage treatment. I think this is the wrong direction.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, if the doctor is not permitted to notify a minor's parent or guardian, who's going to help that minor if that minor has AIDS? I can appreciate confidentiality, but this simply says that the doctor "may" notify a parent or guardian, and I think that should be in the bill. It doesn't create a duty upon the health care provider. And the doctor is going to have to decide whether the notification is in the best interest of the child, and if the -- and if the provider has sought unsuccessfully to persuade the minor to notify the parent or guardian. I think we've got to have some common sense around here. Who's going to help that minor? Wouldn't it be more incumbent upon the parents of the minor to help that minor? Whether it's seventeen or seven, it's still a minor. And I certainly speak in favor 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. This bill, 4056, it sounds good - to go home and tell your parents that you are afflicted with HIV. But if you had been in our committee -- there were young people who were there that testified, and they said -- some of them said they did go home to their parents, and they notified them that they were victims of HIV. And immediately they were thrown out of the house. Mother didn't want to have anything to do with them. You got it out in the street; now you stay out there in the street. And so, many of them are out there in the street today, unprotected. And the only salvation that they have - solace - is to go to the providers that are out there to take in these young people and to help them. Who are they going to go to? Not to their homes. Mother and dad

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don't want to be tainted. And some of them are afraid to say anything to their parents at all. So they've got to go somewhere. And if you take it home to your parents, that's why you have so many children to date out on the streets, living homeless, to take home. Children are frightened and they're afraid. I think that you should find another way. And the next thing I would like to ask the sponsor, if I may ask you a question, please, sir.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR SMITH:

What are the med societies -- are they in favor of this bill, the Med Society?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

I don't believe they've taken a position. I've talked with them on two different occasions. They certainly support the intent of the bill, and some of the liability problems that they -- they may have some concerns with were addressed in an amendment in the House. So I -- I think they're neutral.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Smith.

SENATOR SMITH:

I just want to close with saying this: sometimes things are nice, according to protocol, to go home and tell mommy and dad, but sometimes things that are best -- are not administered is best -- things that are not administered are not best. I'm saying that to say this: that I think that you would think of -- first of the person who is the victim. They're the ones who are to be consulted. Maybe it's not right that they should not go home to momma and dad. But if it's going to cause them to stay out in the street, as they are now, I think you should take the right way -

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let that child be the -- the -- make the decision there, and -- so you can get him to a doctor and get him well, or help him in some way that will help him to help himself. I'm against this bill. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let me just point out to the Membership, half the board is lit up. Gentleman from DuPage, Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Well, I rise in strong support of this bill. I began to wonder, as I listened to the debate here, if the parents have any rights at all anymore. Are there any such things -- is there any such thing as parental rights? It doesn't seem that way to me. Some of the people that I represent - most of them - are not people who would stand in abhorrence to be informed as to something wrong with their child. As a matter of fact, the constituents that I represent - most of them - the parents would be aghast if they could hear the debate here today, which effectively would foreclose on any information they might have of this kind relevant to their children. We can't even give, on the other hand, in the schools -- my understanding is if a child is administered aspirin or some other form of medication, his parents have to be notified. I may be wrong about that, but that's my understanding. But when it comes to a disease of this kind, for some reason we feel the parents then would be -- well, just -- they aren't entitled to know, or it would hurt the child, it would keep the child from receiving effective treatment for this disease. I believe quite to the contrary. In most cases, bringing the parents into this knowledge would help that child. In consort with a physician and with a doctor and the parents, I think that child stands in better -- a better chance of effective treatment than without it. I just don't understand this line of reasoning. I think we have gone way too far in denying parents --

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now these are minors and this is a -- this is a permissive bill. Doesn't say anybody has to do anything. But I think we've gone way overboard in denying parents knowledge about their children that, in my opinion, they are certainly entitled to have, and would be of help to the child in the long run. So I would urge strong support of Senator Watson's bill. I think he has a good one.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR COLLINS:

Senator Watson, under this bill, how old -- is there a age limit? Is there age limits set in this bill at all?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Yes. A minor, which would be under the age of eighteen.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

Does -- does it distinguish between whether or not we're talking about emancipated minors, minors that have -- living outside of the home and not the responsibility of the parent, versus a minor living in the home, responsibility of a parent?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

No, that's not addressed. It's all minors.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Collins.

SENATOR COLLINS:

Senator, maybe that's probably -- for some of us is one of the major flaws of the bill. If you're talking about an emancipated minor who could have been married once or not married once, have children, living outside on their own. A lot of kids move out of the home sixteen, seventeen years old, eighteen years old, and are considered adult out there, even by the Federal Government. I don't agree, but that's the law of the land. Says if you're an emancipated minor, then you're no longer -- that your parent is no longer financially responsible for you. They do that in terms of your welfare grants. But I'm concerned about that group under eighteen, live with their parent, and the parent is responsible for paying the bill when they have AIDS. Now I am very much concerned, and -- and let me just say to some of you who -- most of us deal with these issues on the basis of -- I mean, and we make our decisions whether to vote for these issues from either a political frame of reference, or so-called pro-life frame of reference, or so-called pro-choice frame of reference, or just plain emotional - from an emotional standpoint. This is a very serious piece of legislation here, because on the one hand I'm concerned about children's rights, but I'm also concerned about my right to have to support a child with AIDS, and I don't even know that the child got AIDS. I have to be responsible for planning the economic costs -- I mean, the costs of this kind of prolonged treatment, be it through my insurance or be it through whatever savings that I have. And that's a real fundamental, legitimate issue - that a parent have a right to be able to plan. Now we can deal with this from an emotional standpoint, but, Senator, I think you ought to take this bill out of the record and -- and exclude emancipated minors. Because if they are not no longer financially dependent on their parent, then they're not -- they are an adult,

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for all practical purposes. And that's what the Federal Government says. So if you do that, then I think you'd get more support for the bill, because I would support your bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, I think Senator Collins begins to, you know, get to the heart of what this bill is all about, and I think Senator Hudson begins to start getting at what this bill is all about. In other words, when -- when can parents now legitimately interact in the health care and welfare of their very own children? We have now managed to remove so many of their responsibilities, and then we wonder why parents and children don't talk, don't communicate. Kids are on the street. Kids leave home. And ultimately you have questions in terms of where are they and what are they doing; are they healthy and who's taking -- who's minding the store here. In terms of what went on in the committee, we did indeed have some plaintive stories from people who testified against this bill, but I might point out, when they gave their age, they were over eighteen years of age. And hence, these bills did not apply to them. Second of all, I don't think there's anything that we have included in this bill or in the discussion which removes parents from the responsibility of continuing to take care of the health care bills of these children, whether they be private-pay, whether they be out-of-pocket expenses, or whether ultimately, just as taxpayers, they wind up paying through Public Aid. I think -- I think Senator Collins brings up the fact, you're still responsible for paying all of these bills and providing for what is the downside of AIDS and this terrible, terrible disease, when you, in fact, don't even know necessarily that your child has -- has this problem. Unless we are seeking to make a Brave New World-type of

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scenario, where we decant babies and ultimately cease responsibility for them as parents at birth, and just turn it over to government or whomever, or just let them drift, I think this bill seeks to address what is a very fair and -- and a very just solution to a situation that exists. We have kids out there that have this problem, and they're going to have to ultimately talk to their parents - the sooner the better - and allow parents to -- to deal with their children. I have to react as a mother, and it's not a pro-life or a pro-choice position. If my kid has a sliver, I want to know about it. If my kid has AIDS, I sure as heck want to know about it.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Apologize for rising a second time, but this is a very tough issue for a lot of people because, yes, I think every parent should know if their kid has AIDS. Really, I think parents should know if their child's going to -- going to have an abortion, but the fact is, in this particular case -- and -- and here's the difficult part: We are all novices; we are all laymen when it comes to this. You have to depend on the health care professionals. The problem is, parents won't know, health care professionals who can help these kids won't know, because kids won't go. If they don't feel that -- when they have a privileged communication with a health care worker, and they don't feel that that privileged communication is going to stay right there with that physician or health care worker, they're not going to go get tested. And the key to all these solutions - whatever they are, with the terrible problem of AIDS - is getting tested. And the key to getting tested is confidentiality. Any time you break that cycle of confidentiality, you immediately diminish the number of people who will go in voluntarily and be tested. And so, while

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it's great to say parents should know - and they should - and it's important that health care workers know - and they should - if the kids won't go get tested because they're not confident that there will be confidentiality, all that rhetoric about parents knowing and health care workers knowing goes out the window, because, in the first place, the person's got to get tested. That's why I can't vote for this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President and Members of the Senate. What a wrenching time this is for parents and young people alike. I wish that I could vote for this bill, but the fact is, the bottom line of this issue is that AIDS is an illness that affects all of us - the entire community, the entire country, the entire world. The question is, what is the best means of testing and providing help to persons with the disease - in this case, who happen to be young people - and to permit them to have confidence in the health provider and to help them bring the disease under some control. If the evidence showed that the majority of youth with AIDS were from nuclear families, then I could say Yes; I could vote for this bill. But the fact is that, according to groups who deal with HIV victims, the majority of adolescents who have the disease are runaways who were victims of familial abuse. In that sense, the best protection for them is to permit them to have confidence in their health providers and not to come under the question, once again, of putting themselves, unfortunately, in a worse situation, by having to tell parents. In this case, as painful as it is, I say we should vote No on this bill. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Dunn. Thomas Dunn.

SENATOR T. DUNN:

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Thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR T. DUNN:

Senator, under the scenario of a minor with an HIV positive result, what is the doctor's legal obligation to the parents?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

Under current law, or under this particular piece of legislation?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dunn.

SENATOR T. DUNN:

Current law.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

Under current law, he is -- or the health care provider - the physician - is prohibited from notifying the parents.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dunn.

SENATOR T. DUNN:

To the bill: thank you. Well, I think, as -- as parents - and I being one of them - I think that we often operate under the delusion that we know pretty much all what our children are doing, and I would suggest to you that we probably don't know the half of it - thank God - what they're doing. This is really a balance - what we're trying to achieve here. And I think we're trying to achieve a right-to-know basis for parents, which is a -- which is a good end, because hopefully, parents that know can then do something. But by the same token, we're also trying to encourage

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treatment, and we know that if there is a break in the confidentiality, I think, as Senator Marovitz says, there will be a lack of people getting tested. So the question becomes then, would you rather know - as a parent - or would you rather have the child treated? Because it's not your child, of course. It's somebody else's child. It's never going to happen to your child. It's always going to happen to somebody else. And I think it's those pool of minors that we're really talking about. And I personally would say that between the choice of a right of me to know or not know, and treatment, I would prefer the treatment. So I would be voting No.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. What we are talking here -- what we are talking about are children who are ill. Those of us who have seen AIDS patients - and I've had one who was very close to me, so I, unfortunately, saw the result of this terrible illness - will see that these people who are infected with AIDS have diarrhea; they have stomach cramps; they can't retain food. They are sick. What the present law says is that the parents of a child cannot be told what's wrong with their child. Now maybe in some instances that's a good thing, but I think you underestimate parents. Parents want to know what's wrong with their children. They love their children. They are concerned about them. And it just seems to me that when we take this right away from parents - to know what's physically wrong with their children - we are overstepping our bounds as Legislators. Parents are responsible by law to take care of those children. And how in the world can we expect to take -- have them take care of them if they don't -- aren't even allowed to know what in the world is wrong? And the present law forbids, under any circumstances, a physician telling that parent

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what is wrong. Let the physician make the decision whether that parent should know or not. That's what this bill does. I think it's a good compromise, and I think we all should be for this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Well, very briefly, I would rise in opposition to the bill, and here's the way I analyze the bill, and I thought about it in committee and spoke to it in committee. If a person is a runaway - and unfortunately, I have a lot of runaway children in my district - they go get an AIDS test, they probably aren't going to care whether their parent or parents finds out. So this bill probably won't affect them. Parent -- if you can find them, go ahead, tell them. If you have a family that is a very strong family, a functional family - the one that we all like to think that is the typical American family - the fact is that if you have a good relationship with your child, that child's going to come to you and say, "Mom or dad, I think there's a problem here. I want to get this test." And they're going to tell you - themselves. But that's perhaps not very typical, but that's another category. But a more prevalent category might be a family where the child has not run away, and they live with the mother and father, and they're afraid. They don't want their parents to find out that they got AIDS or they're HIV positive. They're not sure that they are, but if -- if they know that there's any possibility that those parents are going to find out, they're going to say, "I don't want them to find out, so I don't even have to find out myself." So I think it's a great idea. We're sitting here saying, "Well, you know what? Those parents ought to find out, and we're going to pass a law that says the government ought to tell them, if they want. It's permissive. We're going to let the

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government know that they have the right to tell these parents, if they want." But the problem is that -- the real, on-the-street problem is, the child is going to say, "Lookit. I'm not going to take the chance of having my parents find out and then" - as in the case of some people who testified at committee - "kick me out of the house." And so it's a -- it's a nice idea. The parents ought to find out; I agree. And I hope if it ever happened to me, hope my children would tell me, but I'd rather -- it's much more important that they get the test. And this bill is going to discourage people from getting the test. And that's the whole point of taking the test, because we know that there's actions that can be taken, once you know that you have this disease, that would keep it from spreading. And so the key is not to make parents feel good because the government called them and told them that their kids -- are positive, but rather to make sure that people take the test. And that's why I'm opposed to the bill. And I don't question the motives of the sponsors, but I just think it's the wrong way to go.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Butler. Senator Butler.

SENATOR BUTLER:

Thank you. Ladies and Gentlemen, I'm a little confused by all this. It seems to me, first of all, Senator Cullerton, that the child would have had the test taken, or he wouldn't know -- or the doctor would not know whether or not the child indeed had HIV. Secondly, the Act requires that the doctor exercise some judgment, and that the notification only be done in the best interests of the child. Now we trust our lives to doctors, and here we are with a -- with a disease that is -- there is no known cure, and we say, "Oh, no, we don't want the parents to be notified." We dwell on the on-the-street children. Let's think of the millions upon millions of children who live at home, who enjoy a family life,

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but who maybe, at some point, have made a mistake. Ladies and Gentlemen, when should the parents find out? When should they find out? Should they find out when the child is on its deathbed? Should they find out when the child is beyond recovery? When -- shall they find out that the child perhaps had the wrong kind of treatment, made the wrong judgments? Who are we concerned about here? We're concerned about millions of ordinary children who may have or may not make a mistake. Let's not have the parents find out when the child is on its deathbed. That's wrong.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Roll call sounds very good. If the parents want to know, let the parents take them for the test. But this morning I checked with a big group of experts, and they said a No vote is the correct vote. Just understand the motivation. And when you had bad grades, did you even want to go home and tell them you had bad grades in school? You will motivate people not to be tested in the first place, and that would go contrary to what our interests are. I urge your No vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson, to close.

SENATOR WATSON:

Well, thank you. I appreciate the questions and the discussion - a lengthy debate on an important issue. And as Senator Collins said, yes, this is a serious piece of legislation, because it's a serious problem. We're trying to help young people. We're trying to help parents get involved with the problems of their young people. We're letting the health care provider - that professional who's been trained - make that ultimate decision as to whether or not the parent will be notified. This does not mandate. This -- right now, in current

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law, we're prohibited. The health care professional, the doctor, is prohibited from notifying the parents. What this simply says is, after discussion with the minor and if it's in the best interest of that particular child, yes, in fact, that health care provider or that doctor can notify the parents. Who -- who could be notified now under the Confidentiality Act? I don't know if you've looked it over lately, but we've -- we've added a lot of exceptions over the years, and probably rightfully so. We have -- EMTs are notified, fire fighters, law enforcement officers, foster parents are notified. And we're going to prohibit the natural parent from being notified? In many cases, treatment, counseling, the earliest possible means of -- of helping that young person could be made available if, in fact, that parent is notified. What about the rest of the family? Brothers and sisters. Shouldn't there be some precautions taken possibly in that household? Shouldn't the parents be notified so those precautions could be taken? Don't you think the parent would be there with -- the side of that individual, that young person, if, in fact, there's going to be an HIV positive? Don't you think you, as a parent, would do that? Shouldn't you be notified? Absolutely. And all we're saying is, yes, that doctor may notify the parents in a case of an HIV positive test. The proper vote is Yes, and I'd appreciate its support.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 4056 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, there are 41 Ayes, 14 Nays, 1 voting Present. Having received the required constitutional majority, House Bill 4056 is declared passed. House Bill 4070. Senator del Valle. House Bill 4078. Senator Severns. Read the bill, Madam Secretary.

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SECRETARY HAWKER:

House Bill 4078.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. House Bill -- House Bill 4078 is simply a vehicle that needs to go to conference for purposes -- for the purpose of addressing the Hospital Association and all groups affected by an eventual Medicaid assessment plan. I would hope we could let this bill go to conference, and hope that we don't need it.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 4078 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. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 4078 is declared passed. House Bill 4079. Senator Palmer. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4079.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Palmer.

SENATOR PALMER:

Thank you, Madam Chairman -- President and Members of the Senate. This bill amends the Nursing Home Care Act concerning nursing home violations. The fine for a Type "A" violation is raised from five thousand to ten thousand, in cases when a nursing

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home violation results in the death, great bodily harm, permanent disability or disfigurement of a resident. This bill came out of committee on the Agreed Bill List, and I know of no opposition. I'd appreciate a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 4079 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. On that question, there are 59 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 4079 is declared passed. House Bill 4106. Senator Barkhausen. Read the bill, please.

SECRETARY HAWKER:

House Bill 4106.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Madam President and Members. House Bill 4106 amends several Sections of our Statute dealing -- Statutes dealing with child support enforcement. It creates a process for stepping up the procedure of income withholding, when the -- the obligor -- the spouse obligated to make child support payments -- has failed to do so for a period of time. Illinois has been somewhat lax over recent years in connection with its child support enforcement efforts. And we are under the gun of the Federal Government if we fail to comply in the manner that this bill provides. And in fact, Illinois could lose up to 37.5 million dollars. So it's important that we support this legislation. There is no opposition to it that I know of, and I urge your Aye votes.

PRESIDING OFFICER: (SENATOR COLLINS)

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Discussion? If not, the question is, shall House Bill 4106 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. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 4106 is declared passed. House Bill 4112. Senator Welch. 4119 on Recall. House Bill 4128. Senator del Valle. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4128.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. The bill does exactly what the Calendar states. It requires credit be given to a minor on the dispositional order of detention for time spent in detention as a result of the offense for which the order was imposed. This bill is supported by juvenile court judges, the Chicago Bar Association and the County Board President. I know of no opposition. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 4128 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. On that question, there are 49 <sic> (59) Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 4128 is declared passed. Top of page 22. House Bill 4163. Senator Marovitz. House Bill 4168. Senator Raica. Read the bill, please.

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House Bill 4168.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Raica.

SENATOR RAICA:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This piece of legislation - House Bill 4168 - sponsored by myself and Senator Pat Welch - and I'd like to thank Pat for all the work that he's done on it - it's an initiative of Project HEART to make adoptions easier to do for people. It does the following: it creates a uniform filing fee of sixty-five dollars Statewide for all adoption cases. Upon good cause shown, the court may waive the fee in the special needs adoptions. Our understanding is the clerks have agreed to this. Secondly, the bill adds as a factor in an adoptive investigation, a criminal background check. Number three, it prohibits adoptive parents from paying reasonable living expenses of biological -- except upon court approval, and only when necessary to protect the health of the biological parents, or the health of the child sought to be adopted. I think the -- the problem that was -- has been corrected. Senator Berman brought a few points to our attention, and the Governor's staff, and we have since put an -- an amendment on to alleviate his problems. I know of no known opposition. I just solicit an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 4168 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. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 4168 is declared passed.

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House Bill 4188. Senator Dart. Okay. Soon we will go back to the beginning of 3rd Reading on page -- page 8 of your Calendar. We'll start back at the beginning. House Bills on 3rd Reading. Okay. Page 8. Top of page 8, House Bills 3rd Reading. House Bill 109. Senator Carroll. Read the bill, please.

SECRETARY HAWKER:

House Bill 109.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. -- Madam President, Ladies and Gentlemen of the Senate. House Bill 109 now appropriates one dollar to the Comptroller. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll. Discussion? If not, the question is, shall House Bill 109 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. On that question, there are 58 Ayes, no Nays, 1 voting Present. Having received the required constitutional majority, House Bill 109 is declared passed. House Bill 110. Senator Carroll. I mean, read the bill, please.

SECRETARY HAWKER:

House Bill 110.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Likewise, House Bill 110 appropriates a dollar to the

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Attorney General. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

I just would like to have leave after this bill is passed to do something.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- okay. The question is, shall House Bill 110 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. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 110 is declared passed. House Bill 112. Senator -- Senator Carroll. Read the bill, please.

SECRETARY HAWKER:

House Bill 112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. On behalf of Senator DeAngelis and I, we just appropriate one dollar to the State Treasurer. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 112 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. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I would like to have leave of the

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Body...

PRESIDING OFFICER: (SENATOR COLLINS)

I'm sorry. I'm sorry, Senator. I'm sorry.

SENATOR DeANGELIS:

Pardon? I would like to have leave of the Body to...

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis, can you hold your point for a minute?

SENATOR DeANGELIS:

Okay.

PRESIDING OFFICER: (SENATOR COLLINS)

On that question, there are 58 Ayes, no Nays, 1 voting Present. Having received the required constitutional majority, House Bill 112 is declared passed. Now, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I would like to have leave of the Body to show that Senator Dunn and I have agreed to do a flip-flop. He is going to take the lead on 3633, and I will be the sponsor. House Bill 3633, Senator Dunn lead, DeAngelis hyphenated with him.

PRESIDING OFFICER: (SENATOR COLLINS)

Then the record will so show. House Bill 2030. Senator Maitland. Read the bill, please. 230.

SECRETARY HAWKER:

House Bill -- House Bill 230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President. House Bill 230 requires the Administrators' Academy, and allows various educational service centers, to provide programs in school improvement and

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school accountability. It also requires school administrators who evaluate school personnel to receive training in either school improvement or the evaluation of personnel. I know of no opposition. It was on the Agreed Bill List out of committee. I would be happy to answer any questions; otherwise, seek your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 230 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. On that question, there are 59 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 230 is declared passed. House Bill 562. Senator Jones. House Bill 707. Senator Smith. Read the bill, please.

SECRETARY HAWKER:

House Bill 707.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Smith.

SENATOR SMITH:

Yes. Thank you -- thank you, Madam President. House Bill 707, which was on the Agreed Bill List, that -- it says that the Department of Public Aid shall approve rules to govern self-employment projects for AFDC recipients. Describes the rules. Implementation of the rules is to -- contingent upon the federal waiver. House Bill 707 is similar to House Bill 975 and House Bill 814 <sic> (1814). And House Bill 707 is consistent with a recommendation of the Joint Committee on Welfare Reform, which was created by Senate Joint Resolution No. 59. The Department of Public Aid supports this, and I ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Schaffer. Further discussion? If not, the question is, shall House Bill 707 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. On that question, there are 59 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 707 is declared passed. House Bill 760. Senator Berman. Not exempt. Senator Schaffer.

SENATOR SCHAFFER:

Madam President, on a point of personal privilege. I have with me today a Page...

PRESIDING OFFICER: (SENATOR COLLINS)

State your point.

SENATOR SCHAFFER:

...a Page from Woodstock, Illinois, Jay Jones, and in the gallery, his parents, John and Dee, and his sisters, Krista and Elissa, if I've got those pronounced correctly. And I'd like the Senate to acknowledge their presence.

PRESIDING OFFICER: (SENATOR COLLINS)

Would Jay Jones and our guests in the gallery please rise and be recognized by the Senate. House Bill 930. Senator Carroll. Nope. House -- House Bill 1081. Senator Berman. House Bill -- I mean, 1116. Senator Hall. 1116, Senator Hall? Read the bill, please.

SECRETARY HAWKER:

House Bill 1116.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall.

SENATOR HALL:

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Thank you, Madam President and Ladies and Gentlemen of the Senate. 1116 is -- is -- appropriates funds for the Community Care Program, and I move for the passage of it.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1116 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. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 1116 is declared passed. Top of page 10. House Bill 1129. Senator Leverenz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Madam President. House Bill 1129, as amended, addresses the Cycle Rider Safety Training Act. The intent of House Bill 1129 is to promote safety in Illinois. This bill will allow expanded efforts that are geared toward educational programs that specifically stress safety. Three things the bill does: one, it allows federal, State and private funds now to be -- would then allow them to be received and utilized by the Department of Transportation for safety training; secondly, it changes the fund into a trust fund, versus a special purpose fund, that would allow the fund to accommodate funds from different sources, specifically the private sector; and it would delete the fund limit that has been imposed, thus allowing more funds to be made available for safety training. When we have State resources getting as low as

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they are, we have to look for new ways to keep doing the same things or to improve them, and the private sector, I believe, is the right way to go. I would solicit your Aye vote to pass the bill, and answer any questions that you may have.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

In general, I think the bill probably has merit, but there's one part of it that I think we all ought to be aware of: that this takes these funds - the seven dollars per person - the motorcyclists - that are collected, and puts it in a nonappropriated trust fund, which the Legislature does not appropriate, which is controlled by, I presume, the Secretary of Transportation. We have no say as to how that money is spent. And I'm not saying that the Secretary of Transportation would - he's certainly an honorable gentleman - but you never know who's going to be there next. You know, they could start spending all this money on car phones and out-of-state travel. I don't know that we want, as a matter of policy, to be creating these little slush funds that we don't appropriate. I think we moved in the other direction a few years ago, and I don't see any wisdom at all in moving back towards these secret funds. I think it ought to be appropriated by the General Assembly, and I can't think of any good reason why anyone would not want it appropriated and reviewed by our Appropriations Committees.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield. Senator.

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SENATOR BROOKINS:

Senator, will you tell me why the need to transfer or hold these funds in education or to change the education formula for these funds?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you. As I said before -- your question is, why should it be transferred. We are changing the title. We then allow private funds, State funds and federal funds to be commingled in the same fund, and it would eliminate the provisions for transferring funds over a certain amount. It could then accumulate more money than it has in the past. And if you will look at the material that has been provided to us toward reducing helmet-related deaths, et cetera, and motorcycle deaths, you will find that the track record in the last six or seven years has had a tremendous impact, specifically because of the training programs. Then if we want deaths to go down, we must increase the amount of training programs provided; therefore, you have to increase the amount of funding. And because the State doesn't have the funds to increase the safety training, that is why we're doing this, to accumulate private sector funds as well.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Brookins.

SENATOR BROOKINS:

Let me suggest to the sponsors and the Members of the Senate that the reason that he is changing, or we're changing or attempting to change the way this money is allocated is because the State of Illinois will lose money because we do not have a motorcycle helmet law in the State of Illinois. And what we're attempting to do is to circumvent that by passing this bill. This is a way to -- to go if we want to be devious, if we want to

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change the way the federal law is structured, if we want to change things. I suggest that this is a bad way to go. This is not a good bill. It also allows monies to be used by directors of departments which we - we, as Senators; we, as the ones who appropriates the funds - will have no control over it. And we saw the dangers of that just this Session. I rise in opposition to this bill. I say it's bad and we should vote No on it.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Madam President. I, too, rise in opposition to the bill. I think every one of us here is in favor of motorcycle safety, but this bill strips all accountability for those who are assigned to oversee this fund. And I think that is a precedent-setting step which we simply should not take at this time, or at any other time, for that matter. So I would -- I too would ask for a No vote on this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR MACDONALD:

Senator, is this another one of those funds that would not be able to be audited by the Auditor General?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

I think they can be audited by the Auditor General; that -- they are housed in the Department of Transportation. But if the fund is simply used for rider safety training funds, as they have

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done, I don't see any reason why they would be used for anything else.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald.

SENATOR MACDONALD:

Well I guess the analysis says, yes, that they can be, and I'm sorry I didn't read the analysis. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz, to close. Senator Leverenz, to close.
Senator Leverenz, to close.

SENATOR LEVERENZ:

Why, thank you, Madam President. I appreciate the questions that I have been asked, and I understand the motivation for some of them being asked. The fact of the matter is that, yes, the one thing that will not be done - and I would not consider it a red herring - is that the fund would not be able to be raided, and we should stop raiding funds. If the prior speaker with all the red herrings could package them up and put them in a little can, I think he could get a good product from the Country of Sweden. Therefore, in support of the bill, I ask for your Aye vote to pass the bill. And I understand it doesn't always happen like it does in the House. It left there 115 to 0. However, they are not as astute as all of us here, and I would solicit your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 1129 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. On that question, there are 40 Ayes, 16 voting Nay, none voting Present. Having received the required constitutional majority, House Bill 1129 is declared passed. House Bill -- I mean, 1495. Senator Leverenz. Senator Leverenz, 1495? Read the bill, Mr. Secretary.

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ACTING SECRETARY: (MR. HARRY)

House Bill 1495.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you very much, Madam President. 1495 does two things. First, it provides that the space -- the township officials can sit as the Space Needs Commission Members. They only can do things that are specifically set out in the law. That was silent in the law. This would provide for that. The second thing it does is embody I believe it is Senate Bill 1628, that the sponsor failed to show up in the Rules Committee in the House. And that does -- the bill passed here - 1628 passed overwhelmingly, which provides that a company can apply for an exemption to a utility tax, and it is up to the municipality to grant that. Answer any questions that you might have, and ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1495 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. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 1495 is declared passed. House Bill 1504. Senator Woodyard. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1504.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President and Members of the Senate. House Bill 1504 is the result of an agreement reached with -- I guess during this past year, between mobile home park owners, tenants and the manufactured housing industry, and it very simply says that the mobile home park owner, if they cease to operate the park, must notify the tenants at least twelve months prior to the time of ceasing the operation of the park.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 1504 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. On that question, there are 57 Ayes, no Nays, 1 voting Present. Having received the required constitutional majority, House Bill 1504 is declared passed. House Bill 1890. Senator Berman. House Bill 2467. Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2467.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall.

SENATOR HALL:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 2467 expands the rights of local, State and federal law enforcement officers to inspect and copy law enforcement on a juvenile courts records pertaining to minors convicted of gang-related crimes. This is another to -- similar to what -- that they passed yesterday. And it came out of the Judiciary Committee on the Agreed Bill List. I ask for your most

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favorable support of this - 2467.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 2467 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. On that question, there are 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2467 is declared passed. House Bill -- House Bill 2697. Senator -- 94. Senator Severns. I mean Marovitz. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2694.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Madam President and Members of the Senate. House Bill 2694 now has two major new provisions in it. Increases the penalties for multiple unlawful transfers of firearms. This is to get at a loophole in the law where multiple illegal gun sales are made to gang members and drug dealers. And also this has the child accident prevention law in it, where somebody keeps a loaded firearm where there are small children likely to gain access to it, and it says that he has to -- the owner of the gun has to secure the weapon somewhere away from the children or there's a misdemeanor penalty. We passed that provision 55 to nothing, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 2694 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2694 is declared passed. Top of page 11. House Bill 2697. Senator Severns. House Bill 2699. Senator Hall. Read the bill.

END OF TAPE

TAPE 3

ACTING SECRETARY: (MR. HARRY)

House Bill 2699.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. This is a vehicle bill. It deletes the effective date for the State Board of Education. I move for adoption of this -- passage of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 2699 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. 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. Having received the required constitutional majority, House Bill 2699 is declared passed. House Bill 2700. Senator Hall. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2700.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall.

SENATOR HALL:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 2700 is Department of Public Aid vehicle, deletes the effective date and appropriates one dollar to the Department of Public Aid. I ask for your most favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 2700 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. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2700 is declared passed. House Bill 2714. 2714. Senator Leverenz. Senator Leverenz. 2714. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2714.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Madam President. House Bill 2714 would redo the way we handle lapse period spending in State Government. It would eliminate the three-month lapse period, and it would replace the current budgetary practice that we are working under now with a modified accrual basis for accounting. It would take a list of all things that the State has received that it purchased by June 30th and that - and only that - would be paid in the following

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thirty days, essentially is what the bill would do. It would stop what we all read about last year in Illinois Issues that the State continues on a -- a path of having fifteen months' worth of expense on a twelve-month amount of income. This would be done over a five-year period. I'd answer any questions that anyone would have, and I believe that this would be a bill that surely would be endorsed by the Audit Commission. Ask for your Aye vote to pass the bill, and answer any questions you may have.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR DAVIDSON:

In committee, if I remember correctly, there was some discussion about you're to work with CMS about a technical amendment or some technical problem that they had with this bill. Was that done, 'cause I don't see where an amendment's been placed on this bill?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

That is correct. We discussed and said that with CMS there were two funds that perhaps should be covered under this, since there is a five-year phase-in. One of the things that we can do is deal with that at a later time, because, in fact, there are two funds. The liaison for CMS came to me and said, however, that the amendment would not be offered at this time.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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Yes. Question of the sponsor, Madam President.

PRESIDING OFFICER: (SENATOR COLLINS)

Indicates he will yield.

SENATOR DeANGELIS:

Senator Leverenz, I thought that we were currently operating under generally accepted accounting principles.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Well, if you think so, this would really do it.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis.

SENATOR DeANGELIS:

What an answer. My concern is that you're asking us to implement a system which I believe is not generally accepted accounting principles, and that is an accrual system for -- which is for a system which is considered to be a cash system.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Yes. I -- I really admire your accounting understanding and business practice understanding. It is very close to a cash. It is a modified accrual basis. We just simply, as you well know, cannot continue to have fifteen months of expense on a twelve-month amount of income. And this would put in what is known as GAAP - G-A-A-P, Generally Accepted Accounting Procedures - in place. Right now our GAAP has been one of another kind, and that is too much debt at the end of the income. Again, the State currently operates on fifteen months' worth of expense on a twelve-month amount of income. And you cannot keep doing that. This would eliminate that. And I would ask for your Aye vote, also.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think you described the problem well, and doing an accrual makes it even worse. The problem is that you cannot, in fact, properly accrue the revenue for that period of time. What you may be able to do is to accrue the expense. However, let me advise you that all someone has to do is hide a voucher in a drawer, which is done quite frequently. All the Comptroller has to do is to -- is to turn around and put some bills to the side, which is done quite frequently. I -- I don't know how you're going to do what you're trying to do, so I see no point in even doing it at all.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR ETHEREDGE:

Senator, I -- I'm trying to evaluate this proposal and there are a number of questions that come to mind, and I -- I notice here, according to our analysis, that this movement away from cash to modified accrual - however you define that - is scheduled to take place over five years' time. I guess the first question I -- and -- I have - and I do have more than one - the first question I have is, how much is this going to cost to transfer our accounting system from one basis to another over the five years, and then, most immediately, how much is it going to cost in FY'93?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

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I don't know that it actually costs a particular figure or a particular amount. What it does is say how we treat that which we know agencies do - and let me give you an example. If the Department of Conservation, as we have found them in the past, seems to have thirty-five or forty thousand dollars' worth of money in a -- an account that can be used, and they have no purpose for it, they did in the past buy postage in the month of June. We all term that cash dumping, so that they didn't come in with a budget that reflected that amount of money in the following year, which would be stripped from them, as you are now doing with all of the budgets. It really puts expense in the proper year, gives us an ability to pay our bills that are goods received by the end of June 30, that we would pay in the next thirty days. It puts that mechanism in place. It gives a five-year implementation, and perhaps the thing you quarrel about the most is that it requires the Governor to report quarterly to the General Assembly on the compliance of each State agency, or on the other side, it authorizes the Comptroller to promulgate rules and regulations to cover instances where the liquidation is different than the actual payments. So, I would only believe that this is the right way to go. I hope I've answered your question. If you have additional, we'll entertain those, obviously, and ask for your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator, there is going to be an expense, when you shift from one account basis, for maintaining your accounts, to another. You know, having been in the position of managing an institution where we shifted from cash to accrual, there -- there -- there is a cost associated with that change. And that institution is a very simple one, as compared with the accounts for the entire

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State of Illinois, as both of us, I'm sure, can appreciate. I would also remind you that we spent literally tens of millions of dollars putting in place the CUSAS system in the Comptroller's Office, and it would appear to me that a considerable amount of that investment will go out the window at the same time that we are incurring a significant additional expense, because of the change that you are now proposing. I have -- I have another question, too: you've mentioned the -- the advantages which you think you see, as -- when it comes to handling expenses in this shift from cash to modified accrual. I see some difficulties on the -- on the other side. What about the reimbursements? When we -- some of the -- when we incur certain expenditures, we all, at the same time, earn a credit -- reimbursement credits from the Federal Government and perhaps from other directions as well. It would seem to me that we might be putting ourselves in a position where we -- when we accrue a payment, it would be recorded, I mean -- the -- the accrued income would also be credited to the account. But it may literally be months - maybe even more than a fiscal year - before that income is actually received. So we might be putting ourselves in a position where we are inflating income. We would -- there'd be income showing on the books, which we really have no hope of receiving for quite some period of time. That appears to me as being another -- another area where this system might just not work as well as the one we have now. And it's for these reasons and all of these questions in regard to expense, that I rise in opposition to this bill - at least at this time. Maybe it's something we can look -- look at and once we figure out exactly what kind of a swamp and how deep it is that we're getting into, then we might proceed to --into it in any way, because of the advantages it might hold. But I see no advantages at this time, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR COLLINS)

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Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you. Question of the sponsor?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR BUTLER:

Excuse me. Senator, I'm concerned about the lapse period spending, as you are, I know. What isn't clear is, does this get chopped off immediately, or is it subject to the twenty, forty, sixty, eighty, a hundred formula that is in the bill? What are we going to do about getting rid of that insidious practice?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

I appreciate Senator Butler's question. You asked if it gets hacked off or chopped off immediately. No. Conversely, as you've explained, it will be dealt with in a twenty, forty, sixty, ninety, a hundred-percent method, and those things that are still hanging out can be addressed during the same five-year period. If there is anything that has to be dealt with, next year obviously, it can be set off a year. It is a five-year implementation of it, and if you're going to do it over a five-year period of time, the real question is, when will you take the first step. And I encourage you to vote Aye and take the first step now. The faster we do this and go through it, I think the better off the State will be.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Leverenz, to close.

SENATOR LEVERENZ:

For all of the reasons that I have just enumerated -- I understand that some on the Republican side might have a down arrow on the bill for -- for one reason or another. This is a

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bill, I believe, whose time has come. I would solicit your Aye vote to pass this bill and get the State going on the right track.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 2714 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open.

SENATOR LEVERENZ:

Perot said yes.

PRESIDING OFFICER: (SENATOR COLLINS)

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 27 Nays, none voting Present. Having received the required constitutional majority, House Bill 2714 is declared passed. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Madam President. I would request a verification of the affirmative roll call, please.

PRESIDING OFFICER: (SENATOR COLLINS)

The Gentleman has -- the Gentleman has request verification of those voting in the affirmative. Will the Secretary please read the names of those voting in the affirmative.

ACTING SECRETARY: (MR. HARRY)

The following Senators voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Dart, del Valle, Demuzio, Thomas Dunn, Hall, Hawkinson, Holmberg, Jacobs, Jones, Joyce, Kelly, Leverenz, Luft, Marovitz, Munizzi, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Topinka, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR COLLINS)

Does the Senator question the presence of any of those voting in the affirmative?

SENATOR ETHEREDGE:

Senator Jones.

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PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Jones on the Floor? Is Senator Jones on the Floor?
Senator Jones, on the Floor.

SENATOR ETHEREDGE:

Senator Savickas.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Savickas on the Floor? Is Senator Savickas on the
Floor?

SENATOR ETHEREDGE:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR COLLINS)

Strike his name, please. Senator Marovitz is at the back of
the Chambers.

SENATOR ETHEREDGE:

Senator Severns.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Severns on the Floor? Is Senator Severns on the
Floor? Strike her name.

SENATOR ETHEREDGE:

That's it, Madam President.

PRESIDING OFFICER: (SENATOR COLLINS)

The roll call has been verified, and on that question, there
are 29 -- 29 Ayes, 27 Nays, the -- the sponsor is requesting
postponed consideration. Next two bills on Recalls. House Bill
2758. Senator Carroll. Read -- read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2758.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Take it out of the record, please. Top of page 12. House
Bill 2798. Senator Macdonald. House Bill 2799. Senator Dart.

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Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2799.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dart.

SENATOR DART:

Thank you, Madam President. House Bill 2799 is in response to a recent Supreme Court case which struck down our Criminal Victims' Escrow Account. The case required us to draw a more narrow account to deal with victims of violent crimes who are attempting to prevent the defendant in the case - the murderer - from obtaining money from writing books and other publications or movies. This law has been changed and more narrowly drafted to allow for criminals and murderers - Class X and first degree murderers - to be deposed by the victim. There is no known opposition to this bill. It was on the Agreed Bill List. It's supported by numerous groups, including a PACT, which is Protecting All Children Together organizations, whose founder is Ms. Dora Larson, whose daughter is a ten-year-old girl who was murdered by a fifteen-year-old boy, who had made it rather public that he planned on writing a book about it and telling everybody about the details. I'd ask for your favorable support in this vote, please.

PRESIDING OFFICER: (SENATOR COLLINS)

Further -- further discussion? Senator Palmer.

SENATOR PALMER:

Point of personal privilege, Madam President. I'd like the...

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator, will you -- would you just hold your point, until we...

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SENATOR PALMER:

Sure.

PRESIDING OFFICER: (SENATOR COLLINS)

Any further discussion? If not, the question -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I rise in strong support of this bill. I think it's only right. We've got to stop victimizing the victims.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 2799 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. On that question, there are 53 Ayes, no Nays, 2 voting Present. Having received the required constitutional majority, House Bill 2799 is declared passed. House Bill 2824. Senator Marovitz. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2824.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Madam President and Members of the Senate. House Bill 2824 merely increases from fifty to seventy-five dollars a day the per diem for inspectors appointed by DPR, who are licensed to inspect professional boxing and professional wrestling events. There hasn't been an increase for the State Boxing and Wrestling Board for ten years, and I think the cost on this thing is around fifteen hundred dollars. That's all we're talking about, so I would solicit your Aye vote.

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PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 2824 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. On that question -- on that question, there are 51 Ayes, 7 Nays, none voting Present. Having received the required constitutional majority, House Bill 2824 is declared passed. Senator, I have Senator Palmer seeking recognition. Senator Palmer, before you.

SENATOR PALMER:

Madam President, point of personal privilege.

PRESIDING OFFICER: (SENATOR COLLINS)

State your point, please.

SENATOR PALMER:

I'd like for the Body to congratulate my Honorary Page this Session, Alex Sanders. He has been accepted to the Illinois Academy of Science and Mathematics for this incoming year, as a freshman.

PRESIDING OFFICER: (SENATOR COLLINS)

Will the Senate -- congratulations. Senator Marovitz.

SENATOR MAROVITZ:

Thank -- thank you very much, Madam President. I -- I've been asked to announce that as a result of this last bill that we voted -- the increase in the per diem for the professional wrestling -- that there will no longer be any fixed wrestling matches in the State of Illinois, so we can all take a...

PRESIDING OFFICER: (SENATOR COLLINS)

House Bill 2829. Senator Carroll. 2831. Senator Carroll. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2831.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 2831 is, in fact, the operating budget for the Office of the Attorney General. It provides some 35.6 million, of which 28.8 is General Revenue funds, for their ordinary and contingent expenses for Fiscal Year '93. It is some one percent less than the original request, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 2831 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. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2831 is declared passed. House Bill 2832. Senator Carroll. House Bill 2833. Senator Carroll. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2833.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 2833 is a Build Illinois Bond Act vehicle bill, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House

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Bill 2833 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. On that question, there are 51 Ayes, 4 Nays, none voting Present. Having received the required constitutional majority, House Bill 2833 is declared passed. House Bill 2834. Senator Carroll. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2834.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Likewise, House Bill 2834 deals with the General Obligation Bonds. The effort is to have this, also, in conference if we need some statutory language for GO Bonds, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 2834 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. On that question, there are 54 Ayes, 2 Nays, none voting Present. Having received the required constitutional majority, House Bill 2834 is declared passed. Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President. I -- I'm sorry, I wanted to ask a question on the other bill. According to our analysis, we just increase the Obligation Bond Issue by ten million dollars.

PRESIDING OFFICER: (SENATOR COLLINS)

House Bill 2838. Senator Hall. The bill has passed already; we're on the next order of business. We can discuss that -- you

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can do that out in the hallway. House Bill 2839. Senator Hall. 38 or 39, Senator Hall, which one? Senator Hall, do you wish 38 read? House Bill -- okay. Would you like 39? Hold. Senator Carroll. House Bill 2841. Want to hold? 2842. 2843. Senator Hall. 2844. Page -- top of page 13. Hold on Carroll. 2916. Senator Cullerton. 2950. Senator Schaffer. That's on Recall. House Bill 2987. Senator Cullerton. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2987.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill, before it was amended, was identical to Senate Bill 1581, which passed out of the Senate and is in the House. In fact, I think it may have even passed out of the House. And it grants employers an insurable interest in the lives of their employees. Permits an employer to insure the lives of its employees and requires consent of the insured. Restricts coverage from nonmanagement and retired employees to amounts commensurate with the employee's <sic> (employer's) unfunded liability for welfare benefit plans. The only difference between the bill that we already passed and this one is that there was an amendment dealing with -- at the request of the Department of Insurance, dealing with the -- the consent, and rather than requiring consent by the insured to be provided in writing, it requires the employer to provide written notice of coverage, then the insured has thirty days from receipt of notice to reject the coverage. So with the exception of that amendment, it's identical to a bill we've already passed, and I would urge an

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Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HAWKINSON:

Senator, when we did the Senate bill I was a member of the debate, and I was concerned about the consent provisions, and the requiring of consent, and now we're -- we're changing that a little bit - I guess in an attempt to avoid paper work - but even though I deal with the subject matter in my practice and everything else, we all know that insurance policies are very difficult to read, and -- and very often not read at all, by those who purchase them. What kind of notice are we going to be requiring the employer to give to the employee, and can you assure me that it's going to be the kind of notice that's going to cause the employee to really be cognizant of what's being proposed here?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, when we passed the bill out the Senate, the language said, "The consent to be insured shall be in writing." Now we're saying, "The consent requirement will be satisfied if the insured is provided written notice of the coverage..." So I really don't think that there's much difference. And you want to know what does the notice have to say, I think, and the Statute doesn't -- the bill -- proposed bill does not indicate that, other than to say that you will be -- you will have coverage unless you reject it within 30 days. And -- and I would also remind you - and I'm

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trying to anticipate what your questions are - the goal of this bill is to help the insured by providing, basically, health benefits for that person after they retire. So -- I'd be happy to answer another question.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hawkinson.

SENATOR HAWKINSON:

I'm all for the goal of the bill, but I have the concern that if the individual whose life you propose to insure doesn't know about it, or doesn't want to consent, that -- that it's a -- could be a potential problem. And I think there's all the difference in the world between a written consent, where the employee is -- is required to sign something, and therefore, by definition - we would hope - know what they're signing, and a hidden clause in a -- in a policy or in a overall health insurance policy or something that none of us read anyhow. And I just want to -- I guess if you can give me some assurance that this is going to be a notice that's not going to be a paragraph in -- in some policy or a paragraph in -- in an handbook -- employment handbook or something like this, but this will actually be a real notice that's going to go out that'll have nothing else in it, so that the employee's going to know what is going on, I have no problem with it. But if it's going to be stuck in an employer-employee handbook, or it's going to be part of a larger insurance policy or something like this, then I don't think the employee is ever going to see it.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Madam President. Well, first of all, a statement, I -- I guess, and a -- and a question. I think Senator Hawkinson probably is right that the employee will not see this, because I

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believe that the concept here is that the owner of the insurance policy will not be the employee. The employee, nor his family is likely to see the policy. So I don't think they're going to be confused about thinking that they might be beneficiaries under a policy and then find out later that they, in fact, are not. I don't think that really is a hazard here. But I don't quite understand - maybe Senator Cullerton could explain to us - what happened to the agreement that in effect said that -- that there should be prior consent from the employee in order for this new insurable interest feature to be legalized in Illinois. Could you -- could you respond to that, Senator?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton, to close. You can respond and close.

SENATOR CULLERTON:

What I've been trying to do is take the bill out of the record, so that I can go back to Director Selcke and ask him why he wants this amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Out of the record. Take the bill out of the record, please. House Bill 2996.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2996.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Kankakee, Senator Joyce. Senator Joyce.

SENATOR JOYCE:

Yes. This is the double State aid payment for Downstate for June, Chicago for August, and we have debated this to death for years now. I don't think that any of us should have any qualms at

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all about supporting this. I'm sure your schools are in as much need as my schools. This is not one thing that -- you cannot let schools and teachers go down the tubes. You know, if we have to eliminate something ourself, possibly a district office, let's support these kids and let's give them what they want. I urge your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Let's -- let's make -- make sure we call this bill really what it is. This bill does not give to schoolchildren money any quicker. As a matter of fact, not as quick as it will be given to them under the current provision available to them -- the provision that they borrow the money for their cash flow during that period of time from June until the payment is made in -- in July. This brings with it a greater problem, and there're probably going to be very few No votes on this, but I want you to remember back a year from now, what we say here today. There was a reason a year ago that we delayed this payment. It allowed us to balance the budget, and we changed the language to assure that it would not be considered a long-term debt. It was agreed to by both Republican and Democrat, but ill-informed, misguided superintendents around this State misread what we were doing. We put in the State Board appropriation last year the money. The spending authority was there; we didn't hurt school districts one iota. Many superintendents now understand what we tried to do. The bigger issue, though, is what this creates for us when we build next year's budget, and should this bill pass, and should this bill be veto-proof, the Governor, in my view, will have only one option available to him, and that's to cut elementary and secondary by that amount. Think about that. We are creating, if we pass this

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bill and change this formula, we are creating not a one-hundred-and-seventy-six-million-dollar spending obligation for FY'94, but indeed double that, and we cannot and must not ignore that. And therefore, in my view, it would seem to me, prudent of the Governor simply to cut that much money out of the State Board appropriation. I think this is a bad concept. We are reacting to some pressure that need not be there. It's not kids -- this is not a kids' bill at all. This is a publicity bill - one that's going to look back in -- good back in your district, and -- and you're going to say, "Look what I did for the school district," when, in fact, everyone in this Body knows you haven't given the school districts one more dime. Bad bill and ought to be defeated.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates she'll yield.

SENATOR DeANGELIS:

Senator Joyce, if the Governor would choose to sign this bill, and veto House Bill 600, which is the bill that pays the interest for their borrowing, which way do the schools get their money quicker?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR JOYCE:

This getting money quicker is not of a major issue at this point in time. It's a question of when are we going to start doing a viable program that schools can depend on. This is -- this is something that's been happening over the course of the last couple years. Schools don't know if they're coming or they're going. Let me read -- can I read a real quick article?

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Please proceed, Ma'am.

SENATOR JOYCE:

I'll read this. This was in the paper yesterday; you may have read it in the Springfield paper. It addresses the school thing as we have been playing around with it for quite some time. "Everyone knows that many schools across the State are financially hurting. Now there's yet another study that paints a statistically bleak picture of education in Illinois. The Illinois State Board of Education has released a report that says local school districts plan to lay off thousands of staff at the end of this school year, more than a quarter of all the schools have had to borrow money to make ends meet, and many more plan to cut back on textbooks, athletic activities and other programs to balance their books. State Superintendent...Leininger said in a statement the bad news is the direct result of unpredictable State funding policies over the years. 'We've been on this financial roller-coaster ride forever, but the track has been seriously neglected and we never know when it might finally collapse beneath us.' He also added, 'They (the teachers) are trying to do the most important job in our society - teach our kids - and they have to worry from spring to spring about whether they'll have a job.'" We won't stand for that in the private sector; why do we stand for this in education? Education is a number one priority. Don't we all say this, but no one treats it as such. "Whether it was intended or not, the timing of the report's release comes as voters next fall will decide whether to amend the State's Constitution to boost State funding for schools." I'll try and pick out a few of these things. Okay. He also is blaming -- pinning this blame on reductions on the emergency budget-cutting package approved by lawmakers and Edgar in January. "The State cut sixty-two million out of 3.1 billion earmarked annually for

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elementary and secondary education. However, Kim Knauer, a spokeswoman for the Board of Education, acknowledged that the layoff notices are the result of years of State funding policies, not just from last January budget cuts." It's just, to me, you know, let's do what we should do for education on a permanent basis. Let's quit giving them Band-Aids when they need major surgery, so that they know what they're doing from year to year.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah. I would like -- I would like the sponsor to repeat my question, because I think the editorial said exactly what I just said. My question is, which one would get the money quicker? You said money was no issue. The whole editorial you just read, talks about money.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR JOYCE:

It depends on when the Governor signs the bill. We would prefer that he signs both of them, and we would prefer that he signs both of them immediately.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Assuming that you are correct, Senator Joyce, he signs them immediately, he still has to go to the bond markets in order to get the money to borrow the money in order to make that payment. So, the question is, which one gets the money to the schools quicker? House Bill 600 does - not this one.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Demuzio. Demuzio, please.

SENATOR DEMUZIO:

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Thank you very much, Mr. President. You know, I -- I have to chuckle. Now we're going to the bond market. As I recall correctly, when we left here last June, that within three weeks, I guess, after we were out of here, the Governor went downstairs -- we'd been trying to get him to borrow and he went downstairs and he talked to the Treasurer and the Comptroller and he borrowed enough money to give Chicago and the school districts their -- their first State aid payment. So I don't think that this is going to cause us to have to go to the bond market to find some -- some money. I appreciate that -- that argument. Let me just say, I guess the issue boils down to the issue of permanent versus temporary. Most of us, last year, thought that this was a temporary move that was being taken -- that was taking place with respect to moving the payment. School districts and a number of other people have decided that that is a permanent loss to them, because it's never going to be made up. The question is, I guess, there are those who are fixing their budgets now and laying off teachers, as a result of the fact that they are having to -- to treat this as a reduction. And I think that's what the unfairness is all about. So I would rise today to support this -- this bill, and say that we ought to restore this money in this fiscal year. It is, in fact, cheaper for us to borrow if we have to borrow, than it is for school districts. It's the right thing to do, and I would rise in -- in support of it today.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator -- I'm sorry. Senator DeAngelis, for a second time.

SENATOR DeANGELIS:

Yeah. Just as a matter of clarification - because some misinformation was given - Senator Demuzio, this bill pays an interest rate which far exceeds what any school district would have to pay if it borrowed the money. It's tied to the commercial

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paper rate. So we ought to clear the record that the borrowing cheaper is of no significance whatsoever, because they are, in fact, going to receive an interest payment that exceeds what their borrowing costs would be.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce, to close, please.

SENATOR JOYCE:

An Aye vote, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 2996 pass. All in favor, vote Aye. All opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 42 Ayes, 16 Nays, none recorded as Present, and House Bill 2996, having received the constitutional majority, is hereby declared passed. House Bill 3029. Senator Joyce. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3029.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Take it out of the record, please. House Bill 3070 is on the Recall. House Bill 3803 <sic>. Senator Rock. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3083.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

President Rock.

SENATOR ROCK:

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

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House Bill 3083 represents the annual appropriation for the ordinary and contingent expenses of the State Board of Education, including the amount necessary for the distributive fund appropriation and the -- and the grants. The total amount is three billion three hundred and twenty-six million seven hundred and eighty-one thousand dollars in General Revenue, and eight hundred and sixty-one thousand in other funds, for a grand total of four billion one hundred and eighty-eight million. The Senate had three amendments which were -- different from the House. One was a reallocation with no bottom line change, at the request of the superintendent. The other was a readjustment of federal funds to reflect a new prospective availability, again at the request of the State Board. And the third was as a result of Senate action. We reinstated the appropriation for the Governor's Purchase Care Review Board. The Governor had indicated in his earlier address that he wished to have that board and its functions absorbed by the State Board. This Chamber turned down that proposal and so we literally just have reinstated their budget and their responsibility. I know of no objection, and I solicit a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is -- the question is, shall -- the question is, shall House Bill 3083 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 3083, having received the constitutional majority, is hereby declared passed. House Bill 3084, Mr. President. Out of the record. All right. Ladies and Gentlemen, I'd like to have your attention. We have a special guest joining us this afternoon, and the Chair recognizes Senator O'Daniel.

SENATOR O'DANIEL:

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Thank you, Mr. President, Members of the Senate. I'd like to have all of your attention. We have a -- really, a person that we're very proud of from down at -- at Mt. Vernon. He saved a young girl's life. He jumped into a well. A little three-year-old girl had fallen into a well and he jumped in - the well had twelve foot of water in it - and went to the bottom of the well, and -- and found the little girl head first in the well, brought her out, got out of the well, gave her mouth-to-mouth resuscitation, and -- until the paramedics got there, and the doctors and all of them said without his quick thinking and disregard for his own safety, there's no way she would -- she would be alive. This young man works for an independent tire dealer down in Southern Illinois one of the larger independent dealers and distributors, and he'd just gotten home from work and was relaxing, and the neighbors ran over and said the little girl had just fallen into the -- to the water, and he immediately jumped in the well. It was a -- just a hole twenty inches square that he was able to jump into. His -- her father had been working to repair the pump in the well and he left momentarily and the little girl fell in the well, and this young man with his quick thinking jumped into the well and -- and was able to save this little girl's life, and he's really a hero to -- to the people in Southern Illinois, and especially to Mt. Vernon and -- and Jefferson County. So I'm going to have Madam Secretary to read the Senate joint resolution, and I'd like for you to help me -- after she reads the resolution, welcome Denny Dennis and his friend to the Illinois Senate.

SECRETARY HAWKER:

Senate Joint Resolution 137 offered by Senator William O'Daniel.

(Secretary reads SJR 137)

SENATOR O'DANIEL:

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Thank you, Madam Secretary. Help me welcome Denny Dennis to the Illinois Senate. ...(Applause by the Illinois Senate)... Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

House Bill 3105. Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3105. Senator Dunn. Page 14. 3125. Senator Carroll. 3125, Madam Secretary.

SECRETARY HAWKER:

House Bill 3125.

(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 3125 now contains the ordinary and contingent expenses of the State Board of Election. It is basically at the House level with the addition of fifty-two thousand to adjust a mistake in the retirement line, to bring it to the ninety -- FY'92 spending levels. It would, in fact, at this point, be four million fifty three thousand. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3125 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 3125, having received the required constitutional majority, is declared passed. 3135. Senator Maitland. 3139. Senator Cullerton. Sorry, what? Oh, I'm sorry, it's a Recall.

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3149. Savickas. 3160. Holmberg. Recall. 3175. Topinka. 3182.
Senator Carroll. Madam Secretary, 3182, please.

SECRETARY HAWKER:

House Bill 3182.

(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 3182 is the ordinary and contingent operations of the co-equal branch of government known as the court system. It provides now for some hundred and sixty-eight million two hundred and twenty thousand dollars for the operations of the court. We have, in fact, reduced their budget from the introduced level, almost to that which the Governor would have liked. We did add to the Court's budget an appropriation for the constitutionally required Judicial Inquiry Board, and we are going to have to pay an additional rent to keep them at the Daley Center. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3182 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 48, the Nays are 5, none voting Present. House Bill 3182, having received the required constitutional majority, is declared passed. 3185 is on the Recall List. 3188. Jones. 3199. Senator Carroll. Madam Secretary, House Bill 3199.

SECRETARY HAWKER:

House Bill 3199.

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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. The -- this is now the ordinary and contingent expenses of the Office of the State Treasurer. It is at twelve million forty-five thousand point one. As a appropriation recap of that which we have done, it appropriates altogether 551.6 million, of which twelve is General Revenue, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3199 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 3199, having received the required constitutional majority, is declared passed. 3201. Leverenz. Madam Secretary, please. 3201. I beg your pardon, it's Senator Palmer. Senator Palmer. 3210. Senator Watson. Bottom of page 14, House Bills 3rd Reading. House Bill 3210, Madam Secretary.

SECRETARY HAWKER:

House Bill 3210.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This legislation was introduced in behalf of the Illinois Sheriffs' Association. The bill was discussed in committee and we amended in committee to

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take care of the concerns of the Local Government chairman and other members. This would -- simply clarifies that a person charged with an offense shall not be confined in the same cell as those convicted of a crime. This amendment clarifies the original intent of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Kelly.

SENATOR KELLY:

Mr. President, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Kelly.

SENATOR KELLY:

Yes. Senator Watson, what impact would this have on the Cook County Jail, with the prisoners that are in there in multiple, you know, cells, or whatever? What impact would it have on the population and on the facility?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, this is supported by the Cook County Sheriff, and it should have a positive impact on the ability of those people who are convicted of a crime, and those who are actually charged with a crime, being held in separate cells. What they -- the intent of the Sheriffs' Association was that those people then be allowed to commingle when they serve dinner or when they're on the recreational area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

My question -- thank you, Mr. President. My question is quite similar to Senator Kelly's. We have an overcrowded Cook County Jail today. Unfortunately, we're probably -- by the number of

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approximately twenty-five hundred people. And you're telling me that the Sheriff of Cook County, Sheriff Sheahan, is support of this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Joe Mudd testified to that effect in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Can you -- can you tell me how the person who is assigning these individuals to the cells will determine if there is a previous conviction on the individual or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Would you clarify that again -- ask that question again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. The person who assigns the individual to cells - how will he know if the -- one of the individuals has a previous record or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, this doesn't have anything to do with a previous record. This has to do with those people who are convicted of a crime and those that are charged. That's -- that's what this has to do with. So it's -- doesn't have anything to do with the previous record of the individual.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Lechowicz.

SENATOR LECHOWICZ:

Well, many of the inmates at Cook County Jail who are awaiting to be placed in a State institution are individuals who have a previous criminal conviction, and -- they're charged with another -- another criminal charge, and they're awaiting their trial. Now supposedly, the Cook County Jail is supposed to be a holding institution until the individual goes to trial, and then they are put back to Cook County until they are able to be taken to the State prison. I find this bill quite difficult to administrate, and I'd like to know how you administrate this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, I -- the Sheriffs' Association is in support of it, Senator; that's all I can tell you. If -- if they've got a problem with it, they certainly should be able to address it. I mean, they -- we had the McLean County Sheriff here; he testified on behalf of the legislation. Joe Mudd did testify in -- in the committee when the question was asked concerning the Cook County Sheriff that they -- yes and did -- he did, and support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Perhaps -- perhaps I can -- thank you, Mr. President, Members of the Senate. Perhaps I can clarify. We did debate this bill in -- in committee. What has -- what has to be clarified is that the current law says that people who are convicted of misdemeanors, who are serving their time in the county jail, have to be separate from people who are charged with a crime, who are also being detained in the county jail. So that's what the current law is. They have to be separate, according to the

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current law. So the people down in -- in a county in the south indicated they have a prison where they like to commingle these two separate people for recreational and for meals, and they said the way they read the current law, since they have to separate, maybe they're violating the Act. So we in committee said, "I'll tell you what. If you -- if you just keep them in separate cells, would that be okay?" And they said, "Sure, we'd keep them in separate cells." It's just that when they come out for meals or recreation they wanted to have them in the same pod, I think was the term they used. So the thing that's important to know is that the current law says that people who are charged with an offense have to be separate from people who are convicted of a misdemeanor. And in Cook County Jail, indeed right now, people charged with a misdemeanor are held separate from those who are charged with a -- a -- a crime, and this bill will help Cook County in being more flexible as to where they can put their -- their inmates. So for that reason, I rise in support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dunn.

SENATOR T. DUNN:

Senator, what happens if there are not enough cells?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well -- as -- I don't know if you heard Senator Cullerton, but the existing law will -- will remain. What we're talking about doing is allowing for commingling when they're eating and when they're -- out on -- on the grounds. That's what this does. They

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still have to stay in separate cells. That's the current law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

So this is in no way a mandate upon our -- our local county jails to build more cells in order to accommodate this law. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, I would hope so, because the -- the Sheriffs' Association, I mean, it's their particular piece of legislation, and they're vehemently opposed generally to most mandates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. We did hear this bill in -- in committee. One of the other problems that they also had down in -- in Downstate, is that some of the courts were also interpreting this when they said "separate", that they couldn't even be in the same cell block - that they couldn't even see each other. What this does is -- is clarify what the intent of the law is, and that is, they are kept in separate cells, but can be within the same cell block, so they can look at each other, but they can't physically become in contact with them. This is a good bill. It is needed by the -- particularly the -- the Downstate jails, and I solicit, also, an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson wishes to close.

SENATOR WATSON:

Appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Question is, shall House Bill 3210 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 2, 1 voting Present. House Bill 3210, having received the required constitutional majority, is declared passed. Page 15. 3221. Senator Leverenz. 3227. Senator Rea. 3246. Leverenz. 3261. Macdonald. I'm sorry, it's on the Recall List. 3269. Luft. 81 is on the Recall. 82 is on the Recall. 3325. Senator Brookins. 3335. Senator Carroll. Oh, I beg your pardon. Senator -- Senator Luft wishes to have his bill called. Where was it? Oh. 3269. On the Order of House Bills 3rd Reading is House Bill 3269, Madam Secretary.

SECRETARY HAWKER:

House Bill 3269.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Presently a member or employee of the Metropolitan Pier and Exposition Authority cannot be a board member or employee of the Chicago Convention and Tourism Bureau. What this bill does is delete that provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3269 pass. Those in favor will vote Aye. Those opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3269, having received the required constitutional majority, is declared passed. 3335. Senator Carroll. House

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Bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3335.

(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 3335 is the ordinary and contingent expenses of the Appellate Defender. It appropriates some six and a half million dollars, of which 5.9 is General Revenue funds, for the FY'93 funding to that office. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

We received a letter from a -- an interest group tied into the State Appellate Defenders' group groveling and begging for more money. Did you give it back to them, or is this without the additional money added in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

The groveling and begging so far has had no effect. This is without it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 3335 pass. Those in favor will vote Aye. Those opposed, Nay.

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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 50, the Nays are 2, none voting Present. House Bill 3335, having received the required constitutional majority, is declared passed. 3408. Senator Smith. Madam Secretary, 3408.

SECRETARY HAWKER:

House Bill 3408.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3408 creates the Shelter Residents Protection Act. A homeless person who resides in a homeless shelter is permitted to open a savings account at a bank or savings and loan. If the individual does not want to use a financial institution, he or she may negotiate a written requirement with a shelter to accept and maintain his or her funds. Describe the terms of the agreement. House Bill 3408 is recommended of Legal Assistance Foundation of Chicago, and according to the Foundation many shelters have programs that enable residents to save their public aid checks until enough money can be accumulated to assist the person in obtaining permanent housing. The intent of House Bill 3408 is to assist homeless persons in becoming independent and self-sufficient. The Department of Public Aid is neutral on House Bill 3408. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Yes. Just a question of the sponsor, please.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield, Senator Watson.

SENATOR WATSON:

Does this involve checking accounts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Yes, it does. I'm sorry. It does involve that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, as a retailer, sometimes we have a problem when we get a bad check back finding where -- getting people to pay them, let alone find out where they live. I don't know how this would work in that regard, but I can see a problem this may have for retail merchants in this State who are -- have a lot of problems anyway, and trying to collect a bad check that has no address or someone that has no home, it would be a problem. I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Most of the accounts that you had problems with were saving accounts, not checking accounts. Savings -- and -- and the person of business do not have to accept the check if you do not care to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?

SENATOR SMITH:

This is merely trying to help these people to become independent, so that they can be reliable taxpayers and citizens here in the State of Illinois. That's all we're trying to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

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SENATOR BROOKINS:

Thank you. The sponsor answered the question. As a small business person you do not have to accept a personal check. You can ask for additional ID, or you can just refuse to sell to that person. The sponsor answered that and -- and -- or either call the bank. In my business, I call the bank right away and sometimes have the people sitting there while I run to the bank with the check. So there's ways to get around that. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President. I merely ask for a favorable vote, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3408 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 45, the Nays are 9, 1 voting Present. House Bill 3408, having received the required constitutional majority, is declared passed. Page -- 3410, on the Recall List. Page 16. 3418. Senator Etheredge. 3435. Macdonald. Madam Secretary, 3435, please.

SECRETARY HAWKER:

House Bill 3435.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 3435 amends the Central Midwest Interstate Low-Level Radioactive Waste Compact, the Low-Level Radioactive Waste Management Act, and the Radiation

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Protection Act of 1990. It also creates the Radioactive Waste Compact Enforcement Act. The changes in the Illinois Compact are significant. First, it clarifies the Low-Level Compact Commission, and says that it has authority over all low-level waste coming into Illinois, including waste going to the disposal facility and to the treatment and storage facilities. Second, it ensures that any waste declared to be below regulatory control by other states or the Federal Government cannot be shipped to Illinois and disposed of in ordinary landfills. This amendment also provides that waste generated by federal agencies cannot go into the new facility without an agreement approved by the Compact Commission and the General Assembly. It also clarifies that no waste from the Maxey Flats site in Kentucky can be sent to this facility. Changes to the Low-Level Management Act provide that the Department of Nuclear Safety shall not increase -- or shall not license disposal of mixed waste at the new low-level disposal facility, since no appropriate methods of disposal for such waste have been established. In addition, the Low-Level Compact and the Low-Level Waste Management Act are being amended to delete references to the federal law being challenged in the U.S. Supreme Court as being unconstitutional. By doing this we can ensure that waste from outside the compact region are taken out of Illinois, even if the Supreme Court strikes down the federal law that forces states to take title to the waste. So I would be happy to answer any questions. This has been worked out over a number of weeks. I am very pleased that former Senator Jerry Joyce was very much a part of the negotiations on this bill. While it is extremely complicated, it is also very important to Illinois. And I ask for your support of its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Carroll.

SENATOR CARROLL:

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Thank you, Mr. President. If the sponsor would yield for a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Carroll.

SENATOR CARROLL:

Senator Macdonald, I -- I do not claim at all to be expert in this area, having had the advantage of having Senator Joyce as my seatmate all these years and having his expertise; but I thought the Supreme Court did, in fact, just rule, and as I read it, they ruled, in fact, that you could not impose upon the State that it be a site by date specific, and that, in fact, the states read that to mean that none of them had to have these, and that those who had them might be forced to accept waste from other states. I thought the Supreme Court had already ruled, and do we know what impact that would have on us as a hosting site?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

I -- I understand that the court did rule, but it ruled that -- the only change was that it -- it could not -- now, let me get this straight -- they -- they couldn't take title until 1996.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Maybe I'm in error, but I thought I read it that the State was not required to take title at all. So therefore other states would not have to have title, and they -- you know, wouldn't have to honor the compact or could send it to those sites that were host sites without having the obligation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

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We don't have to take title, but we do have to have a facility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, because the bill has been amended, I think we still have some time to look at it. That's not, at least, the way I glanced at the court opinion when it came down. That -- it did not speak to the issue of whether we had a facility. And I thought within the articles it said, in effect, those that have facilities might get stuck and those who don't may not. But, by the fact that it has an amendment on it and it has to go over for concurrence in the House, I think gives us a little time to figure that out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I think what Senator Carroll alluded to is absolutely correct. And that is that once the Supreme Court decided that there is no deadline that could be imposed upon states to have one of these low-level sites, no other states are going to go ahead and build one of these sites. Illinois was fortunate in getting out of the Midwest Compact - that was thirteen states, when we were supposed to take thirteen states' waste - and we got into a two-state compact. The remaining eleven states in that compact have been fighting ever since about where the site is going to be. They decided on Michigan, then Michigan raised the ante on each of the other states by millions of dollars, and the other states balked. So I don't think there will be another site built in the entire United States, and I think it would be foolhardy for Illinois to continue along the path we are, on building one of these damn things. Because what's going to happen is, we'll end up with the only site

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in the country. It'll be right in the center of the United States, where there are no other sites, and we're going to end up being a magnet for low-level nuclear waste. So I think that we have to take that in mind, as we look at these low-level nuclear sites. This bill is meant to keep waste out by giving the commission the authority to say what goes into the waste site. I'm afraid that that may eventually be overruled by the Federal Government, saying that nuclear waste is part of commerce, as they did with garbage and other types of hazardous waste going to Alabama just within the last three weeks. So I think that we should continue to look at this, and I think that we should slow down building one of these low-level nuclear sites.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- indicates she will yield. Senator Keats.

SENATOR KEATS:

My concern is -- is different than what's been said so far. This being a government facility, we are taking title to the waste. Am I misreading? Because, I'm going to say, if there's one thing we don't want to do is -- the government -- is take title to the waste and be responsible for it. I'm just double-checking to make sure that we are in no way becoming responsible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Senator Keats, we are not taking title to the waste. That is not in the bill, and that is not what we are doing in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Keats.

SENATOR KEATS:

So, to make it clear, the liability remains with the generator, not with the taxpayer. To make it very clear on the Floor of the Senate - the liability's with the generator, not with the taxpayer. Correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, one of the things that the recent court decision didn't do is eliminate the problem. We aren't siting these facilities - or attempting to - for legal reasons; we're doing it because we, as a society, are generating this waste. I haven't heard anybody suggest to me that we stop doing the medical treatments that involve radiation, which saves thousands of people each year. I haven't heard anybody suggest we shut down the nuclear generators and go back to being totally dependent on foreign oil. The bottom line is that we have to be responsible. This facility is needed. It's going to be used primarily for Illinois-generated waste. Obviously, we have a relationship with Kentucky. I think the move for the Illinois/Kentucky Compact protects us from becoming a major dumping area. And I sincerely doubt, even in their most caprice <sic> moment, that the Federal Government is going to say, "You're the only people in the country that have been responsible, so we're going to somehow punish you." One of the things that I think the American public is so turned off about those of us in government is we never solve any problems. Here's an attempt to solve a problem. Why don't we show the people they're wrong -

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that Illinois government can solve a problem now and then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Macdonald may close.

SENATOR MACDONALD:

Thank you, Mr. President. The one thing I do want to make very clear is that Illinois is the third largest generator of low-level nuclear waste in this country. I think that it would be ill-advised for us not to be prepared and to have a plan in place that is -- that we have control of, that the General Assembly will have to take action before this waste can come in. This is a protection and a precaution that we are trying to effect here. And I ask for your support for passage of this very important bill, so that the Department of Energy -- of Nuclear Safety will be ready and prepared to take care of the waste -- low-level nuclear waste in Illinois. So I ask for your support of this important piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3435 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. ... (machine cutoff) ... 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 3435, having received the required constitutional majority, is declared passed. 3439. Senator Weaver.

END OF TAPE

TAPE 4

PRESIDING OFFICER: (SENATOR DEMUZIO)

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3456. Senator Rock. 3464. Jones. There's -- 79 and 83 are on the Recall List. 95 was recalled this morning. 3513. Savickas. 63 is on the Recall List. 3568. Senator Thomas Dunn. At the bottom of page 16, Mr. Secretary. House Bill 3568.

ACTING SECRETARY: (MR. HARRY)

House Bill 3568.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Currently public agencies may now invest in a fund similar to a mutual fund held by a bank. This bill would expand that activity to include bank and bank holding companies and their subsidiaries <sic>. The amendment that was filed earlier would clarify that a public agency must have an agreement with a bank for the purchase of securities, prior to the issuance of the securities. I urge adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3568 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? 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 3568, having received the required constitutional majority, is declared passed. Top of page 17 is House Bill 3583, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3583.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

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Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The subject matter of House Bill 3583 is interest rate swaps. An interest -- interest rate swap is a contract between two parties for a duration, for the most part between one and ten years, and it is designed to do one of two functions: either change a fixed rate to a floating rate, or a floating rate to a fixed rate. More than seventy percent of all debt issued by corporations has such an item involved in the debt issuance, and as that -- far as that goes, municipalities so far - at least those that are home rule communities - have been able to issue over fifty billion dollars in debt. In the State of Illinois home rule communities already have this right. What this bill -- is just afford the right to other communities. The bill has been amended at the suggestion of Senator Weaver, to only include communities whose debt aggregate is over ten million dollars.

PRESIDENT ROCK:

Gentleman has moved passage of House Bill 3583. Discussion?
Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT ROCK:

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, could you explain to the Body what an interest rate swap is, and how it would benefit the State of Illinois in particular?

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

I really appreciate the question. Thank you very much. I

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hope you understand the answer. Let's assume that a city has issued a debt of two million dollars, seven percent interest. And the short-term market on investments -- all of a sudden the interest rate becomes appetizing. So two parties, namely the city in this case, and another party - usually would be an investment banking firm - would take two million dollars out of their short-term assets, and enter into a rate swap - interest rate swap - with the investment banking firm. That would include a fixed rate, where the city, let's say, would pay the banker a five-and-a-half percent fixed, and then the city would pay a floating rate, based on what's called the J.J. Kenney Index, which would be in the neighborhood, let's say, of three and a half percent, thereby saving two percent. As long as the floating rate through the J.J. Kenney is less than five and a half percent, the city or the person issuing the debt is going to succeed in saving money.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

If the State of Illinois enters into a swap agreement, under which the purchaser of that -- or the acquirer of the deal makes guarantees to the State as far as paying interest to the State, who guarantees that that agreement will be abided by and fulfilled?

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

It's a contractual agreement between the State and the other party.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

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And who is that other party? Is it -- is it a bank? Is it a bonding company? Is it a mortgage banker, or is it a group of lawyers?

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

I don't think any party or groups of parties are excluded, but in the case that I am referring to and the commitments that I have -- am acquainted with, it's usually been between an investment banking firm.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, to the Members, Mr. President: If you are like me, after having heard this scheme described over and over again, frankly I have some concerns about it, and I'll try to be brief in describing those concerns. First of all, it's my understanding that groups that enter into such agreements are basically law firms that have put together groups that make agreements with the State of Illinois, and that there is, in fact, no financial regulation of those groups. So as long as they remain solvent, perhaps the swap will be okay, but if one of them should fail, then I'm not sure where that leaves the State or other political subdivisions that may be involved. The other matter that is of concern to me: it's my understanding that -- that these deals are all strictly behind the scenes, that there is no revelation on State or other governmental financial reports that detail the extent to which interest rate swaps have been entered into. And I am by no means an expert on this issue, but I think that we all -- if we -- if we want to adopt a conservative approach to government, we ought to look very, very carefully and very cautiously at what we're doing here. So, with that, Mr.

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President, I would simply urge caution, and perhaps the best thing we can do in this troubled financial year is to put this off and take another look at it, and if, in fact, it is ever publicly supported by the people that manage State government, namely the Governor's Office and the Bureau of the Budget, and others for whom we are told this is being done, then perhaps we ought to look at supporting it, but until that happens, I really think the best course of action would be to hold off.

PRESIDENT ROCK:

Question is passage of House Bill 3583. Further discussion?
Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Yeah. Senator Luft, you explained swaps, but the analysis also says that public corporations could enter into futures, options, puts, and calls. Why do we want to let government units get into the puts and calls market?

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

The amendment removed that language.

PRESIDENT ROCK:

All right. Any further discussion? Further discussion?
Senator Luft, do you wish to close?

SENATOR LUFT:

Yes, I do, Mr. President. First of all, to Senator Schuneman: It is a publicly declared document. It's on file once this is entered into. You cannot enter into an agreement with anybody that has a credit rating less than the public body entering into

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it. And what I would suppose is, that you would be like somebody that the salesman walked into a company a long time ago that had a lot of adding machines, and the guy introduced the person to someone -- to a new device called a computer. The computer was designed to save time, to save money, and to try to advance forward the company. They did not choose to move forward, and therefore stayed with adding machines. Realizing now this is also a procedure that the State in this case can enter -- can remove themselves immediately. If the interest rate moved up or down or in a position where they didn't like it, they have ten thousand ways to get out of this contract. Remember what I said: that seventy percent of all corporations in the United States issuing debt are doing this, and fifty billion dollars' worth of municipal moneys are already doing this, and every home rule city in the State of Illinois has the right to do this. There has been no negatives. There's been nothing other than maybe a little fear in this Body. Passed the House 115 to nothing. I would solicit your Aye vote.

PRESIDENT ROCK:

Question is, shall House Bill 3583 pass. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 25 Nays, 1 voting Present. House Bill 3583, having received the required constitutional majority, is declared passed. Senator Schuneman, for what purpose do you arise, sir?

SENATOR SCHUNEMAN:

Request a verification, Mr. President.

PRESIDENT ROCK:

That request is in order. Senator Schuneman has requested a verification. Will the Members please be in their seats. Madam

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Secretary, read the affirmative roll.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Cullerton, Dart, DeAngelis, del Valle, Demuzio, Di Turi, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.J. Joyce, Kelly, Lechowicz, Luft, Madigan, Marovitz, Munizzi, O'Daniel, Rea, Savickas, Severns, Smith, Vadalabene, Weaver, Welch and Mr. President.

PRESIDENT ROCK:

Senator Schuneman, do you question the presence of any Member voting affirmatively?

SENATOR SCHUNEMAN:

Yes, Mr. President. Senator Cullerton.

PRESIDENT ROCK:

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

SENATOR SCHUNEMAN:

Sorry, Mr. President. Was -- was he stricken?

PRESIDENT ROCK:

Senator Cullerton was stricken; he now is in the center aisle and will be replaced.

SENATOR SCHUNEMAN:

Okay. All right. Senator Jones.

PRESIDENT ROCK:

Senator Jones is to my left - philosophically and physically.

SENATOR SCHUNEMAN:

Senator Welch.

PRESIDENT ROCK:

Senator Welch is on the Floor in the back.

SENATOR SCHUNEMAN:

No further questions.

PRESIDENT ROCK:

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All right. The roll has been verified. On that question, there are 31 Ayes, 25 Nays, 1 voting Present. House Bill 3583, having received the required constitutional majority, is declared passed. 3587. Senator Cullerton. We're at the top of page 17. Okay. All right. Ladies and Gentlemen, I'm sure the Secretary has had the Pages pass out the Recall List. As you can tell, the list is getting longer - higher, wider, heavier and longer as we say in the trade. I would ask the Members to pay particular attention. Based on past performance, this is the time when some amendments pop up that we may not want to see. So we will attempt to deal with the requests of the Members. There are about forty amendments. We will go through as expeditiously as possible, but I would ask the Members to please pay attention. If I can direct your attention to the Recall List. Page 10 on the Calendar. Senator Berman, are you with us? We're on the Recall Calendar. This may be the last chance before Sunday to do Recalls. Middle of page 10, on the Order of House Bills 3rd Reading, is House Bill 1890. 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, House Bill 1890, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1890 deals with the IGAP testing by the State Board of Education. During the committee...

PRESIDENT ROCK:

All right. Ladies and Gentlemen, we have forty amendments, some of which no one has ever seen before. No one. So I would

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ask you please to take the staff conferences off the Floor, and try to pay attention. If need be, I'll clear the Floor, but let's stay with it. Senator Berman, I'm sorry.

SENATOR BERMAN:

During the Education Committee hearing, questions were raised by the representatives of special ed students, regarding the language in the bill, and this amendment is to address those concerns. The bill originally provided that every child would be taking a test unless they were exempt, and what this does is reverse that language and provide that every special ed child must provide for the testing in their individual education program. It also extends by another year - to the '94/'95 school year - the time in which to address those individual education programs; and also provides for development of alternative testing where the IGAP test would not be appropriate. Be glad to respond to any questions, and I solicit your vote to adopt Amendment No. 1.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 1 to House Bill 1890. Discussion? Senator Kelly.

SENATOR KELLY:

Mr. President, a question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Kelly.

SENATOR KELLY:

Senator Berman, this would require special ed students to be tested. Does this amendment do anything to exempt them, or are you still going to - which I think is ludicrous - give the -- the whole intent of having our students tested in the various grades is to bring up education for the general education population, not for the special. And I think what you're doing is, you're losing a lot because you're going to cause a lot of deep problems among the students and the parents of special education students.

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What I would like to know, does this amendment do anything to change the intent on the original bill on that particular issue?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Yes. It -- it reverses the entire language of the original bill. The original bill had every child undergoing a test. This says, as far as special ed kids, unless their IEP, their Individual Education Program, specifies that they will be tested, they will not be. It reverses the language of the original bill.

PRESIDENT ROCK:

Further discussion? If not, Senator Berman's moved the adoption of Amendment No. 1 to House Bill 1890. Further discussion? All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 11 on the Calendar, Ladies and Gentlemen. On the Order of House Bills 3rd Reading is House Bill 2755. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2755, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Mr. President. This simply puts in an effective date, upon becoming law, and I would move its adoption.

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PRESIDENT ROCK:

Senator Demuzio's moved the adoption of Amendment No. 1 to House Bill 2755. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Bottom of page 11. 2767. Senator Dart 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 2767, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Dart.

PRESIDENT ROCK:

Senator Dart.

SENATOR DART:

Thank you, Mr. President. Amendment No. 2 would allow law enforcement agencies to combat the rise in gang activity amongst youths by allowing them to disseminate information that they may obtain. This would clarify that they are allowed to, in fact, disseminate that information, and the State Police encouraged this legislation. I ask for its adoption.

PRESIDENT ROCK:

Senator Dart has moved the adoption of Amendment No. 2 to House Bill 2767. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

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3rd Reading. Directing your attention to page 13 on the Calendar. Page 13, Ladies and Gentlemen, on the Order of House Bills 3rd Reading is House Bill 2950. Senator Schaffer 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 2950. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I would move to table Amendments 2 and 3. Amendment 2 was Senator DeAngelis' amendment which would apply some of the provisions of this Act to Cook County. Apparently the appropriate authorities have discussed it with him and decided they didn't want that applied to Cook County, or whatever. And Amendment 3 we'll address with Amendment 4. But I move to table Amendments 2 and 3.

PRESIDENT ROCK:

All right. Senator Schaffer, having voted on the prevailing side, is moving to reconsider the vote by which Amendments 2 and 3 to House Bill 2950 were adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The Motion to Reconsider prevails. Senator Schaffer now moves to table Amendments No. 2 and 3 to House Bill 2950. Discussion? If not, all in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and Amendments No. 2 and No. 3 are tabled. Further amendments, Madam Secretary?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Schaffer.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, Amendment No. 4 is identical to Amendment No.

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3, with technical corrections suggested by LRB.

PRESIDENT ROCK:

Senator Schaffer has moved the adoption of Amendment No. 4 to House Bill 2950. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 5 offered by Senator Keats.

PRESIDENT ROCK:

Senator Keats. Withdraw? Gentleman asks that it be withdrawn, Madam Secretary. Further amendments?

SECRETARY HAWKER:

Amendment No. 5 offered by Senator Schaffer.

PRESIDENT ROCK:

Senator Schaffer, on Amendment No. 5.

SENATOR SCHAFFER:

Mr. President, Amendment No. 5 comes to us from the State's Attorney's Office in Peoria, and it would allow all clerks to add special assessments to the sales tax as soon as they become delinquent, rather than waiting two years until the scavenger sale. And it also makes changes in other Sections of the Revenue Act regarding to the inclusion of the municipal liens and a tax sale information to mirror the changes -- that we made in House Bill 2947.

PRESIDENT ROCK:

Senator Schaffer has moved the adoption of Amendment No. 5 to House Bill 2950. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

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3rd Reading. Bottom of page 13. 3070. Senator Watson 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 3070, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Watson.

PRESIDENT ROCK:

Senator Watson, on Amendment No. 2.

SENATOR WATSON:

Thank you, Mr. President. This amendment takes out the language dealing with the detachment and the filing of petitions at the regional superintendent of schools. We debated this bill yesterday, took it out of the record, and we are taking that language out in -- which Senator Schaffer so eloquently opposed.

PRESIDENT ROCK:

Senator Watson has moved the adoption of Amendment No. 2 to House Bill 3070. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Bottom of page 13. Senator Dunn seeks leave of the Body to return House Bill 3105 to the Order of 2nd Reading for the purpose of tabling an amendment. Leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3105. Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I move to table the Floor amendment that was passed earlier.

PRESIDENT ROCK:

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Senator Dunn, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 1 to House Bill 3105 was adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote's reconsidered. Senator Dunn now moves to table Amendment No. 1 to House Bill 3105. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and Amendment No. 1 is tabled. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 14. On the Order of House Bills 3rd Reading is House Bill 3139. Senator Cullerton 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 3139, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Keats and del Valle.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

As you may remember, this was the bill that had to do with protecting the associate judges in Peoria County and in Cook County. What we've done is shift it from Cook so that this associate will then be elected from the subcircuits as a full circuit judge, when that term becomes vacant, which would be several years down the line. And that was all it does.

PRESIDENT ROCK:

Senator Keats has moved the adoption of Amendment No. 2 to House Bill 3139. 3139, Madam Secretary. Discussion, on the adoption of the amendment? If not, all in favor, indicate by

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saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Middle of page 14. On the Order of House Bills 3rd Reading is House Bill 3160. Senator Rea 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 3160, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Rea.

PRESIDENT ROCK:

Senator Rea, on Amendment No. 1.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. This amendment to House Bill 3160 amends the Illinois Rural/Downstate Health Act. County and multi-county boards of health are allowed to establish fees for services or regulatory activities they perform in certain situations. The Department of Public Health may delegate certain powers to local boards of health and delete certain provisions, which require county or multi-county health departments to recommend fee schedules to the county board. This is an amendment that is supported by the Department of Public Health and also the Illinois Public Health Association. I would -- I would move for adoption.

PRESIDENT ROCK:

Senator Rea has moved the adoption of Amendment No. 1 to House Bill 3160. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

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SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top page 15. On the Order of House Bills 3rd Reading is House Bill 3246. Senator Leverenz seeks leave of the Body to return that bill to the Order of 2nd Reading. Is leave granted? On the Order of House Bills 2nd Reading is House Bill 3246, Madam Secretary.

SECRETARY HAWKER:

I have no amendments on file.

PRESIDENT ROCK:

Gentleman wishes that it be held on 2nd Reading. 2nd Reading, Madam Secretary. There it will stay. 3261. Senator Macdonald. On page 15, Ladies and Gentlemen. Middle of page 15. On the Order of House Bills 3rd Reading is House Bill 3261. Senator Macdonald 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 3261, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 <sic> (2) offered by Senator Macdonald.

PRESIDENT ROCK:

Senator Macdonald, on Amendment No. 3 <sic>.

SENATOR MACDONALD:

Thank you, Mr. President. This amendment is at the request of the Illinois State Bar Association. It clarifies that a -- a party to a modification of custody proceeding may also obtain a temporary custody order. And it deletes all reference to Section 609.

PRESIDENT ROCK:

Senator Macdonald has moved the adoption of Amendment No. 3 <sic> to House Bill 3261. Is there any discussion? If not, all in

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favor, indicate by saying Aye. All opposed. The Ayes have it.
The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 4 <sic> (3) offered by Senator Macdonald.

PRESIDENT ROCK:

Senator Macdonald, on Amendment No. 4 <sic>.

SENATOR MACDONALD:

Yes. This Senate Amendment 4 <sic> makes changes in the Illinois Marriage and Dissolution of Marriage Act to provide the court with discretion to prohibit a conciliation, mediation or other process that requires the parties to meet and confer without counsel.

PRESIDENT ROCK:

Senator Macdonald has moved the adoption of Amendment No. 4 <sic> to House Bill 3261. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 5 <sic> (4) offered by Senator Macdonald.

PRESIDENT ROCK:

Senator Macdonald, on Amendment No. 5 <sic>.

SENATOR MACDONALD:

Amendment No. 5 <sic> makes changes to the Domestic Violence Act to provide that in circuit court proceedings domestic abuse advocates may sit at the counsel table and confer with the victim.

PRESIDENT ROCK:

Senator Macdonald has moved the adoption of Amendment No. 5 <sic> to House Bill 3261. 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. Page 15. Senator Schuneman. On the Order of House Bills 3rd Reading is House Bill 3281. The middle of page 15. Senator Schuneman 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 3281, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Schuneman.

PRESIDENT ROCK:

Senator Schuneman, on Amendment No. 1.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 1 has two components, really. The first is resurrecting the language that was in Senate Bill 1909, which passed the Senate unanimously on May 30th, and apparently has become hung up in the House. That's the language that would create the Producer Controlled Insurer Act. The other issues that are in this amendment are basically housekeeping-type issues, some of which were items of criticism by the Auditor General that the Department was not doing some things that the Statute mandated them to do, even though there's been no request for that work product. First is one that would eliminate the requirement that the Department of Insurance make rules under the Condominium Risk Pooling Trust Act for standards of coverage and administration of such Acts. The public has shown no interest in asking the Department for any of this work, and they want to be relieved of it. Number two, it would expand the annual statement requirement to companies authorized to do business in Illinois, rather than just those that are actually doing business here. So if a company is authorized to do business in Illinois, the Department can require financial statements from that company. It authorizes payment of out-of-state lodging and travel expenses for

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financial examiners in order to raise Illinois standards to those required by the National Association of Insurance Commissioners. It would modernize the financial reporting requirement for accident and health insurance, permitting them to file their financial reports on diskettes, and also removes the hundred-dollar-a-day penalty for late filing of those reports. And the last thing, it removes the requirement that medical malpractice insurers report on claims payments and reserves, but it retains the authority for the Director to request such information, if it is needed. I'd be happy to try to answer any questions; if not, I move adoption of the amendment.

PRESIDENT ROCK:

Gentleman has moved the adoption of Amendment No. 1 to House Bill 3281. Discussion? Senator Jones. All right. Any 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. Middle of page 15 is House Bill 3282. Senator Carroll 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 3282, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT ROCK:

Senator Carroll, on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 tries to deal with the issue of people who have

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been placed onto the CHIP rolls, but who had previously gotten some type of a settlement in a lawsuit, usually called the structured settlement, whereby their trust funds were to be used for their care and keeping. In many cases, the trustees then go ahead and place them onto a State -- State-paid-for insurance plan called CHIP, so that they can garner these assets for successor people, even though the original settlement was to provide the funds for the medical care. The point of this is to say if that's the case, let them use those trust funds first and exhaust those before they raid the State Treasury, and I'd move adoption of Amendment No. 1.

PRESIDENT ROCK:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3282. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 15 on the Calendar. 3395. Senator Hall seeks leave of the Body to return Senate -- House Bill 3395 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 3395, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Smith and Demuzio.

PRESIDENT ROCK:

Senator Smith, on Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand to cancel the amendment on 3395.

PRESIDENT ROCK:

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Amendment's been withdrawn at the request of the sponsor.
Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3410. 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 3410, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Hawkinson.

PRESIDENT ROCK:

Senator Hawkinson, on Amendment No. 2.

SENATOR HAWKINSON:

Thank you, Mr. President. Yesterday, an Amendment No. 1 was offered to this bill, which provides that when a car dealer makes an offer of judgment, that the consumer, if he refuses to settle or refuses to accept the offer of judgment, and then goes to trial and gets no more than the offer, would have to forgo attorney's fees and costs from the time of the offer. Amendment No. 2 attempts to balance the scales on this matter, and provides that a consumer may make an offer to settle the lawsuit, and if the dealer refuses to accept the offer, and the consumer goes on to trial and gets as much or more than the offer, that the dealer would then have to pay prejudgment interest on the entire judgment from the date of the offer. We've run this by I think both sides of this perennial issue, and I don't believe there's any dispute on this amendment. But it attempts to balance the scale and even up what we did with Amendment No. 1.

PRESIDENT ROCK:

Senator Hawkinson's moved the adoption of Amendment No. 2 to House Bill 3410. Discussion? If not, all in favor, indicate by

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

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 16 on the Calendar, Ladies and Gentlemen. Middle of page 16. On the Order of House Bills 3rd Reading is House Bill 3479. Senator Carroll 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 3479, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Holmberg and Carroll.

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This amendment simply includes among public radio and television stations eligible for the Comptroller's grant program, those authorized on a program test authority by the FCC, and it's supported by the Illinois Public Broadcasting Council.

PRESIDENT ROCK:

Senator Holmberg has moved the adoption of Amendment No. 2 to House Bill 3479. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Page 16. On the Order of House Bills 3rd Reading is House Bill 3483. Senator Severns seeks leave of the Body to return House Bill 3483 to the Order of 2nd Reading for purposes of

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an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3483, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Severns, Cullerton and Berman.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank -- thank you, Mr. President, Members of the Senate. This amendment -- amendment simply permits the State's attorney and the circuit clerk with the approval of the chief judge of the circuit in which the county is located, to establish a -- a joint child support collection program. I know no objection, and would urge its adoption.

PRESIDENT ROCK:

Senator Severns has moved the adoption of Amendment No. 1 to House Bill 3483. 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 HAWKINSON:

Senator, in committee this bill originally dealt with having the Collection Agency Act not apply to the collection of child support. And as I understood the discussion in committee, a commitment was made that there would be certain aspects of that Act that would apply and -- and such as physical coercion and threats and the like and other things that would not apply. As I read this amendment, you're starting an entire new bill - one that has not been through committee. And I would quote my friend, Senator Welch, when we did this on a Motion to Discharge, that

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you're shifting the entire focus of the bill; it's -- it's a whole new process involving the setting of standards by State's attorneys and circuit clerks - something I know of no precedent for. And you're also providing the -- the assignment by some governmental body, I guess, for collection, either to a collection agency or to an assigned attorney, and I'm concerned that we're creating a whole new system here - something that hasn't been through committee, really hasn't been through the rules process, and while I could support your original bill with the amendments that you committed to, I'm -- I rise in opposition to this one.

PRESIDENT ROCK:

Further discussion on Amendment No. 1? Senator Severns, you wish to close?

SENATOR SEVERNS:

Senator Hawkinson, if I could just respond for a moment. The -- what we committed to quite clearly is that some of the provisions of the original amendment were objected to by members of the committee -- on both sides of the committee. We have eliminated those with the sense that that language still needs to be resolved and this bill is inevitably going to go to conference. The Circuit Clerk of Court of Cook County would certainly - who brought this language to us - would -- would disagree that it has nothing to do with the original bill. It was because of the original bill that this language was brought forward. The intent is not to start new process, but to try to work out an agreement, as promised in that committee, in a conference committee, on the language that we've currently omitted from this bill.

PRESIDENT ROCK:

All right. Senator Hawkinson, for the second time. The Lady was about to close. Senator Hawkinson.

SENATOR HAWKINSON:

I apologize for rising a second time, Mr. -- Mr. President.

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But as long as we have a commitment that this is going to conference and that this isn't final action, I'll withdraw my objection.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

You have that commitment absolutely, and I would urge adoption of the amendment.

PRESIDENT ROCK:

Senator Severns has moved the adoption of Amendment No. 1 to House Bill 3483. 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. If I can have your attention, WSSU-FM has requested permission to do some tape recording. Without objection, leave is granted. Page 16 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 3563. 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 3563, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment was prepared by the County Clerks' Association. It keeps the purpose and the agreement that we'd previously had, limiting this bill to the

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Secretary of State's Office. The two changes embodied in here is to allow the registration of voters for their specific election jurisdiction or adjacent jurisdictions. We were concerned about the flexibility of that registration if you were in a Secretary of State's Office, and you were at the -- you came in and you lived in an adjacent county or an adjacent suburb, could you still register, and this addresses that flexibility. And then it also requires a listing of voter registration and registration transfer -- transactions to be produced in that process. I move the adoption of Amendment 2.

PRESIDENT ROCK:

Senator Berman's moved the adoption of Amendment No. 2 to House Bill 3563. 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. Page 17. On the Order of House Bills 3rd Reading is House Bill 3598. Senator Davidson 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 3598, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Davidson.

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, and Members of the Senate, this is an amendment from the Secretary of State's Office, which would allow the Secretary of State's Office to accept credit or debit cards for payment of any fees due this office. Also provides the State

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could not incur a discount fee for the credit or debit card transaction processing service. Also increases the fee of a returned check, from ten to fifteen dollars. So it would more equitably show the cost of what the Secretary of State's Office has to do to collect the fee on a nonsufficient fund check that is returned. Move the adoption of the amendment.

PRESIDENT ROCK:

Senator Davidson has moved the adoption of Amendment No. 1 to House Bill 3598. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Philip.

PRESIDENT ROCK:

Senator Philip, on Amendment No. 2.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 would provide -- it would authorize the Illinois Secretary of State to provide U.S. Veteran license plates. It also includes a added fee of fifteen dollars to pay for the special plate, and a two-dollar renewal charge. I move the adoption of Amendment No. 2.

PRESIDENT ROCK:

Senator Philip has moved the adoption of Amendment No. 2 to House Bill 3598. 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 Philip.

PRESIDENT ROCK:

Senator Philip, on Amendment No. 3.

SENATOR PHILIP:

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I wish to withdraw it, Mr. President.

PRESIDENT ROCK:

Withdrawn at the request of the sponsor. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On the Calendar, on page 17, appears House Bill 3607. Senator Raica seeks leave of the Body to have that back on 2nd Reading. Hearing no objection, leave is granted. Senator Hawkinson has an amendment. Come on, I can't hear you. Asks to withdraw. Take it out of the record. On page 17 appears House Bill 3610. Senator Savickas. Savickas. On page 17 appears House Bill 3650. Senator Severns. Severns. Read the bill, Madam Secretary. Asks leave of the Body to bring the bill back from -- from 3rd to 2nd. Hearing no objections, the bill's on 2nd Reading. Senator Severns, on the amendment. Read the bill.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Severns.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Severns, Amendment No. 1.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This is an attempt to meet the federal mandate, the Cash Management Act be implemented by the State. The negotiations of all parties are still continuing, and I believe that this bill will go to conference before it's resolved, but it's a result of the meetings called by the Intergovernmental Cooperation Commission, and I would urge the adoption of this amendment, so that talks can proceed and that we can meet our federal deadline.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Severns moves the adoption of Amendment No. 1. Is there any discussion? The question is, shall Amendment No. 1 be adopted. All in favor, signify by saying Aye. Aye. Opposed. Amendment No. 1 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On page 18 appears House Bill 3695. Senator Berman seeks leave of the Body to bring that bill back from 3rd Reading to 2nd. Hearing no objections, the bill's on 2nd Reading. Any amendments?

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman, please.

SENATOR BERMAN:

Thank you, Mr. President. This amendment does three things. It allows school districts to obtain Medicaid reimbursements from the Federal Government for qualified health services provided to students. It allows joint education programs to have greater flexibility in borrowing for monies that are due them, that are past due. And third, it allows a negotiated sale for those parcels of a school building in Chicago where there has been a lease as a school building for at least ten years. Move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The Lady from DuPage, Senator Karpel.

SENATOR KARPIEL:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

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SENATOR KARPIEL:

Senator Berman, the part about selling a school building that's been continually leased for ten years, et cetera, et cetera. That sounds like it's specifically for one area, or one school building. Could you tell us a little more about that, and why you don't want to go out for bids, or publish notice?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

The -- the tenant in this particular parcel has used it in a parochial school setting, and they have negotiated on the lease. The -- the many years and investment that they have made into this building, if it's put up for total sale, may undermine the investment that has been put, and displace - or possibly displace - the hundreds of students that have been utilizing this particular parcel. This allows for negotiated sale, as opposed to a -- a published -- published sale. It's only one -- there's only one that I'm aware of.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Berman moves the adoption of Amendment No. 1. All in favor, signify by saying Aye. Aye. Opposed. Amendment No. 1 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On page 18 of the Calendar appears House Bill 3707. Senator Schuneman. Senator Schuneman requests leave of the Body to bring the bill back from 3rd to 2nd. Hearing no objection, 2nd Reading, on 3707.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Schuneman, on Amendment No. 2.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think the first order here, Mr. President, should be to table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman moves to table Committee Amendment -- hearing no objection, Committee Amendment No. 1 is tabled. Now -- down -- now it should be Floor Amendment No. 1.

SENATOR SCHUNEMAN:

Floor Amendment No. 1, Mr. President, is the result of an agreement in committee under which we agreed that the offense in the bill would be strictly a secondary offense. The amendment also clarifies that vehicles to which the law apply, would be only those commercial vehicles with a gross vehicle weight rating greater than twenty-six thousand pounds. In other words, the radar detector bill will only apply to larger trucks. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman moves the adoption of Amendment No. 2. Is there any discussion? Question is, shall Amendment No. 2 be adopted. All in favor, signify by saying Aye. Opposed. Amendment No. 2 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senators Watson, Topinka, Hawkinson, Fawell, O'Daniel, Leverenz and Holmberg.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This amendment is sponsored by myself and Senator Topinka, Hawkinson, Fawell, O'Daniel, Leverenz and Holmberg. This deals with two issues. One, the radar detector and the secondary offense, and the fact that roadblocks

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and sobriety test lanes could not be used to arrest someone for the violation of the radar detector. And it also involves the seat belt violation. Several -- when we -- when we originally passed the seat belt law, I believe that the sponsor here in the Senate, if I recall - I believe it was Senator Chew - said that the intent of the legislation will not be that individuals will be arrested solely for a violation of the seat belt law. That was the original intent of the legislation. Unfortunately, some of the law enforcement community have overreacted - as far as I'm concerned - and not really followed the letter of the intent of the law, and had been arresting people for -- for that violation, without really any other reason. So several years ago I introduced a bill to amend the Act, to make sure that if you're going to be arrested for the seat belt law, that it would be a secondary offense. Okay. Well, now the courts have interpreted the language of the law that says that we are using -- that -- that's being used now for the secondary offense -- the courts have determined that it precludes, and does not include, roadblocks. So in other words, someone who is stopped along the highway can be ticketed for a violation of the seat belt law. That was -- is not the intent. That was not the intent. This amendment says that those people will not be ticketed. If they're stopped at a roadblock, traffic safety lane, you will not receive a ticket for a violation of the seat belt law, or the radar detector. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion on Amendment No. 3? Looks like there's quite a bit. Senator Cullerton.

SENATOR CULLERTON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

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SENATOR CULLERTON:

While we're doing this, why don't you throw in drunk driving, too? Why would you allow the -- the police to have somebody take a Breathalyzer test at one of these roadblocks? In fact, why don't you just ban roadblocks, if that's what's bothering you so much? That really is the question. Would you consider putting in drunk driving, too, or are we against drunk driving?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Certainly not.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

So there's a roadblock, and you drive up to this roadblock, in your truck, without your seat belt on and with your radar detector; they can't -- they can't give you a fifty-dollar ticket for not wearing your seat belt, and they can't give you a fifty-dollar ticket for having a radar detector, even though they're right, they see that, but they can arrest you for drunk driving, and give you a Breathalyzer test, and you can lose your license for six months if you're convicted. This is -- this is crazy. We had the bill in committee. The fact of the matter is -- is that Senator Schuneman agreed in committee, okay, we'll make it a secondary offense. So you can't be stopped just because a police officer sees your radar detector in your truck. But to -- to extend it further, to the concept of -- of roadblocks, it goes to the heart of the question, and your real objection is to the roadblocks. You're saying that's -- that's -- that's not a secondary offense. And I would suggest that you take this issue and put it on another bill and try to ban roadblocks, because -- but to have it apply to this -- this bill would result in absurd

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enforcement. I know the State Police is very much opposed to the amendment. I think it's a bad idea.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in support of the amendment. Number one: the commitment was made in committee to deal with this issue, and that's why we're bringing the amendment now. The bill passed out of committee 7 to 5 with some of our votes, and would still be in committee, Senator, if the commitment had not been made on this. And quite frankly, I'm surprised at the last speaker in terms of the roadblock issue. Our whole system of law enforcement is based, and ought to be based, on probable cause requirements before someone is arrested or is otherwise treated as an offender, and the use of the roadblocks to -- to give tickets of this nature, clearly violates the spirit of our system of law enforcement. If the speaker would like to offer the bill to deal with the entire roadblock situations, he'd probably find a lot of support. But this commitment was made in committee and it never would have got out of committee without it, and I would urge an Aye vote on the amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from Cook, Senator Raica. Raica.

SENATOR RAICA:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR RAICA:

Senator Watson, if I were stopped on Archer Avenue, where the police usually cordon off to catch DUI and speeders, and I had

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open alcohol in my vehicle, and I did not have my seat belt on, could the police write me for the seat belt?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Under current law, yes; under the proposed amendment, no.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

Wouldn't the seat belt be a secondary offense? I had open alcohol in the car. He wrote me for the alcohol, and now you're telling me he cannot write me for the seat belt? That's a second offense.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

If it -- if it is a systematic stop - in other words, if they're stopping every third car - and you are not wearing your seat belt, you will not be ticketed, under this proposal, for a seat belt violation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

Well, Mr. President, to the bill: I'm finding it very hard to believe that, you know, if you -- if you own a radar detector and it's in your vehicle, it's -- technically it's against the law. If you don't have your seat belt on, you're technically against the law. The police officer stops you, or if you're going through a roadblock, number one, you know you're going through the roadblock; you could be forty cars in a roadblock. If you can't think to put the seat belt on in your car, when you're the fortieth car being stopped, you definitely are brain-dead, to

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begin with. Well, my problem is I have open alcohol in the car, I don't have my seat belt on, and I have a radar detector in the car. I mean, it doesn't take a brick to hit me in the head to know I got a little problem here. I don't know if this is a good idea or not. I think if it's against the law to have a radar detector, you know, I've -- I've gone through toll booths where the State trooper is right there looking at you. Now, is that technically a roadblock? He's looking for something, Senator Watson. You know, I don't know what the point of this -- I'm sure that you do have a good point for this, but this isn't the bill that it should go on. If it's against the law to have the radar detector and not have your seat belt on, then it's against the law. I don't think the roadblocks have anything to do with it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dudycz.

SENATOR DUDYCZ:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DUDYCZ:

Senator, the -- the roadblocks that we're referring to, how -- what purposes are these roadblocks being performed, as -- as you see them, and -- and how would you explain the police officers overreacting to them?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Well, they are checking oftentimes for DUI, safety lane inspections, those types of things. That's fine, you know; if they want to do that, they have every right, as far as I'm concerned. But when they start arresting people and really harassing people - as far as I'm concerned - for not wearing a

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seat belt or in this particular case, having a radar detector, I think is overstepping the original intent of the issue.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dudycz.

SENATOR DUDYCYZ:

Well, then you explained the reason that the police officers stopped these vehicles is for safety reasons, then you're saying, but during the inspection of the vehicle the police officer notices a violation of the law, and you're telling them that you wish for them to overlook this violation. I think, you know, if the police officer is stopping the car under the roadblock provisions, he's doing it for safety reasons, and I don't think that excluding seat belts or -- or the radar detectors is a proper way to go. They are also dealing with the safety of the pedestrians and the motorists, as well as their passengers, and I think we should defeat this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I rise reluctantly to oppose the amendment. First of all, for -- for those Members who may not be into this bill all that much, this bill has nothing to do with banning radar detectors in every vehicle in Illinois; it only applies now to heavy trucks. In committee I made the commitment that we would change the bill, so that it would be strictly a secondary offense. In other words, police could not stop heavy trucks solely to determine whether or not there is a radar detector in the truck. I made that commitment to Senator Watson, Senator Hawkinson and others, and we did that. That's what's in Amendment No. 1. I oppose this amendment, because I think the sponsor is trying to deal really with a different issue here. He's unhappy with the way the seat belt law has been enforced in

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Illinois. And I don't know that he's all wrong about that. The only thing I would ask you to consider is that if you put this provision on -- on this bill, which -- which was introduced at the request of the Secretary of State -- Secretary of State isn't interested in getting into a big fight with the State Police or any other element. What he wants to do is ban radar detectors in heavy trucks. That's the purpose of the bill. If the sponsors want to do what they're seeking to do in this -- this amendment, I would respectfully request that they find a different bill to do it, rather than do it on this bill. Now I see Senator Hawkinson's all upset about this, but Senator, in my mind -- in my mind - and you and I may differ on this - but in my mind, I've done exactly what I agreed to do in committee. Now you may have read something else into what we said there, but at no time did I agree to -- to ban roadblocks for the purpose of enforcing seat belt violations. That's entirely something different, and so, based upon the fact that this bill was intended to do one thing and now is being changed to do something else, I would respectfully ask that you defeat the amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hawkinson. Senator Watson, to close.

SENATOR WATSON:

Well, I -- I understand and appreciate the previous speaker's concern, but the way I look at it, this is -- the ideal opportune time to address this issue is when we're talking about banning or making it illegal for large trucks to have radar detectors. I think that this is the opportune time to address this particular issue. As I mentioned earlier, when we debated the seat belt legislation, I remember specifically the sponsor saying that this will not be a primary offense, and that's -- the difference is, a primary offense is when you stop someone for something other than obviously a secondary offense, of which this is. A secondary

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offense is -- is the seat belt bill. What's happening out there, and I met with the Director of the State Police and he confirmed this, and by the way, Senator Raica, I know that you may have a problem with those people that won't put their seat belt on when they're at a traffic stop, but we just read two weeks ago where four thousand people were ticketed in the State of Illinois for not using their seat belt while they were in a traffic stop. So there's those people out there that don't understand what's going on, and the original intent was not to allow this. And I just think it's -- it's an overstepping of the bounds by our law enforcement community to what I call harass the motoring public out there who are law-abiding citizens, but just simply don't want to wear a seat belt or -- or maybe, for whatever reason, don't have it on at that particular point in time. I think this legislation is -- is good legislation, and I think it should be adopted, and I would appreciate your support for this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson moves the adoption of Amendment No. 3. Is there any further discussion? If not, those in favor, vote Aye. Those 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 28 Ayes, 22 Nays, none recorded as Present, and the amendment's adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On page 19 appears House Bill 3739. Senator Topinka requests leave of the Body to bring the bill back from 3rd to 2nd. Hearing no objections, the bill's on 2nd Reading. Please read the amendment, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Rigney.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rigney, Amendment No. 3.

SENATOR RIGNEY:

Well, Mr. President, before we move into that amendment, I would like to arise on a matter of personal privilege. I'd like to make an introduction here of some young students from Stephenson County, that were winners in an essay contest on the subject of Human Rights Leaders, and these four young people that are back at my desk here are these four winners.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Let's give them a nice warm welcome. Congratulations. Now, Senator Rigney, on Amendment No. 3, please.

SENATOR RIGNEY:

On -- on the amendment: What we're attempting to do here -- there's at least one school district in my legislative district that would like to have the privilege of accumulating some money for the purpose of capital improvements under what's known as the Capital Improvements Fund. This legislation would allow for that -- for that to be accumulated for up to six years. It can only be done, and I stress, it can only be done with a referendum approval for that capital accumulation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Senator Rigney moves the adoption of Amendment No. 3. All in favor, signify by saying Aye. Opposed. Amendment No. 3 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. Appearing on page 19 is House Bill 3769. Senator Topinka asks leave of the Body to bring the bill back from 3rd to 2nd for the purpose of an amendment. Hearing no objection, the bill's on 2nd Reading. Any amendments?

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SECRETARY HAWKER:

Amendment No. 3 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Topinka, Amendment No. 3.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, this is an -- an amendment that hopefully resolves the criticisms of Judge Sophia Hall of Cook County, presiding Judge of the Juvenile Division and of AFSCME. It does two things: it requires that the private agency or employee of a private agency to have personal and thorough knowledge of the case in which the appointment is made; it also notes that, if the court finds it's in the best interest of the minor that DCFS appear, even though DCFS has already designated a private agency to appear from -- for them, nothing in the bill prevents the court from ordering DCFS to appear, and that's what it does.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Topinka moves the adoption of Amendment No. 3. All in favor, signify by saying Aye. Opposed. Amendment No. 3 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On page 20 of the Calendar appears House Bill 3843. Senator -- Senator Welch asks leave of the Body to bring the bill back from 3rd to 2nd. Hearing no objection, the bill's on 2nd Reading. Read the amendment.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch, on Amendment No. 1.

SENATOR WELCH:

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Thank you, Mr. President. What the -- the amendment is intended to do is to enact agreed language between the waste industry and the Citizens for a Better Environment. This is language that has been worked out after a bill that passed over from the House was held in the Rules Committee. What the amendment will do is direct the Environmental Protection Agency to develop and make recommendations by July 1st of 1993 to the Pollution Control Board concerning the performance standards for landscape waste compost facilities and testing procedures and standards for the end-product compost produced by landscape waste facilities. It also directs the EPA to cooperate with the Energy and Natural Resources Department to appoint a technical advisory committee to develop landscape waste recommendations. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion on this amendment? Senator Welch moves the adoption of Amendment No. 1 to House Bill 3843. All those in favor, signify by saying Aye. Opposed. Amendment's adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. Gentleman from Jefferson, Senator O'Daniel, what purpose you seek recognition?

SENATOR O'DANIEL:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

State your point.

SENATOR O'DANIEL:

This is a great day for -- especially for Senator Vince Demuzio. He had a very lucky day thirty years ago today - he and Deanna were joined together in Holy Matrimony. You know, I don't

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know how she's put up with it, but it was a great time for Vince Demuzio. Let's congratulate Vince and Deanna.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Congratulations, Vince. Extend our best wishes to the first lady, as well. House Bill -- I'm sorry, on page 20 appears House Bill 3857. Senator Marovitz requests leave of the Body to bring the bill back from 3rd to 2nd for the purpose of an amendment. Hearing no objections, bill's on 2nd Reading. Do we have any amendments, Madam Secretary?

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Marovitz and Lechowicz.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, on Amendment No. 1.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This -- this is an amendment which was brought to my attention by Senator Lechowicz. And I think it's a -- it's a wonderful idea, and basically, it amends the looting Statute that says when a defendant is convicted of looting, the court shall impose a sentence of at least a hundred hours of community service, and shall require the defendant to make restitution to the owner of the property looted. It seems to make a lot of sense to me. I think getting some of these looters to provide community service would send a very strong message and a very strong sign to others who consider looting in the future. I don't think there's anything wrong with community service, and imposing such a sentence, I think, would be beneficial, and I would ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR HAWKINSON:

Senator, given the Supreme Court decision yesterday on the effect of the First Amendment on hate crimes, my suggestion might be that you might want to hold this bill in conference to see if there's any necessary cleanup to salvage our hate crimes Statute, in light of yesterday's decision.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Senator Hawkinson makes a very -- very good point. There is also a -- a hate crimes bill that's still here and has not passed yet, that we could do the very same thing on, so I think you make a very good point. We do need clarification of that, perhaps, and I would ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR COLLINS:

Senator, does this apply to six-, seven-, eight-year-olds? Because if you noticed, that in the last upheaval -- and in most of them you find children looting also - don't even know that they are looting. They just -- someone has broken into a place, they go, and people see things and they pick them up, including kids, and they don't really see that as looting, and don't know -- I mean, does it cover children, and...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

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SENATOR MAROVITZ:

Let me clarify that for you, because it does not apply to kids like you're talking about, because they would be in juvenile court, and they might be adjudged a delinquent, but they would not be convicted of looting if they were minors. This only applies to those who are convicted of the criminal offense of looting, which would mean that they would not be in juvenile court.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

Senator, I don't care whether -- I got sense enough to know that they're going to be in juvenile court. That is not my point. My point here is that we -- if we are going to pass a law here, that we ought to make doggoned sure that we're not going to, again, give some poor kids - usually minority kids - a record, because - even in juvenile court - because they were passing by someplace that had been broken in by some -- some hoodlums or whatever, and they pick up stuff out of this place, too, and caught with stuff. Are these people going to be judged as looters? And we -- before we move so fast to do things, and I understand, you know, these politicians have a way of wanting to fix everything, that's -- get a lot of attention in the press. But, we don't think all the time about what it is that we're doing, and this can be very dangerous to a whole lot of people out there. And you can -- you can damage the careers and the lives of innocent children, and -- and some innocent people, too, even like homeless people, picking up afterwards, 'cause that's what they do. They eat off the streets, they eat out of garbage cans, they eat and they pick up things from wherever they can. It is a place that's been broken into, and it's there. The police may not show up in many cases until the next day, like on the West Side more recently. They didn't even show up until the next day, so stuff

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was just laying there, and homeless people and people picked up stuff. That's what I'm concerned about here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

I want to clarify something so that nobody misunderstands. This has nothing to do with being convicted of the offense of looting. All this does, Senator Collins, if you are convicted of the offense of looting, which is already on the books. We're not putting an offense on the books. All we're saying is, if you are convicted of this offense, which is already on the books, then you'll have community service, as an addition to the penalty. The crime is already there, the penalty is already on the books. We're adding community service to the penalty. That's all.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. You know, I thought I heard everything now. I -- you're right -- we ought to give the kids the benefit of the doubt, when they're jumping through a broken window with glass coming down on them and the gates are pulled off the front, I'm sure they don't know what they're doing. You know, people walking out with TVs and stereos, like a two-for-one sale on a Sunday. You're absolutely right. As long as we're asking that question, Senator Marovitz, can you just clarify, you know, that other bill that we passed regarding the -- the roadblocks. Can you commit a hate crime if you're in a roadblock?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close.

SENATOR MAROVITZ:

I can't top that. Just ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Question is -- Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 3857. Those in favor, signify by saying Aye. Aye. Opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On page 20 appears House Bill 3898. Senator Luft requests leave of the Body to bring the bill back from 3rd to 2nd. Hearing no objections, the bill's on 2nd Reading. Senator Philip has an amendment. Read the amendment, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 6 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Philip.

SENATOR PHILIP:

Yeah. Thank you, Mr. President, Ladies and Gentlemen of the Senate. What Amendment No. 6 does is amend the quick-take provision in two years and sunset it. Move the adoption of Amendment No. 6.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall -- Senator Philip moves the adoption of Amendment No. 1 <sic> to Senate -- to House Bill 3898. All those in favor, signify by saying Aye. Aye. Opposed. Amendment No. 1 <sic> is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On page 20 appears 3902. Senator Dudycz asks leave of the Body to bring the bill back from 3rd to 2nd for the purpose of an amendment. Hearing no objections, the bill's on 2nd

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Reading. Read the amendment, Madam Secretary.

END OF TAPE

TAPE 5

SECRETARY HAWKER:

...(machine cutoff)...No. 1 offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. This amendment was requested and drafted by AFSCME Council 31. It's technical and it contains clean-up language. It is intended to clarify existing law stating that any health, accident, hospital or medical plan is subject to continuation privileges for local government employees, even when an employee or retiree is covered by an HMO. The original legislation, passed back in 1985, stated that HMO coverage could be continued when a local government employee retired at the retiree's expense. The legislation, however, did not correct cross-referencing to HMO Act and others such as the municipal, counties and local government codes. And since the passage of the original bills, several local government entities have requested a clarification on HMOs. This legislation has no direct fiscal impact on local governments, because if insurance coverage is continued, the retiree must pay the premiums, and I ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion on Amendment No. 1? Senator Dudycz moves the adoption of Amendment No. 1. All those in favor,

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signify by saying Aye. Opposed. Amendment No. 1 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer, Amendment No. 2.

SENATOR SCHAFFER:

Mr. President, this would correct a problem in the Election Code for municipalities, and indicate that when an area incorporates for the first time into a new municipality, that the first set of village officials shall be elected at the next election, not the next municipal election. We have a potential -- we have a definite referendum on the ballot this fall in a little town in Lake County called Volo. They want to be able to, if that referendum prevails, select their officers at the next election, which is in February, rather than have to wait for the next municipal election. They want to get up and running as quickly as possible. I don't think there's any controversy at all on it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall Amendment No. 2 be adopted. All those -- all those in favor, signify by saying Aye. Opposed. Amendment No. 2 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schaffer, Amendment No. 3.

SENATOR SCHAFFER:

Withdraw.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman withdraws Amendment No. 3. Any further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On page 21 appears House Bill 4039. Senator Karpziel. Senator Karpziel asks leave of the Body to bring the bill back from 3rd to 2nd for the purpose of an amendment. Hearing no objections, the bill's on 2nd Reading. Are there any amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel, on Amendment No. 3.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 3 adds "reclaimed asphalt pavement" to the definition of "clean construction or demolition debris" to be used in -- as fill or in construction or that type of thing. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Will the sponsor yield? Is asphalt pavement now not considered to be clean?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

SENATOR KARPIEL:

One time asphalt was thought to leach toxic materials into the ground, but it has since been found that that is not true and it can be used as a clean fill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

What -- what Act is it that we're amending, so that -- in other words, where would this be used as fill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

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SENATOR KARPIEL:

Is the question where would this be used as fill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Yes, ma'am.

SENATOR KARPIEL:

Anywhere. It could be used for construction sites, soil erosion projects, anyplace you'd want to use fill, like concrete is used at the present time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton? Is there any further discussion on Amendment No. 3? Senator Karpriel moves the adoption of Amendment No. 3. All those in favor, signify by saying Aye. Opposed. Amendment No. 3 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On page 21 of the Calendar appears House Bill 4119. Senator Palmer asks leave of the Body to bring the bill back from 3rd to 2nd for the purpose of an amendment. Hearing no objection, the bill's on 2nd Reading. Senator Palmer, on Amendment No. 1. Read the amendment, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Palmer.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Palmer.

SENATOR PALMER

Thank you, Mr. President and Members of the Senate. This amendment clarifies that participation in the restructured HOME program by participants in the current program is optional. This was an amendment requested by the Department of Revenue in committee and removes their objections, and I ask for a -- that we pass this.

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PRESIDENT ROCK:

Senator Palmer's moved the adoption of Amendment No. 1 to House Bill 4119. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Ladies and Gentlemen, that is -- Senator Raica for what purpose do you arise?

SENATOR RAICA:

Mr. President, I don't know if you're going to be at that point of business, but I would just ask leave of the Body to be withdrawn as sponsor of House Bill 3607, and have Senator Schaffer there in my stead, please.

PRESIDENT ROCK:

All right. 3607. Page 17. The Gentleman seeks leave to withdraw as chief sponsor and have Senator Schaffer shown as the chief sponsor. Without objection, leave is granted. All right. Ladies and Gentlemen, we have concluded the Recall List. We will now move to the Order of House Bills 2nd Reading for the purpose of taking the bills -- substantive bills that have been ruled exempt. Substantive bills on the Order of House Bills 2nd Reading. I would encourage the Membership, if indeed, you have a House Bill on 2nd Reading, this is the moment. Page 22 on the Calendar. Page 22. On the Order of House Bills 2nd Reading is House Bill 1181. Senator Woodyard. Read the bill, please.

SECRETARY HAWKER:

House Bill 1181.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

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Any amendments from the Floor?

SECRETARY HAWKER:

Senator Woodyard offers Amendment No. 1.

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This amendment is the agreement between the proponents of the bill and the Illinois State Bar Association, and it will allow a motion to modify a custodial judgment and a declaration of change of circumstances for any one of the three following: the fact that -- a petition has been filed by the custodian under Section 609 for leave to remove children from the State of Illinois; the custodian has temporarily removed the child from Illinois for more than sixty days; or the custodian has removed the child permanently from the State of Illinois. And that's what the amendment does.

PRESIDENT ROCK:

Senator Woodyard has moved the adoption of Amendment No. 1 to House Bill 1181. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Woodyard.

PRESIDENT ROCK:

Senator Woodyard, on Amendment No. 2. Senator Dunn, for what purpose do you arise?

SENATOR T. DUNN:

I'm wondering if that amendment's been distributed, Mr. President.

PRESIDENT ROCK:

Indicates it has not yet been distributed. Senator Woodyard.

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SENATOR WOODYARD:

Mr. President. I would like to move this bill to 3rd Reading, and certainly with the amendment not being distributed, I cannot proceed with that, so I would ask that that amendment be withdrawn.

PRESIDENT ROCK:

Amendment's been withdrawn. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

It's too late now, because I had my hand up earlier, but that's okay. Too late.

PRESIDENT ROCK:

All right. 1680. Senator Palmer. 1680. Read the bill, please.

SECRETARY HAWKER:

House Bill 1680.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Senator Berman. 2433. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2433.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Berman offers Amendment No. 1.

PRESIDENT ROCK:

Senator Berman, on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. This is the Legislative Reference Bureau's spring revisory bill. I move the adoption of Amendment No. 1.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 1 to House Bill 2433. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2434. Senator Berman. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2434.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Senator Berman.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Berman.

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PRESIDENT ROCK:

On 2434. Senator Berman, on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. This is also the Legislative Reference Bureau. This is being amended. The intention will be to hold it till the fall, so this is a nonsubstantive one-liner amendment. I move the adoption.

PRESIDENT ROCK:

Senator Berman has moved the adoption of Amendment No. 1 to House Bill 2434. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Bottom of page 22. 2711. Senator Marovitz. Middle of page 24. 2949. Senator Luft. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2949.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Schaffer offers Amendment No. 1.

PRESIDENT ROCK:

Schaffer. Senator Schaffer. Senator Schaffer on the Floor?
Senator Luft.

SENATOR LUFT:

Are you sure there is a -- could I have leave to handle the amendment for Senator Schaffer?

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PRESIDENT ROCK:

Without objection, leave is granted. Amendment No. 1, Senator Luft.

SENATOR LUFT:

Mr. President and Ladies and Gentlemen of the Senate, this bill will be amended, hopefully, and sit on 3rd Reading, not to be moved until the fall, if ever. What the amendment does is create the Industrial Job Recovery Law. It's very complex, and I just ask for the amendment to be adopted and to sit on 3rd Reading.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 2949. 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. 2 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft. Senator Luft, on Amendment No. 2.

SENATOR LUFT:

Well, Mr. President, apparently, Senator Schaffer was supposed to withdraw his amendment, so having voted on the preceding -- prevailing side, I'd move to table the amendment -- or reconsider the amendment -- which Amendment No. 1 to House Bill 2949 was adopted.

PRESIDENT ROCK:

Didn't we do this a day or so ago? Senator Luft, having voted on the prevailing side, is moving to reconsider the vote by which Amendment No. 1 to House Bill 2949 was just adopted. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote's reconsidered. Senator Luft now moves to table Amendment No. 1 to House Bill 2949. Discussion? If not, all in favor of the Motion to Table, indicate by saying

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Aye. All opposed. The Ayes have it. Amendment No. 1 is tabled.
Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I apologize. I'd ask for the adoption of Amendment No. 2.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 2 to House Bill 2949. 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. 2711, Madam Secretary. Bottom of page 22, on the Order of Senate Bills -- House Bills 2nd Reading is House Bill 2711.

SECRETARY HAWKER:

House Bill 2711.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 2954. Senator Cullerton. Yes, no or maybe? 2954. 3266. Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

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House Bill 3266.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. The purpose of House Bill 3266 has always been to clarify the definition of abuse and neglect. By removing the children who don't belong in juvenile court, the court and DCFS will have more time to work on true cases of abuse. The amendment's the product of work with DCFS and other child welfare groups, like Voices for Illinois Children. DCFS now agrees with the amendment. The paragraph which gave rise to the fiscal note has been removed, and I believe the problems that have been raised by Senator Hawkinson have been dealt with in the amendment. The amendment also incorporates House Bill 2225. House Bill 2225 requires that petitions in juvenile court be pled with facts, not just citation to the Juvenile Court Act, and improves service of process. An assistant State's attorney in Champaign County did have some concerns about the bill before the amendment, but because of the amendment, I think those problems have been alleviated.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to House Bill 3266. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. An inquiry of the Chair. Has this amendment been distributed?

PRESIDENT ROCK:

It's a committee amendment, Senator Hawkinson.

SENATOR HAWKINSON:

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It is?

PRESIDENT ROCK:

It's not ordinary practice here.

SENATOR HAWKINSON:

Well. Then -- then -- to the amendment -- are there following amendments? The amendment does not at all deal with the objections that we had in committee. It was only a first step, and the clerk indicates there's no further amendments. The objection of the Champaign County State's Attorney and others were to the bill, as amended. That was just a first step, and I would rise in opposition.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

I -- I have been told by the proponents of the legislation that they showed you the amendment. Let's take this out of the record.

PRESIDENT ROCK:

Take it out of the record. We'll go back to 2954, Madam Secretary, and ask you to please -- on the Order of House Bills 2nd Reading, middle of page 24, is House Bill 2954. Read it, please.

SECRETARY HAWKER:

House Bill 2954.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Cullerton, on Committee Amendment No. 1.

SENATOR CULLERTON:

Yes. Thank you, Mr. President and Members of the Senate. The committee amendment provides for the State collection of the home

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rule county use tax on titled property. Ask for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 1 to House Bill 2954. 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 Marovitz. 3315. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3315.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Marovitz offers Amendment No. 1.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 1.

SENATOR MAROVITZ:

Thank you very much, Mr. President. Amendment No. 1 to House Bill 3315 has been worked out with Department of Children and Family Services regarding CASAs - Court Appointed Special Advocates - to work in conjunction with the court and the guardian ad litem for the best interest of the child, and I would ask for the adoption of the amendment.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 3315. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's

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adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3374. Senator Cullerton. Read the bill, please.

SECRETARY HAWKER:

House Bill 3374.

(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Cullerton, on Committee Amendment No. 1.

SENATOR CULLERTON:

Mr. President, I wish to table Committee Amendment No. 1.

PRESIDENT ROCK:

Gentleman has moved to table Committee Amendment No. 1 to House Bill 3374. Discussion? If not, all in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. The amendment's tabled. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Cullerton offers Amendment No. 2.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The Floor amendment deletes the House bill, as it passed the House, and it also takes out the matters dealing with limiting the animal control wardens, and it leaves a bill that deals with -- supported

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by the Metro-Counties Council dealing with patchwork annexations.
Move for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 2 to House Bill 3374. 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. 3385. Senator Berman. Read the bill, please.

SECRETARY HAWKER:

House Bill 3385.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Elementary and Secondary Education offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you. Committee Amendment No. 1 -- could you read the -- how long is that?

SECRETARY HAWKER:

The LRB number ends in pkam.

SENATOR BERMAN:

Oh, I'm sorry. Thank you. This -- this amendment is designed to prevent certain areas from dominating a school board, and usually balances representation between urban and rural residential. The referendum to switch -- to unrestricted at large elections would not -- would need to be approved by a majority of voters in each of the townships. That was -- this is a amendment adopted in committee. I move the adoption of Committee Amendment No. 1.

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PRESIDENT ROCK:

Senator Berman's moved the adoption of Committee Amendment No. 1 to House Bill 3385. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Berman offers Amendment No. 2.

PRESIDENT ROCK:

Senator Berman, on Amendment No. 2.

SENATOR BERMAN:

Thank you. Also in relation to consolidation petitions, this imposes a requirement that unless there is a substantial change in the petition or the school district gets itself into financial difficulty, that there's a two-year limitation for renewal of petitions to consolidate. Move the adoption of Amendment No. 2.

PRESIDENT ROCK:

2. Senator Berman's moved the adoption of Amendment No. 2 to House Bill 3385. 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. Bottom of page 24. 3394. Senator Cullerton. Read the bill, please.

SECRETARY HAWKER:

House Bill 3394.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. This amendment adds an immediate effective date. I move for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 1 to House Bill 3394. 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. Top of page 25. 3445. Senator Berman. Read the bill, please.

SECRETARY HAWKER:

House Bill 3445.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Berman offers Amendment No. 1.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment conforms this bill

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to Senate Bill 400, which was passed out previously, dealing with domestic violence. Be glad to respond to any questions. I move the adoption.

PRESIDENT ROCK:

Senator Berman's moved the adoption of Amendment No. 1 to House Bill 3445. 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 Cullerton. 3454. Read the bill -- no. Senator Marovitz. 3493. Read the bill, please.

SECRETARY HAWKER:

House Bill 3493.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Marovitz offers Amendment No. 1.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 1.

SENATOR MAROVITZ:

Thank you very -- is this the Floor amendment? Okay. Thank you very much, Mr. President and Members of the Senate. Amendment No. 1 to House Bill 3493 contains clean-up language; provides for reduced fees for the simplified divorce; makes the legislation applicable only to Cook County, but permits other circuits to opt in; requires a verified petition. Basically, that's it. Ask for adoption.

PRESIDENT ROCK:

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Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 3493. 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. Top of page 28. Top of page 28. Senator Tom Dunn. 3633. Read the bill, please.

SECRETARY HAWKER:

House Bill 3633.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator DeAngelis offers Amendment No. 1.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

I yield to Senator Dunn on that amendment.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Well, to keep the record straight, I think Senator Cullerton has an amendment and I have an amendment. I'll speak to my amendment. This amendment is a result of the Ritual Abuse of Children Task Force...

PRESIDENT ROCK:

Hold it. Wait. Wait. Wait. Wait. Wait. Senator DeAngelis, do you wish to withdraw your amendment? There are three separate amendments sitting up here, with three separate

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names. Senator DeAngelis.

SENATOR DeANGELIS:

I'm sorry. This is my amendment. It has nothing to do with the ritualistic abuse amendment that you have. Okay. There were some questions in committee regarding the attempt to commit suicide. What does that mean? This amendment clarifies what "attempt to commit suicide" means.

PRESIDENT ROCK:

Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 3633. 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. 2 offered by Senators Thomas Dunn, Marovitz and Smith.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This amendment is introduced at the recommendation of the Ritual Abuse of Children Task Force, created by Senate Joint Resolution No. 20. This amendment is modeled after the Idaho law, and has been adopted by Louisiana, Missouri and Texas. The difference between our Statute and the Idaho law is that we have taken out the Section dealing with cannibalism. To set the record straight for those people who are not aware of this, what -- what occurs is that a molester of children will devise a scenario that when a child repeats what happens to the particular child, the scenario is so unbelievable that the child's credibility is immediately called into question, and he or she is automatically, almost always, disbelieved because of the tale that he or she tells. This bill goes on to define the list of events that perpetrators use in a particular scenario to discredit the

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children. In these instances, there have been situations where they have faked mutilations or sacrifices of -- of animals, where they place children in graves and association with corpses, and this is all done so that when the child does complain to law enforcement officers, his credibility or hers is immediately questioned. This also has a provision in it for expert testimony, so that when a case like this is prosecuted, the expert witness can testify to the modus operandi of the perpetrator. This is a recommendation of the committee, and we ask for your support in the amendment.

PRESIDENT ROCK:

Senator Dunn has moved the adoption of Amendment No. 2 to House Bill 3633. Discussion? Senator Dudycz.

SENATOR DUDY CZ:

Just a brief question of the sponsor, Mr. President.

PRESIDENT ROCK:

Indicates he will yield. Senator Dudycz.

SENATOR DUDY CZ:

Under ritualized abuse of a child, you have the ceremony, rite or similar observance; you have in there forces ingestion of animal flesh. Now there are some religions of this world that use the food in their religious ceremonies. Would this exclude those activities? And I -- I noticed you put in excluding food preparation. I just want to know if these religious ceremonies that include food ingestion -- are they excluded from this provision?

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Well, Senator, I think -- I think the answer is Yes to your question, and I -- I really can't think of a scenario where a true religious ceremony would involve the

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abuse of a child. You have to have the abuse of a child with this.

PRESIDENT ROCK:

Further discussion? If not, Senator Dunn's moved the adoption of Amendment No. 2 to House Bill 3633. 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 Cullerton.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. Currently, inducement to commit suicide is a Class 2 felony if the other person actually commits suicide. What this bill does is to make inducement to commit suicide a felony if the other person attempts and fails to commit suicide. We're saying that when they attempt and fail, the penalty ought to be a Class 3 felony. And I believe this was -- was agreed to in committee by the sponsor of the bill, so I move for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 3 to House Bill 3633. 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. 3638. Senator Cullerton. Read the bill, please.

SECRETARY HAWKER:

House Bill 3638.

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(Secretary reads title of bill)

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

PRESIDENT ROCK:

Senator Cullerton, on Committee Amendment No. 1.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. Committee Amendment No. 1 made the bill a shell, the purpose of which is to put the bill in a conference committee so we can resolve the negotiations between the Realtors and the lead prevention folks. I move for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 1 to House Bill 3638. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 3rd Reading. 3807. Senator Berman. 3882. Senator Munizzi. Read the bill, please.

SECRETARY HAWKER:

House Bill 3882.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

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Senator Marovitz offers Amendment No. 1.

PRESIDENT ROCK:

Senator Marovitz, on Amendment No. 1.

SENATOR MAROVITZ:

This -- this amendment is drafted to take care of certain annuitants that have been hit hard by the budget cuts by the Board of Education, and this will restore a small part of that subsidy. Approximately four million dollars was cut, and this amendment will restore up to a million dollars for about seven thousand annuitants and widows who were hit by the budget cuts by the Board of Education, and this will restore about a million dollars for the widows hit by those budget cuts.

PRESIDENT ROCK:

Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 3882. Senator Munizzi.

SENATOR MUNIZZI:

Thank you, Mr. President. I would oppose the amendment at this time. It would cost the State a million dollars, and it's something that we really don't have right now. I'd ask for your opposition.

PRESIDENT ROCK:

Further discussion on Amendment No. 1? If not, all in favor, indicate by saying Aye. All opposed. The opinion of the Chair the Noes have it. The amendment fails. Are there further amendments? Amendment No. 2 offered by Senator Munizzi.

PRESIDENT ROCK:

Senator Munizzi.

SENATOR MUNIZZI:

Thank you, Mr. President. This amendment just changes the effective date of the bill as it stands, which authorizes school boards to develop and implement recycling programs. It changes the date -- the effective date to July 1 of '93, and I ask for

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your adoption.

PRESIDENT ROCK:

Senator Munizzi has moved the adoption of Amendment No. 2 to House Bill 3882. 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. 3884. Senator Cullerton. 3986. Senator Dart. Read the bill, please.

SECRETARY HAWKER:

House Bill 3986.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 4124. Senator Severns. 4160. Senator Severns. Okay. All right. Ladies and Gentlemen, we have effectively gone through 3rd and 2nd Reading. There's been a request to go to the Order of Motions in Writing. If I can turn your attention to page 39 on the Calendar. If I can turn your attention to page 39 on the Calendar. This is the last day for consideration of motions to place a bill on the Order of 2nd Reading. So we will honor the requests of the Members. Motion in Writing, top of page 39, Ladies and Gentlemen. These motions will require 30 affirmative votes. Motion in Writing with respect, Madam Secretary, to House Bill 1516. Read the motion, please.

SECRETARY HAWKER:

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We move to waive all applicable rules to discharge the Committee on Rules from further consideration of House Bill 1516, and that the bill be placed on the Calendar on the Order of 2nd Reading.

Filed by Senators Jones and Madigan.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. I've checked with the minority spokesperson, and this piece of legislation is -- is a bill dealing with HMO organization and it's a bill that is needed. It has been an agreement reached as relate to this subject matter, and I ask for a favorable vote on this motion.

PRESIDENT ROCK:

Further discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I just wanted to join Senator Jones and concur in his request, and I would ask favorable consideration.

PRESIDENT ROCK:

All right. Senator Jones has moved to discharge the Committee on Rules with respect from further consideration of House Bill 1516, and asks that the bill be placed on the Calendar on the Order of 2nd Reading. Those in favor of that motion 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 question, there are 48 Ayes, no Nays, none voting Present. The motion prevails, and House Bill 1516 is ordered to the Calendar on the Order of 2nd Reading. There's a further Motion in Writing with respect to House Bill 3032. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

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I move to discharge the Committee on Rules from further consideration of House Bill 3032, and that the bill be placed on the Order of 2nd Reading.

Filed by Senator Howard Brookins.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This bill deals with a bill we have dealt with for years and have passed out of this House. Deals with Buy Illinois -- buy the steel and help our economy. And I think it's very much needed at this time, and I ask for a favorable vote.

PRESIDENT ROCK:

The Gentleman has moved to discharge the Committee on Rules from further consideration of House Bill 3032, and asks that the bill be placed on the Calendar on the Order of 2nd Reading. Discussion on the motion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think this bill was held in Rules Committee for a good reason. It is a measure known as the Buy America. It has a patriotic ring to it. We've discussed it, we've debated it before on the Floor of this Chamber, but the bill isn't any better now than it was when it was defeated earlier. I think the proper place for the bill is right where it is. With all due respect to my good friend, Senator Brookins -- I love him, but nonetheless, I would urge you, Ladies and Gentlemen, to consider keeping this bill in Rules Committee. That's where I believe it belongs, and I hope that some of you will too, and will vote accordingly.

PRESIDENT ROCK:

Further discussion on the motion? Senator Rea.

SENATOR REA:

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Thank you, Mr. President. I rise in support of the motion. I think this is an issue that does need to be dealt with. I'm sure it was probably overlooked in the Rules Committee, and is one that should come before this Senate. I would ask for an Aye vote.

PRESIDENT ROCK:

Further discussion on the motion? Senator Brookins, to close. I'm sorry. Senator Butler, you wish to be heard on this? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. I guess -- I would guess that anything could be said about this bill has been said before. I just want to point out the fact that, in most cases, this is going to increase the cost to the State of Illinois. And secondly, it puts a burden on the State to show - or at least to discover - where the content -- the content of the product actually was made. I think it's a burden on the State and -- we -- and I don't think it will have a great deal to do with either producing jobs or reducing jobs. It's just -- it's a showcase -- a show bill, and I don't think -- I think it should stay in Rules.

PRESIDENT ROCK:

Further discussion on the motion? Senator Brookins may close.

SENATOR BROOKINS:

We have passed this bill out of here and sent it to the Governor's Office, and I think that at this time in history, when the State of Illinois needs every man and woman -- every man and woman working in the labor market, that it's time now that we pass this bill and send it on, so that we can employ and work the people and the citizens of the State of Illinois. So I ask for an Aye vote.

PRESIDENT ROCK:

All right. Senator Brookins has moved to discharge the Committee on Rules from further consideration of House Bill 3032,

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and asks that the bill be placed on the Calendar on the Order of 2nd Reading. Those in favor of that motion will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 21 Nays, none voting Present. The motion prevails, and the bill will be ordered to the Calendar on the Order of 2nd Reading. All right. Ladies and Gentlemen, if you could just stand at ease for a moment, we have an additional Recall List coming out to accommodate some late amendments by our Members, and then we will have effectively concluded our business for today. Senator Carroll, do you wish to again make the announcement, please? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The request of -- at the request of Helen Howlett, Mrs. Michael J. Howlett, there will be a special Mass today at the Immaculate Conception Church on 6th and Lawrence, at 5:00 p.m. Helen and the rest of the family invite all Members of the Senate to participate in the Mass, and we would appreciate those of you who could attend, please attending.

PRESIDENT ROCK:

Senator Di Turi, for what purpose do you arise?

SENATOR DI TURI:

Point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR DI TURI:

Thank you, Mr. President. Last Tuesday, the Senate staff baseball team - that's all our staff here - won 15 to 5. Tonight they're playing at Knights Action Park again, so we could use your support out there. The Senate staff won last Tuesday, 15 to 5.

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PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

Senate Resolution 1433 offered by Senator Watson.

Senate Resolution 1434 offered by Senator Madigan.

Senate Resolution 1435 offered by President Rock and all Members.

Senate Resolution 1436 offered by Senator Smith.

And Senate Joint Resolution 176 offered by Senators Geo-Karis and Philip.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar. All right. Ladies and Gentlemen, I'd ask you just to stand at ease for a moment while we're awaiting the Recall List. Any other Members have amendments they wish to file or wish to have Senator Geo-Karis read, please get them to the desk.

(AT EASE)

(SENATE RECONVENES)

PRESIDENT ROCK:

All right. Ladies and Gentlemen, you have before you, the Secretary informs the Chair, a list of the additional Recalls. Couple of these were on prior lists, so it should not take very long. We can handle this with dispatch, and conclude our business very shortly, and we will reconvene here tomorrow morning at ten o'clock. The Chair will note that the only ones here at nine o'clock were me and Senator Hawkinson. So we've -- we've got

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until ten o'clock tomorrow morning. You were not here at nine o'clock, Aldo. Think nine and show up at ten. Hopefully, it's getting shorter. All right. If I can direct your attention to page 13 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 2927. Senator Severns 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 2927, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Severns, President Rock and Senator Raica.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This amendment makes some changes to the family leave bill, which I hope will finally afford us the opportunity to see this bill move forward and be placed into law. The changes, specifically, in this amendment, would raise the original threshold - not original, but the threshold that currently exists in House Bill 2927 - from fifty employees to one hundred employees. Specifically, what it does in doing that, is cover, instead of sixty-five percent of the working population or 2.8 million people, it covers fifty-three percent of the working population, or 2.3 million people. But it's a compromise that I believe at least affords 2.3 million people the opportunity to have this policy in place, or fifty-three percent of the work force. Furthermore, it also provides an income tax credit equal to any additional unemployment insurance costs incurred by the employer as a result of this Act. Now the track record has been, quite simply, that additional unemployment insurance costs have not been incurred, because in most instances, the employers do not hire a temporary employee to

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replace a permanent employee. I think it's a responsible compromise. I think it's a win-win agreement for both employees and employers of this State, and I would urge adoption of Amendment 1 to House Bill 2927.

PRESIDENT ROCK:

All right. Senator Severns has moved the adoption of Amendment No. 1 to House Bill 2927. Discussion? Senator Rea.

SENATOR REA:

Question of the sponsor, please?

PRESIDENT ROCK:

Indicates she'll yield, Senator Rea.

SENATOR REA:

In -- in coming forth with this amendment, who all was involved in the negotiations to -- and who has agreed to this?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Quite bluntly, I was approached Friday evening by some members of the Illinois Manufacturers' Association who said that with this amendment, they could support the bill. In addition, I contacted the women's organizations that have been supportive actively for a long time with the Family Leave Act, over the weekend, to see if they could be also agreeable to this. They said they were, and that's how this came about.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

What about -- I -- I know this has been a -- a movement that has been made by labor for quite some time, and a great interest of labor. Has labor played a role in this? Have they been at the negotiations table, and have they been a part of it, as well as a component?

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PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

The meeting that took place last night - the only meeting among the sponsors - included only the IMA, who said with this amendment, they would be supportive of the bill.

PRESIDENT ROCK:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. The time for debate on the bill - the substance - probably isn't now, but I would ask the sponsor if she would yield.

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Hudson.

SENATOR HUDSON:

You've mentioned -- Senator Severns, you've mentioned the IMA, and apparently their willingness to go along. Can you speak at the same time for the Management Association of Illinois? Where do they stand, at this point?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

I've not been advised of that, Senator, so I don't know what the answer to that is.

PRESIDENT ROCK:

Senator Hudson.

SENATOR HUDSON:

I am informed that they are still in opposition, and will remain so, as far as I know.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT ROCK:

Indicates she'll yield.

SENATOR WATSON:

Senator, I quite frankly didn't hear all your explanation, so if I'm repeating something, I apologize, but -- does this -- do I understand correctly that the -- the business community now will be able to deduct the unemployment compensation costs now off of their State taxes? Is that part of this provision?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Senator Watson, if an unemployment insurance cost above and beyond the regular cost is incurred because they replace an employee with a temporary employee, they will be able to deduct -- to deduct that. Quite simply, as one who is always concerned about any fiscal implication of any measure that we take, the track record has suggested - at least by the most recent study that was released - that eighty-five percent of the companies participating in the four states that were surveyed, that additional UI cost did not exist. The information that we've received is that it's impossible to predict, really, without having a family leave policy in place in Illinois, what any such cost would be, except that it would be negligible.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Well, it's my understanding that -- that these people will be voluntarily leaving. As a result, how would there be anyone eligible for unemployment benefits if they have voluntarily left for family leave?

PRESIDENT ROCK:

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Senator Severns.

SENATOR SEVERNS:

In those rare instances, and at least from the states that have this policy intact, those instances are rare when a company chooses to temporarily replace an individual -- temporarily replace an individual who has opted for family leave. Those instances are rare. Most companies simply make do with their existing work force.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

How will this impact their experience rate? How would their experience rate be impacted? In other words, when somebody draws unemployment, the rate that that employer pays goes up as the number of people that are eligible to -- to -- there's a cap, but, would this impact their experience rate?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

The amendment is silent on that issue, Senator. Again, just because the experience has not been demonstrated in states -- diverse states that have these policies on the books, the track record suggests that any such effect is negligible.

PRESIDENT ROCK:

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. A question.

PRESIDENT ROCK:

Indicates she will yield, Senator Butler.

SENATOR BUTLER:

Thank you. Senator, it seems to me this will result in a net cost of some size to the State, if it is an income tax credit. Am

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I right?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

The possibility exists that the income tax credit could, in fact, have some cost to the State. But -- but the measurements that already exist suggest that the failure to have such a policy in place is already costing the State to the tune of thirty-eight million dollars.

PRESIDENT ROCK:

Senator Butler. Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT ROCK:

Indicates she will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I'm curious in getting an answer to the question posed by Senator Watson, which you did not answer. His question, as I understood it, is that if someone leaves their job and it becomes an unemployment claim, how can they claim benefits if they have voluntarily left their job?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Perhaps the reason, Senator, that it seems confusing is because it is not that employee who has voluntarily left the job that the potential added UI cost is caused by. It's by a new temporary employee that might be hired to cover the duties of the individual who has temporarily left the job.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

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Well, but as I understand the -- the current unemployment law, leaving to care for some other family member is not necessarily a -- an accepted reason for leaving employment.

PRESIDENT ROCK:

Senator Severns.

SENATOR SCHUNEMAN:

Does this -- does this change the -- the law in some way?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Again, Senator, what you're talking about is the replacement worker. Any cost incurred by that replacement worker can, under this amendment, be deducted from the Illinois tax.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. So what you're talking about is the salary paid and the benefits paid to the replacement worker. Is that correct?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Whatever salary and benefits might exist, if any UI benefits are incurred, due to the replacement worker being hired because the permanent worker -- taking unpaid leave due to this Act -- those benefits can be deducted.

PRESIDENT ROCK:

Further discussion? Senator Jacobs, on this amendment?

Senator Jacobs.

SENATOR JACOBS:

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

PRESIDENT ROCK:

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Indicates she'll yield.

SENATOR JACOBS:

Senator, I have a couple of them. Number one, if the cost is -- is negligible, then why would the IMA want this bill? Why would they want this amendment? What -- what did they -- they give up? If the cost is negligible, what did they give up? What did they get?

PRESIDENT ROCK:

Senator Severns. Senator Severns.

SENATOR SEVERNS:

Thank you, Senator Jacobs. I think sometimes the fear of the unknown is -- plays into decisions, and their fear has long been that, contrary to the demonstrated track record across the United States, that those costs might be higher than negligible. The simple fact remains that that has not been proven with the track record that has been demonstrated in the states that have such policies on the book.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

And then finally, the two questions in one. Where does labor stand on this issue, and how do we justify reducing - according to our analysis, anyway - by a half million people, the people that are being replaced -- or not being covered by this bill under this amendment?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

I'm advised by the President of the AFL-CIO that, although they've been long in support for family leave, that they are opposed to this amendment. In terms of how do we validate moving from fifty to a hundred employees, which in effect, has the impact

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of covering 2.3 million or fifty-three percent of the work force versus 2.8 million, or sixty-five percent of the work force, it seems to me that any policy that we can adopt in this Chamber that might afford fifty-three percent of the work force a better policy in place is worth considering. And I've worked long on the hope and view that half a loaf, or three quarters of a loaf, is better than none.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 1 to House Bill 2927. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This basically is a follow-up amendment. There was some concern that the retail merchants were not covered under -- under this bill, and we have asked to introduce some legislation which would take care of some of their concerns, because of the -- the -- most of them being small -- small business people under that number or -- excuse me, many of them being over that number, they -- they look to -- to take the key employees, and ask that this Act not apply to the top ten percent of employees at any work location, based upon ranking by position, where the employees' absence would cause economic hardship on the employer. I -- I don't really see where it's that earthshaking, and would like to see it added.

PRESIDENT ROCK:

Senator Jacobs has moved the adoption of Amendment No. 2 to House Bill 2927. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

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Will the sponsor yield for a question?

PRESIDENT ROCK:

Indicates he'll yield.

SENATOR GEO-KARIS:

I'm -- I'm sorry, Senator Jacobs, I wasn't able to hear your explanation of your amendment - if you'll just give me a thumbnail sketch of it.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Just provides that the top ten percent of employees at any work location, based upon ranking by position, where that employee's absence would cause an economic hardship on the employer -- those employees would not be covered under this Act.

PRESIDENT ROCK:

Further discussion on Amendment No. 2? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. I rise simply to voice my concern at this amendment. We just adopted an amendment which virtually cuts in half <sic> the -- the amount of employees a company must have to have a family leave policy in place, if adopted, and this amendment starts the process of chewing away at -- at even that number of employees who would enjoy this benefit of unpaid leave, in a family in medical crisis situation. I would urge a No vote.

PRESIDENT ROCK:

All right. Senator Jacobs has moved the adoption of Amendment No. 2 to House Bill 2927. All in favor, indicate by saying Aye. All opposed. Nays have it. The amendment fails. Further amendments? Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDENT ROCK:

3rd Reading. 2924 <sic> (2994). 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 2924 <sic> (2994), Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Collins and Smith.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. Amendment No. 1 is simply -- makes stylistic changes in the bill. It is an effort to get the bill into conference committee, until such time we can resolve the budget issue. And I'd move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of Amendment No. 1 to House Bill 2924 <sic> (2994). 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. Bottom of page 13. 3105. Senator Thomas Dunn 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 3105, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

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SENATOR DEMUZIO:

Thank you very much, Mr. President. I appreciate Senator Dunn bringing this bill back to the Order of 2nd Reading. This simply adds an amendment that would add the words Mississippi River. Has no impact whatsoever to the City of Chicago, but what it, in fact, will do -- will provide for a small water district down in my area, the opportunity to take advantage of the same municipal joint action water agency criteria that is being applicable to all of those that are currently on the -- on -- on Lake Michigan. So I know of really no opposition, and would ask for approval.

PRESIDENT ROCK:

Senator Demuzio's moved the adoption of Amendment No. 2 to House Bill 3105. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3607. Senator Raica seeks leave -- no. 3610. Senator Savickas. 3630. Page 17. Senator Cullerton. 3630. Yes. No. Maybe. Yes. 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 3630, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President and Members of the Senate. This amendment reflects an agreement between the Retail Merchants and the Community Bankers, allowing for bankers to issue checks which

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in some cases don't begin with number 101, and I would appreciate an Aye vote.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 1 to House Bill 3630. 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. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1437 offered by Senator Ralph Dunn.

It is congratulatory.

PRESIDENT ROCK:

Consent Calendar. All right. Any further business? Announcements? Any further business to come before the Senate? Don't forget the Michael J. Howlett Memorial Mass at Immaculate Conception, at the hour of five o'clock. If there is no further business, Senator Vadalabene moves that the Senate stand adjourned till Wednesday, June 24th. Tomorrow, at the hour of ten o'clock a.m. Senator DeAngelis and I will be here at nine. The rest of you, please, by ten. Thank you. Senate stands adjourned.

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