

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

50th Legislative Day

June 25, 1991

PRESIDENT ROCK:

The hour of nine-thirty 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. Our prayer this morning by Father Hugh Cassidy, Blessed Sacrament Church, Springfield, Illinois. Father.

FATHER HUGH CASSIDY:

(Prayer by Father Hugh Cassidy)

PRESIDENT ROCK:

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

SENATOR HALL:

Thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, June 19th; Thursday, June the 20th; Friday, June the 21st; and Monday, June the 24th, in the year 1991, 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. Resolutions.

SECRETARY HAWKER:

Senate Resolution 582 offered by Senator Hall.

And Senate Resolution 583 offered by Senator Vadalabene. They're both congratulatory.

PRESIDENT ROCK:

Consent Calendar. Messages from the House.

SECRETARY HAWKER:

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

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

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Senate Bill 133 with House Amendment 1.

I have like Messages on:

Senate Bill 258 with House Amendments 1 and 2;  
Senate Bill 301 with House Amendment 1;  
Senate Bill 302 with House Amendment 1;  
Senate Bill 303 with House Amendment 1;  
Senate Bill 304 with House Amendment 1;  
Senate Bill 305 with House Amendment 1;  
Senate Bill 306 with House Amendment 1;  
Senate Bill 308 with House Amendment 1;  
Senate Bill 310 with House Amendment 1;  
Senate Bill 311 with House Amendment 1;  
Senate Bill 334 with House Amendments 1, 2 and 4;  
Senate Bill 336 with House Amendment 1;  
Senate Bill 337 with House Amendment 2;  
Senate Bill 338 with House Amendment 1;  
Senate Bill 339 with House Amendments 1, 3 and 4;  
Senate Bill 340 with House Amendments 1, 2, 3 and 4;  
Senate Bill 341 with House Amendments 1 and 2;  
Senate Bill 342 with House Amendments 1, 2 and 3;  
Senate Bill 343 with House Amendment 1;  
Senate Bill 344 with House Amendment 1;  
Senate Bill 345 with House Amendment 1;  
Senate Bill 346 with House Amendment 1;  
Senate Bill 347 with House Amendments 1, 2 and 3;  
Senate Bill 348 with House Amendments 1, 2, 3 and 4;  
Senate Bill 349 with House Amendment 1;  
Senate Bill 350 with House Amendment 1;  
Senate Bill 352 with House Amendments 1 and 2;  
Senate Bill 353 with House Amendment 1;  
Senate Bill 354 with House Amendment 1;  
Senate Bill 355 with House Amendment 2;

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Senate Bill 356 with House Amendments 1 and 2;  
Senate Bill 357 with House Amendment 1;  
Senate Bill 358 with House Amendment 2;  
Senate Bill 359 with House Amendment 1;  
Senate Bill 360 with House Amendment 2;  
Senate Bill 361 with House Amendment 1;  
Senate Bill 363 with House Amendment 1;  
Senate Bill 364 with House Amendments 1, 2, 4, 5, 6, 7, 8, 9,  
10 and 11;  
Senate Bill 365 with House Amendment 1;  
Senate Bill 366 with House Amendments 1, 2, 5, 6 and 7;  
Senate Bill 367 with House Amendments 1, 2 and 3;  
Senate Bill 368 with House Amendments 1 and 2;  
Senate Bill 369 with House Amendment 5;  
Senate Bill 370 with House Amendment 1;  
Senate Bill 371 with House Amendments 1, 2, 3, 4, 6 and 7;  
Senate Bill 372 with House Amendments 3, 4, 5, 6, 7 and 8;  
Senate Bill 373 with House Amendments 1 and 2;  
Senate Bill 374 with House Amendments 1, 2, 3 and 5;  
Senate Bill 409 with House Amendments 1 through 6, 9 and 10;  
Senate Bill 440 with House Amendment 1;  
Senate Bill 629 with House Amendments 1 and 6;  
Senate Bill 956 with House Amendment 1;  
Senate Bill 958 with House Amendment 1;  
Senate Bill 959 with House Amendment 1;  
And Senate Bill 1341 with House Amendment No. 1.

All passed the House, as amended, June 24, 1991.

PRESIDENT ROCK:

It is now 10:00 a.m. on Tuesday, June 25th. We will begin on the Order of House Bills 2nd Reading, and I needn't remind anybody, I hope, that tomorrow is the deadline for consideration of House Bills, so that if indeed you have a bill on 2nd, it would

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be the appropriate day to move it. Then we will go to the Order of Recalls, and then we will go to the Order of 3rd Reading. On the Order of House Bills 2nd Reading - that's Page 14 on the Calendar, Ladies and Gentlemen. Page 14. 214. Senator Maitland. 550. Senator Marovitz. 841. Senator Joyce. 1196. With leave of the Body, we'll get back to that one. I'm waiting for Senators Barkhausen and Keats. 1249. Senator Luft. 1449. Senator Macdonald. 1512. Senator Woodyard. 1587. Senator Alexander. 1838. Senator Luft. 1852. Senator Geo-Karis. 2239. Senator Cullerton. 2362. Senator Luft. 2433. Senator Berman. 2434. Senator Berman. 2435. Senator Berman. 2436. 2441. 2491. Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the Order of House Bills 2nd Reading is House Bill 1196, Madam Secretary. Read the bill.

SECRETARY HAWKER:

House Bill 1196.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1196 deals with the -- a proposed change in the statute of limitations, or the statute of repose, with respect to products liability claims or potential products liability claims as relates to latent diseases, most particularly asbestosis. Amendment No. 1 -- Madam Secretary, would you read the amendment? Just the underlined part, so I know which one. There are two committee amendments.

SECRETARY HAWKER:

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"Product seller" and "(g) In a products liability claim."

SENATOR ROCK:

Okay. This is an amendment that was at the request of the Illinois Retail Merchants - the idea being to narrow the scope of this proposed change in the statute of repose. This amendment is not objected to by anyone, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Committee Amendment No. 1 to House Bill 1196. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, too, is an agreed amendment. Again, the attempt is to limit the scope of this proposed change to only a couple of potential chemical latent disease instances. And I again -- there is no objection, and I would move the adoption of Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Amendment No. 2 - does -- does it limit it? Does it put a time limit? The way the bill is -- was originally, Senator Rock,

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if you'll recall, it was awful loose. There was no time limit. I mean, they could come in and bring a claim at any time. And it worries me. Does this amendment restructure that or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Senator, we're going to deal with that with Amendment No. 3. At the request of the committee members, Amendment No. 3 will -- will honor the commitment I made in committee to -- to, again, severely limit. This -- this amendment limits the scope of it, and again, there's no objection by anybody. And I would again move the adoption of Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Committee Amendment No. 2. Further discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Keats offers Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats. Senator Rock.

SENATOR ROCK:

Thank you. I have discussed this with Senator Keats, and I'd ask at this time that the amendment be -- on his behalf, be withdrawn, and I will publicly agree to call this bill back tomorrow to afford him the opportunity to state his case. I have indicated to him that in my legal opinion, the amendment is

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non-germane. So we will deal with that when he's able to defend himself. But in the meantime, I'd ask that it be withdrawn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Rock, did I understand you correctly to say earlier that my concerns about time limits would be taken care of by Amendment No. 3? Is this the same No. 3 that Keats has, or is there another No. 3?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Senator Keats beat me to the filing punch. My -- my Amendment No. 3 is the one that will answer your concern. Senator Keats, in fact, just filed earlier than I did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Wonder if you could have your staff give me a copy of your Amendment No. 3. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock seeks leave to withdraw Amendment No. 3. Amendment No. 3's withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

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Mr. President and Members, this amendment is an attempt to enact a small piece of changes that many of us would like to see in our product liability laws. It's referred to generally as a governmental standards defense. What Amendment No. 3 would provide is that -- that there would be a presumption in any product liability case that -- where a product that allegedly has caused harm has been approved by a Federal or a State Statute or a federal or a State agency, that a presumption would exist that -- that this product did not cause such harm, and such presumption could be overcome by clear and convincing evidence that the manufacturer or the seller of the product intentionally withheld information from the approving agency. As I say, this is -- this is a small piece of -- and only a very partial, and I think somewhat timid, step in the direction of -- of more comprehensive product liability reform that many of us are interested in, but I think it is worthwhile to -- to at least offer this as a way of hopefully beginning some discussion on this important subject. I would be glad to answer your questions, and would otherwise urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rock.

SENATOR ROCK:

Well, I would -- I would -- thank you, Mr. President. I would request of the Chair a ruling to the effect that this proposed amendment, as timid as the Senator indicated it might be, is, in fact, non-germane. The subject matter of House Bill 1196, as an amendment to the -- Code of Civil Procedure, deals solely with the question of the statute of repose. And what the Senator is proposing here is literally a substantive change in the law of products liability. And I might point out - just to speak to the amendment itself - the fact is, if -- if, indeed, this were the law, the pharmaceutical manufacturer of thalidomide - and I'm sure



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everybody's familiar with that cause of action - would have been insulated from any liability under this proposed amendment. Now what I'm suggesting is that I am not prepared to argue in depth the law of products liability. If the Senator wants to introduce a bill and go into all this, I'm perfectly happy to accommodate. But the fact is Amendment No. 3 as proposed is simply not germane to the subject matter that's contained in House Bill 1196, and I would request that the Chair so rule.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, of course the fact of the matter is that the amendment, as well as the bill, both deal with the Code of Civil Procedure. The fact that the amendment doesn't deal specifically with the statute of repose is -- is not really - or should not be - an issue. The fact of the matter is that amendments are always germane when they deal with the same chapter of the Illinois Revised Statutes, as this one does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, my Parliamentarian indicates that the argument that is made by Senator Rock is a proper one, and therefore the Chair rules that the amendment is non-germane. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Again, I would ask that that be withdrawn. I will afford the Senator an opportunity tomorrow to -- I'll call it back and he can have a shot at it. My judgment is, again, that that one's not germane either. But we can argue that tomorrow.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock seeks leave to withdraw Amendment No. 4. Leave is granted. Amendment No. 4 is granted -- it is withdrawn. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Senator Geo-Karis, this is the amendment that I committed to offer in Committee. As you will recall, the most notable opposition to this proposal concerned itself with the -- with the expressed proposition in the bill that there would be a revival of causes of action. This deletes that altogether. So there is no -- even a...(inaudible)...of the question of reviving causes of action for latent diseases caused by exposure that were barred -- currently barred because of a limitation period that currently exists. I think this makes the bill simply a prospective change in the statute of repose in -- in this limited instance. And this amendment indeed honors the commitment that was made in committee, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator -- Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, on that point, there was a separate paragraph on revival of actions, and I understand that your amendment deletes that paragraph. There was language a couple of paragraphs above

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that that some were concerned would, in effect, allow the revival of actions. I didn't read it that way, and I -- I suspect you don't -- don't either. But for purposes of legislative intent, the -- the discovery period rule that would allow the bringing of these actions within two years of discovery is not intended to allow the revival of any actions that are currently barred by the statute of repose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is absolutely correct, and I think the amendment reflects that. There is a change -- that paragraph was deleted, and there was a change within the lines 14, 15 and 16 to reflect that. Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Just -- Senator Rock, I wonder if I could send someone over to get a copy of that Amendment 4. And I'd like to read it, because I don't have it on my desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock has moved the adoption of Amendment No. 4. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Macdonald, on 1449? On the Order of House Bills 2nd Reading is House Bill 1449, Madam Secretary.

SECRETARY HAWKER:

House Bill 1449.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Macdonald offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This amendment has been negotiated over several weeks - actually a month or so - in trying to come up with an equitable fee for the Department of Nuclear Safety to oversee thirteen nuclear power plants. That -- the fee has now been established. In 1993, the fee -- '91-'92, the fee will go up to nine hundred and twenty-five thousand; in '93 - nine hundred and seventy-five thousand; '94 - one million ten thousand; '95 - one million sixty thousand; in '96 - one million one hundred and ten thousand. So, I would ask for your concurrence on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald has moved the adoption of Amendment No. 1. Is there a discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. WICS-TV, WAND have requested permission to videotape -- today. Is leave granted? Leave is granted. With leave of the Body, we'll now go to the Order of Recalls. The Recall List has been passed out. It should be on each Member's desk. So, with leave, we'll go to the Order of House Bills 3rd

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Reading. Page 6. 244. Senator D'Arco. Senator D'Arco on the Floor? 883. Senator Collins. Senator Collins on the Floor? 1297. On the Order of Recalls, Page 9. About the middle of Page 9 is House Bill 1297. Senator Carroll has sought leave of the Body to return House Bill 1297 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 1297, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Severns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I'd request leave, first of all, to Table Amendment No. 2 before proceeding with the amendment at hand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Severns, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 2 was adopted. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The vote is reconsidered. Senator Severns now moves to Table Amendment No. 2. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Severns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This amendment is simply technical. There is no opposition, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Severns has moved the adoption of Amendment No. 3. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1352. Senator Hawkinson. On Page 9. 1352. Senator Hawkinson seeks leave of the Body to return House Bill 1352 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1352, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 1352 was a bill to allow the Department of Public Aid to get direct child support payments through the clerk's office. It passed easily in the House, but the clerks have suggested that there need to be some changes in the bill. So I'm offering Amendment No. 1 to strip the bill and make it a shell bill to send it into conference committee if we can reach some agreement between the Department and the clerks. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 10, 1514. Senator Leverenz. Senator Leverenz on the Floor? 1362 <sic> (1632). Senator Dunn. On the Order of -- all right. Senator Dunn, on the middle of Page 10, seeks leave of the Body to return House Bill 1632 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1632, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Thomas Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This amendment was requested by CMS and gives them control over the computers that are going to be used in this particular project.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dunn has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. I'm sorry. 1696. Senator Welch. On the Order -- Senator Welch seeks leave of the Body to return House Bill 1696 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 1696, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is change the bill that we passed out of the Senate and a companion bill that is now here in the Senate, to allow for -- under the definition of limited power producer for hydroelectric facilities, any hydroelectric facility that generates in excess of fifteen megawatts in counties over two hundred thousand but under three hundred thousand population. There was -- there is an ongoing attempt to build a hydroelectric power supply source on the dam in Alton, and this amendment would specifically apply to that dam only. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor will -- Senator Maitland.

SENATOR MAITLAND:

I -- thank you, Mr. President. I would -- I was -- I saw you stand up, Senator Welch. This is -- and I was not quite -- is this a version of the hydroelectric bill that we had earlier?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. I'm sorry. Senator Welch.

SENATOR WELCH:

This is the same bill, but this is an amendment to that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

But it then becomes site specific?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

No, only to plants that generate more than fifteen megawatts.



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The bill is fifteen megawatts throughout Illinois; but in Alton, where they have a dam that can generate eighty megawatts, as to that dam, this amendment would allow that to be operative. It only applies -- this amendment only applies to the dam in Alton.  
PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Welch has moved the adoption of Amendment No. 1. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 11, is House Bill 1935. Senator Rock.  
Senator Rock.

SENATOR ROCK:

Thank you. Mr. President, Ladies and Gentlemen of the Senate, House Bill 1935, as amended, deals, of course, with the -- with the proposal by the Metropolitan Fair and Pier Authority, and I am reliably advised that even as we speak, amendments -- further amendments are being drafted. So I'd ask leave of the Body to get back to this later this afternoon so that everybody will have an opportunity to address themselves to whatever they like.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has sought leave to bring -- for 1935 for this afternoon. Leave is granted. So ordered. 2022. Senator Karpziel seeks leave of the Body to return House Bill 2022 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2022, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Karpziel.

SENATOR KARPIEL:

Mr. President, I just gave that amendment to one of our staffers to look at for me. Could we get right back to that one? I don't have a copy in my hand right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR KARPIEL:

I can tell you what it does. What the amendment does is to say that the Department of Nuclear Safety can charge a fee for the -- here, I've got a copy. Thank you. It really has to do with the Kerr-McGee situation, and it says that the Department can charge a fee for -- sufficient to cover the expenses incurred by the Department in conjunction with monitoring this contaminated by-product material. That's what it says.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpziel has moved the adoption of Amendment No. 1. Discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I was wondering what the fee was, how much it's going to generate, where the fee is going to go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel

SENATOR KARPIEL:

The fee is not stated in this amendment. It is left up to the Department's discretion. And it says that it will go to the Department to -- for the expenses in conjunction with monitoring this contaminated by-product material and overseeing the decontamination of such unlicensed properties.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

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Well, isn't this a Super Fund site, and if so, why are we coming up with State fees separately from the Federal Super Fund list?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpziel.

SENATOR KARPIEL:

This site is not on the Super Fund list. There are a few small off-site sites that are on the Super Fund list - you know, in people's yards, et cetera and around the area - but the actual factory site is not on the list.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

In committee, I was under the impression that you said you were going to hold this on 3rd as a -- Damoclean sword over Kerr-McGee, in case they didn't live up to removing the thorium tailings. Are you going to move it forward now, or what's going to happen?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Senator Welch, I'm going to be very frank with you. My bill is on 3rd, and I've left it there for the reason you stated. I had intended to leave the House Bill version, which this is, in the same situation. The Department has asked me to put this amendment on. Since it's so late in the Session and in the process, I am putting it on, but I'm not so sure I'm in favor of it myself, and perhaps may just Table the bill when it comes up on 3rd Reading.

PRESIDENT ROCK:

All right. The Lady's moved the adoption of Amendment No. 1 to House Bill 2022. Further discussion? If not, all in favor,

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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 12. Senator Savickas seeks leave of the Body to return House Bill 2169 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 2169, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Savickas.

PRESIDENT ROCK:

Senator Savickas, on Amendment No. 1.

SENATOR SAVICKAS:

Yes, Mr. President, Members of the Senate, this amendment was brought to me by the representatives of the municipal library, and it conforms and cross-references this Act to the Municipal Code. And I would move its adoption.

PRESIDENT ROCK:

Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 2169. 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 Smith, 2227, do you wish that called back? Do you wish that called back? Senator Smith seeks leave of the Body -- we're in the middle of Page 12, Ladies and Gentlemen. Senator Smith seeks leave of the Body to return House Bill 2227 to the Order of 2nd Reading for purposes of an amendment. Is leave

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granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2227, Madam Secretary. Senator Smith.

SENATOR SMITH:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 2227 recalled, I'm Tabling -- want to Table Amendments 1 and 2 because of a error -- an error on them. And I'm placing 3 and 4, which will clear them up. And I ask for your approval.

PRESIDENT ROCK:

All right. Senator Smith, having voted on the prevailing side, is moving to reconsider the vote by which Committee Amendment No. 1 to House Bill 2227 was adopted, for the purpose of Tabling. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Smith now moves to Table Committee Amendment No. 1 to House Bill 2227. Discussion? If not, all in favor of the motion, indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Committee Amendment No. 2. Senator Smith, having voted on the prevailing side, is moving to Table -- moving to reconsider the vote by which Amendment No. 2 was adopted for the purpose of Tabling. All in favor of the Motion to Reconsider, indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Smith now moves to Table Amendment No. 2 to House Bill 2227. All in favor of the Motion to Table, indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator -- Senator Luft. Excuse me.

PRESIDENT ROCK:

Senator -- Senator Luft. Senator Smith, are you aware of this amendment? Senator Smith.

SENATOR SMITH:

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Yes, Senator Luft is aware of this amendment.

PRESIDENT ROCK:

I know he's aware. He filed it, but he's not here.

SENATOR SMITH:

Yes.

PRESIDENT ROCK:

Well, take it out of the record, Madam Secretary, until Senator Luft shows up. 2465. Senator Hall. Middle of Page 13. On the Order of House Bills 3rd Reading is House Bill 2465. Senator Hall 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 2465, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Hall.

PRESIDENT ROCK:

Senator Hall, on Amendment No. 2.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment is -- amends the Head and Spinal Cord Injury Act. The Illinois Hospital Association supports this amendment. Currently, reports are made by hospitals within thirty days of the identification of head and spinal cord injuries. This amendment is the recommendation of the Department of Health. The purpose of the amendment is to lessen paperwork for hospitals. And I move for the adoption of this amendment.

PRESIDENT ROCK:

All right. Senator Hall has moved the adoption of Amendment No. 2 to House Bill 2465. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

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No further amendments.

PRESIDENT ROCK:

3rd Reading. 2592. Senator Savickas. Bottom of Page 13. On the Order of House Bills 3rd Reading is House Bill 2592. Senator Savickas 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 2592, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Savickas.

PRESIDENT ROCK:

Senator Savickas, on Amendment No. 1.

SENATOR SAVICKAS:

Madam Secretary, there are two amendments, I understand. No. 1, could you give me the last numbers of it?

SECRETARY HAWKER:

cam02.

SENATOR SAVICKAS:

Yes. Yes, Senate Amendment No. 1 to House Bill 2592 would enhance the health facilities planning through its two changes. First, the amendment has municipalities treated for health planning and services 'cause they are in similar respects in a single, unified area. Second, the amendment provides an opportunity for appointment to the Illinois Health Facilities Planning Board of representatives of newer kinds of health care facilities not already represented on the State Board. I would move its adoption.

PRESIDENT ROCK:

Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 2592. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

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SECRETARY HAWKER:

Amendment No. 2 offered by Senator Savickas.

PRESIDENT ROCK:

Senator Savickas, on Amendment No. 2.

SENATOR SAVICKAS:

Amendment No. 2, Mr. President, would establish an alcoholic 12-step program for pupils in grades five through twelve under Section 3 of the Critical Health Programs <sic> (Problems) and Comprehensive Health Education Act, and it would service those children and assist them in coping with their parents' alcohol and drug problems. And I would move its adoption.

PRESIDENT ROCK:

Senator Savickas has moved the adoption of Amendment No. 2 to House Bill 2592. 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 Smith, are we ready to go back to -- 2227? No, we took it out of the record at the point where Amendments 1 and 2 had been Tabled and then further amendments. It was Amendment No. 3 that was to be offered by Senator Luft. That's the point at which we will reconstitute ourselves. Amendment -- Madam Secretary, On the Order of House Bills 2nd Reading is House Bill 2227. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 3.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 3 deletes the



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language referring to commercial paper within the bill. I'd ask for the adoption of Amendment No. 3.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 3. Senator Smith.

SENATOR SMITH:

There is one more Amendment - No. 4 - that will be offered by Senator Jones.

PRESIDENT ROCK:

Okay. All right. Senator Luft has moved the adoption of Amendment No. 3 to House Bill 2227. 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. 4 offered by Senator Jones.

PRESIDENT ROCK:

Senator Jones, on Amendment No. 4.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the -- of the Senate. Amendment No. -- No. 4 replaces one of the amendments that was Tabled, and what it does is clear up the amendment and it places the electronic benefits funds transfer in compliance with the Electronic Fund Transfer Transmission Facility Act. It will allow banks and other participating institutions to receive compensation for services rendered under the Act, and requires a participating institution to provide for geographical accessibility to an electronic benefit fund, and also deals with the float, which is the interest that should be used to reinvest in the community. And that's all that it does, and I move its adoption.

PRESIDENT ROCK:

Senator Jones has moved the adoption of Amendment No. 4 to

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House Bill 2227. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. We're going to go through the list one more time. 244. Senator D'Arco. 883. Senator Collins. 883. Senator Collins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. We're on Page 8 on the Calendar, Ladies and Gentlemen. 883. On the Order of House Bills 2nd Reading is House Bill 883, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Collins.

PRESIDENT ROCK:

Senator Collins, on Amendment No. 2.

SENATOR COLLINS:

Yes, thank you, Mr. President and Members of the Senate. Amendment No. 2 is a amendment to respond to the questions raised on that side of the aisle in reference to the responsibility of the Illinois Community College Board. And Representative Wyvetter Younge has done another amendment that changes supervision, which she had put this program under, to coordination, which is what the College Board responsibilities are now as it relates to school -- school districts. It also takes out all of the provisions of the bill that requires them to provide for one-half of the salaries of those students. It makes several other technical corrections, and I would move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of Amendment No. 2 to House Bill 883. 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. 1514. On the Order of House Bills 3rd Reading is House Bill 1514. Top of Page 10, Ladies and Gentlemen. And Senator Leverenz 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 1514, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Leverenz.

PRESIDENT ROCK:

Senator Leverenz, on Amendment No. 1.

SENATOR LEVERENZ:

Thank you, Mr. President. The amendment is now agreed between ourselves and the EPA. It deals with the procedures for the processing plants for recycling metals. Answer any questions you might have. Move for its adoption.

PRESIDENT ROCK:

Senator Leverenz has moved the adoption of Amendment No. 1 to House Bill 1514. 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. All right. Ladies and Gentlemen, we'll now revert to Page 6 on the Calendar. Page 6. We will move through the Order of House Bills 3rd Reading. This will be final action. We will skip only those that obviously were on the Recall today

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and take those up tomorrow. So, I would ask the Members to please turn your attention to Pages 6 and 7 of the Calendar. We'll begin with Senators Cullerton, Rea, Carroll, Collins, D'Arco, O'Daniel, Joyce and Luft. Senator O'Daniel, for what purpose do you arise, sir?

SENATOR O'DANIEL:

Thank you, Mr. President. For the purpose of Tabling a bill. I would like to Table House Bill 247, as amended.

PRESIDENT ROCK:

Page 6 just got smaller. Senator O'Daniel moves to Table House Bill 247. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The bill is Tabled. All right. I would point out that as the Calendar indicates, we have a hundred and two bills remaining on the Order of House Bills 3rd Reading. Tomorrow, obviously, is the deadline. It is the intent of the Chair to work again no later than six o'clock this evening, and we'll deal with the question of amendments to the McCormick Place proposal later this afternoon. In the meantime, we're on the Order of House Bills 3rd Reading, Page 6 on the Calendar. 121. Senator Cullerton. All right. That bill is on the Recall. 176. Senator Rea. On the Order of House Bills 3rd Reading, top of -- middle of Page 6, is House Bill 176. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 176.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. Senate Bill -- or House Bill 176, as amended -- and we would like to end up

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going to conference committee. The Job Service has requested that there be some changes in Section 19 of the Unemployment Insurance Act, and the proposed amendment will be an agreed amendment, or an agreed bill. Presently, business and labor are reviewing draft language of the changes that we would like to see in Section 1900. I would ask for your support.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall House Bill 176 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 176, having received the required constitutional majority, is declared passed. 185. Senator Carroll. 186. Senator Carroll. On the Order of House Bills 3rd Reading is House Bill 186. Read the bill, please.

SECRETARY HAWKER:

House Bill 186.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill, as it now stands, is a vehicle bill that we would wish to place in conference in case there is a need. There is no known need for it now. But I would ask for a favorable roll call so that it can be put in that posture in case the need arises later.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 186 pass. Those in favor will vote Aye. Opposed, vote

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Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 186, having received the required constitutional majority, is declared passed. 209. Senator Collins. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 209.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President, Members of the Senate. House Bill 209 simply requires DCCA to determine if a foreign company -- home country offers certain incentives to U.S.A. firms prior to imposing -- or whether or not they propose -- imposes any duties -- barriers against types -- certain U.S. firms before we provide them with any financial incentives to locate and do business in this country. I know of no opposition, and I would be happy to answer any questions. If not, I would just appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

What does that mean?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

Well, it simply means that it prohibits DCCA from offering incentives, just as we did to the -- Mitsubishi plant and other foreign companies that come to this country - we provide

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incentives for them to do so. And what this bill does, it simply says that -- it prohibit DCCA from offering those incentives if it is determined by them, once they investigate, that they do not have available to U.S. firms any kind of incentives. Or if they impose any duties or barriers against our companies doing business in their country, then it would be prohibited.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I notice that they would be exempted if they participate in the GATT Treaty. I'm under the impression that virtually all countries participate in the GATT Treaty, so is this -- you know -- that we trade with. Is this not -- does that not make this bill sort of superfluous?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

This bill simply also states that if they signed that Treaty, then they are exempt, because there wouldn't be any need to do so. I don't know. I'm sure the sponsor must have had a reason. I'm sure that he had to have found that we do have -- do provide incentives to businesses in this country that -- which -- who does, in fact, impose certain barriers as it relates to our doing business. So I'm sure there had to be a reason for them doing so.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Collins, to close.

SENATOR COLLINS:

Yes, thank you. There are -- are companies -- countries who have not signed that agreement - the GATTs agreement. So it is conceivable that we could have countries applying to do business in this country to DCCA asking for incentives. So I would ask for a favorable roll call. It seems that this bill is necessary.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 209 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 40 Ayes, 17 Nays, 1 recorded as Present. And House Bill 209, having received the constitutional majority, is hereby declared passed. 244 is on the Recall. 247 has been Tabled. 293. Senator Joyce. J.J. Senator Joyce. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 293.

(Secretary begins to read title of bill)

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Take it out of the record. For what purpose does the Gentleman from Kankakee seek recognition?

SENATOR J.J. JOYCE:

Thank you, Mr. President. I'd ask leave to have that committed back to committee.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Does the Gentleman have leave to recommit House -- I'm sorry. Okay. Asks leave to have the -- 293 committed to Energy Committee. Any objection? Hearing none, -- Senator Fawell, for what purpose seek recognition?

SENATOR FAWELL:

Well, 293 happens to be the -- the bill that has the Floor Amendment put on by Senator Philip that allows the franchise tax to be taken off from all the -- from all the surrounding communities that Chicago now collects. And frankly, I'd like to have a vote on that bill, and I do object.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Well, it's always been a policy that the sponsor has the control of the bill. Senator Joyce.



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SENATOR J.J. JOYCE:

Mr. President, I -- I make a substitute motion, I guess, and that's to Table the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman moves to Table the bill. Hearing no objections, 293 is Tabled. 298. Senator Luft. Luft. Please turn to Page 7. 329. Senator Leverenz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3-2-9.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. This would provide for the Department of Aging to put together a training program so that seniors would be able to participate in day care. Answer any questions. I understand now there's -- if there is any impact at all, in terms of financial, it has to be less than the thirty-five thousand they estimated prior. Answer any questions. Ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Well, first of all, a question of the sponsor, and I guess it's a common one around here. Who wants this bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

First of all, me.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Topinka.

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SENATOR TOPINKA:

And to the bill - I mean, I am appreciative that Senator Leverenz wants the bill, but others apparently do not want the bill. In talking to our area agencies on aging - the one in suburban Cook County, also in DuPage - they have a problem with this, because it would now cost them money. Our local councils on aging don't want it, because the money that they would get from the area agencies would now be diverted into a program which they feel there is no need for. They apparently have tried programs like this in the past and have discovered that a number of senior citizens - a significant number - really do not want to go into the baby-sitting business, because, much like Sun City, they're rather happy that the little ones are out of their hair. So when they do, indeed, do this, they do this on a voluntary basis. They do not want any organized effort made. We do have letters to that effect. It will cost them money. And at a time that we're probably going to be cutting the services that they get, I'm sure that they could probably use this money a heck of a lot better, and I would ask that we vote against this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Sangamon, Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield. Ted.

SENATOR DAVIDSON:

Senator Leverenz, I understand this does allow for a background check of the senior citizen. But does it call for the dismissal from the program if that senior citizen has a criminal background?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

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SENATOR LEVERENZ:

I appreciate, Senator, your question, and I think this is not for legislative intent; however, in the case that it is, I direct your attention to the amendment which removes that requirement.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

What amendment removes which requirement? Their background check or the dismissal of the person if they come up with a criminal background?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

I believe Amendment No. 1 removed that.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Removed what?

SENATOR LEVERENZ:

The background check.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Well, if that's the case, then I want to speak against the bill, because -- it had to be the background check for criminal -- background check for a purpose, and I'm for -- if you're going to do it, it should be dismissal if the person had an offense. You and I both know there is a number of seniors that are out that were convicted of child abuse, et cetera, et cetera. This is not a good idea. I urge everybody to vote No.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz, to close.

SENATOR LEVERENZ:

Well, this is almost like the one you've all been waiting for.

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This bill now is so mild, it was -- it's probably carrying the power just a little stronger than a resolution. It removed the mandatory background check requirement, but the amendment further - for the Senator of the other side - says, "Additionally, information regarding license requirements, health and background checks, and a general introduction to child care shall be included in the demonstration module." This provides a link for seniors that are, number one, active, and that do want to keep involved. And as we said - I think, in committee - you might even think that they'd have some background that would be grandfathered in under the bill, in terms of caring for younger people. You can't do enough for young people, I suggest. Specifically, in Proviso Township and their Council on Aging, they do have, in place, a work program - a work link program - so that seniors can, in fact, do this. The financial impact, before it was amended, was thirty-five thousand dollars. This simply asks for information to be distributed by the Department of Aging. And I suggest if you don't vote for this bill, it would have to be something other than good cause. And I solicit your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 329 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 30 Ayes, 25 Noes, one -- none recorded as Present. House Bill 329, having received a constitutional majority, is hereby declared passed. Lady from Cook, Senator Topinka, requests a verification. Would the Membership please be in your seats? Verification has been requested. Madam Secretary, please verify the affirmative vote.

SECRETARY HAWKER:

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

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Topinka, any questions of the affirmative vote?

SENATOR TOPINKA:

Yes. Senator Brookins, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins. Senator Brookins on the Floor? He's on the Floor.

SENATOR TOPINKA:

Senator Jones, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones. Senator Jones on the Floor? Remove him.

SENATOR TOPINKA:

That'll do. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On this question, there are 29 Ayes, 25 Nays. Senator Leverenz asks leave to put it on Postponed Consideration. Postponed Consideration. 342. Senator del Valle. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. House Bill 342 establishes a program for the use of electronic benefits transfers to Public Aid recipients. The Department of Public Aid estimates that the

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program will begin to be operational on a limited basis in January of 1993. This bill has been amended to address all of the concerns. And as far as I know, there is no opposition to the bill. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall House Bill 342 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. And House Bill 342, having received the constitutional majority, is hereby declared passed. 370. Senator Daley requests that that bill be referred back to committee. Hearing no objections, 370 is back to committee. 378. Senator Hall. Read the bill, Madam Secretary. Art? Senator Hall.

SECRETARY HAWKER:

House Bill 378.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 378 is a vehicle bill which appropriates one dollar to the State Board of Education for ordinary and contingent expenses. Senate Amendment No. 1 deletes the July 1st, 1991 effective date. I move for the adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill 378 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,

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none recorded as Present. And House Bill 378, having received the constitutional majority, is hereby declared passed. 386. Senator Carroll. 388. Senator Carroll. 406. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 406.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Tazewell, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This bill changes the levy certification date for towns, townships and road districts from the second Tuesday in September to the third Tuesday in December. And it all provides assessing officials in counties with a population of less than one million to petition the Department of Revenue for additional compensation if the official obtains a median level of assessment between thirty-three and a third and thirty-five and a third of fair cash value property in that jurisdiction.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I'd like a question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR RIGNEY:

Now is it true, as I understand it, that the supervisor of assessments would not have to meet the same test as other assessing officials - namely, he would not be subject to the coefficient of dispersion?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Senator Luft.

SENATOR LUFT:

That's correct. The Illinois Assessors' Association feels that the criteria is too strict. As a matter of fact, it's my understanding that only one county was able to meet this criteria in 1990.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rigney.

SENATOR RIGNEY:

Well, I would point out to the Members here on the Floor that the coefficient of dispersion, after all, is actually the test of how good your assessment is. In other words, what is the chance of the assessment being wrong, and by what degree would it be wrong? We went through this whole dialogue, I think, on this -- on -- I remember when I was in the House about ten or fifteen years ago, and it was thought that, really, just falling within the assessment range of thirty-one to thirty-five really is not the test of how good a job you're doing. It's really the coefficient of dispersion. And I would fully expect that next year we'll probably see a move by all other assessing officials also to throw out the coefficient of dispersion. I think this is probably just the -- you know, the first foot in the door to eventually getting rid of that. So I think if we really believe that the bonus should be paid for a quality job, this is a -- to me, a significant step backwards to say, "Well, we're not really going to enforce that part against the supervisors of assessments."

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft, to close. I'm sorry. Senator Schaffer.

SENATOR SCHAFER:

I sponsored the bill several years ago that established the bonus, and frankly, we did so because many of us felt that the



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property tax system here in the State certainly was not being administered uniformly and fairly. Property tax on its best day is a difficult and controversial tax. I don't see how we can expect anything but problems and unhappiness from our constituencies if we retreat from the standards we have set for fair and equal assessment on a statewide basis. I suspect there's more implications in my neck of the woods, where the assessed valuations are much more volatile. But I don't think this is any time, when we literally have tax protest meetings in every corner of the State, to retreat from the standard of quality that we have set or encouraged our supervisors of assessments to attain. And I think Senator Rigney is absolutely right. The other township assessors will be down here next year to get off the hook too - but to keep the money, mind you - but to get off the hook. This is no time to retreat in this area.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft, to close.

SENATOR LUFT:

Thank you, Mr. President. I hope everybody listens carefully, because we're talking about county assessment officials. And as Senator Rigney mentioned, the -- coefficient of disbursement has to be met, but it can only be met with the figures that is provided the county assessor by the township assessors. They have to deal with those figures that are dealt -- given to them by the township officials -- assessors. So, if in fact there's any error been made, it's at the township level. And as I stated earlier, after the historical data has been made available to all of us, only one county assessing officer was able to meet this criteria in 1990. They are controlled absolutely and totally by the township assessors. So I hope you would support this. And if we need to come back and visit it another day, be more than happy to do it.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question, shall House Bill 406 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 36 Ayes, 18 Nays, none recorded as Present. And House Bill 406, having received the constitutional majority, is hereby declared passed. 452. Senator Leverenz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 452.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. The bill would create the Architectural Engineering and Land Surveying Services Procurement Act. It establishes the guidelines for which procurement of named services, including broader public notice of projects. It's modeled after the American Bar Association model. Might answer any questions that you might have. Ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 452 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 452, having received the constitutional majority, is hereby declared passed. 478. Senator Kelly. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 478.

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(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. House Bill 478 would require the State Board of Education to return the test results of the student assessment tests to the local school districts. It -- under current law, the results go to the State Board, and the results are based on the schools. This would bring it back to advise the school districts what's going on in the classrooms. It also would advise the teachers, individually, how each student is doing. The State Board has tried to reach a compromise on this issue, and apparently it's in the near future, but they haven't as of this date. And this is a bill which would help the local districts greatly. I have a letter here from the superintendent in Orland Park and several other superintendents who are very favorable of this legislation. The IEA is supporting it, and I would appreciate your support and answer any questions you might have.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall House Bill -- Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. Just simply to say that -- that Senator Kelly is correct - there have been discussions. I believe that -- Superintendent Leininger has agreed that -- that they will be doing some work on this in the -- in the very near future. My -- my only concern with the bill as it stands today - it probably is not a bill that can be administered, given the five-hour time frame within which the tests have to be given. I think that's a concern that the State Board has. It's obviously a concern that I have. It is correct

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that virtually everybody is supporting this, but I think there are some administrative problems with it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall 478 pass? All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. And House Bill 478, having received the constitutional majority, is hereby declared passed. 562. Senator Jones. Out of the record. 575. Senator Joyce. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 575.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Joyce.

SENATOR J.E. JOYCE:

Thank you, Mr. President, Members of the Senate. House Bill 575 would require the Personnel Code and the State University Civil Service Code to achieve wage-based race and sex equity by the year 2000. Would require that the Code pay plan include a schedule for the attainment of comparable worth by the year 2000 and the plan to be in place by June of 1992. Requires the plan to provide for the adjustment of salaries and compensation for the sole purpose of attaining comparable worth to be made annually and that the ranges and rates in the University Civil Service Code to include a schedule for the attainment of comparable worth by the year 2000 and the schedule to be in place by the -- June of 1992, the adjustments to be made through collective bargaining when a labor organization represents a unit of employees under the jurisdiction of the Act. And it gives the definition of comparable worth as, "provision of equitable compensation

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relationships for positions which, although not in the same class, have been evaluated as equivalent based on the composite of the skill, effort, responsibility and working conditions required." We have had this measure before us on several occasions, starting in 1983. We have listened to various arguments as to why this cannot be accomplished in our State. Since that time, we have seen other states go forward. There are -- numerous studies to show that it can be implemented. And I would ask for your support at this time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I hardly think the time is now for this bill. It will cost Illinois about nineteen and a half million and go up to a hundred and fifty-six million dollars. That's the first point. And to compare it with other states, it's cost Connecticut close to seventy million dollars, Washington State about ninety-seven million dollars per year, Oregon a hundred and ninety-two million dollars for the last seven/eight years, and Minnesota eighty-four million for four years. We are in a financial crunch. We are in a terrible financial crunch. We haven't paid our nursing homes. We haven't paid our druggists. We haven't paid our hospitals. We are in such an awful mess it isn't even funny. And to think of comparable worth now is the wrong time. That's one objection I have. The other objection is, this bill prohibits consideration of essential factors in determining job salaries and classifications. The State could not consider market job -- marketplace factors, supply and demand, prevailing rate laws, personal decisions and job preferences of males and females, and collective bargaining history. I am a lawyer by profession. I could never presume to be a plumber. They make more money in the

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long run than lawyers do, because they're more essential in your sanitary sewage and everything else. I know nothing about plumbing. And I think this is wrong. I think it's a wrong concept. I think today we have grown up and graduated to the fact that both male and female people are entitled to be considered on their worth and what they can do, not comparable with other jobs. I don't see it at all, and I -- I -- much as I respect and like the sponsor of this bill, I cannot agree with him. And I think, as I said earlier, this is a wrong time and a wrong place to consider a bill like this considering - forget all the other factors - the financial crunch within. And I rise to speak against the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Winnebago, Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of House Bill 575. The last time that it came before us, we -- we almost passed it out of the Senate. As you can see, it has passed the House. I believe, in contrast to what Senator Geo-Karis has said, that the time is now. Studies that have been done of other employers who have implemented pay equity indicate that such implementation has enhanced their ability to compete in the marketplace, by making it easier to attract and retain qualified employees. Because the bill goes into effect does not automatically mandate that higher salaries need to be reached immediately. When Northern Illinois University's Office of Public Information issued a press release announcing the results of a survey they had done on this question, they found that eighty-five percent of the people surveyed supported the enactment of pay equity. Ninety percent of those people were Democrats. Eighty-three percent of those people were Republicans. This is an issue that, when you talk about it in your home district, people

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will say, "Yes, that's fair. We would like you to vote for something that's fair." When you can prove, for instance, as was the issue asked for in the Northern Illinois survey, that someone with comparable skills, like a nurse or an electrician, that there's a discrepancy per month of seven hundred dollars, people say immediately, men and women, Republicans and Democrats, "That is not fair." It's an issue of fairness. I believe the time is now.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from DuPage, Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill, as you may recall, has been debated before in these Chambers, and I said then - and I'll say now - that if we pass this comparable worth, pay equity, or whatever it may be called, we will find ourselves awash in a sea of subjectivity. Now, what do I mean by that? I mean by that that there are literally hundreds of jobs, I suppose, that would have to be evaluated and compared. And who's going to do this? The State of Illinois, presumably, would be responsible for comparing the value to society of these various jobs, trying to determine whether or not they're worth a similar amount. And I say that this is almost -- this is a -- it's an unworkable proposal in many, many ways. Much of this would probably end up in the courts. The courts themselves, some of the -- some of the officials say they're ill-equipped to handle these kind of considerations, and I just think it's a very, very poor time and particularly a poor concept on the basis of the subjective aspects of it - comparing these things and trying to -- trying to decide who's worth what. And it would seem to me that we will end up not -- we'll be raising salaries. It's going to be costly to the State, because people are going to want to be raised up; they're not going to want to be

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cut. If we found a couple of jobs comparable, for example, and the idea was to lower the -- lower the wages, it simply wouldn't work. I think it's a poor time, too, as Senator Geo-Karis mentioned so eloquently, to consider spending more and more money on State employees when we are, in fact, attempting to cut back on all of the others that we debate and discuss around here day by day. And here we go, about to embark upon a proposal that would be expensive to the State of Illinois. Money spent on State employees - and God love them all - but nonetheless, it just seems to be inconsistent with the general theme that we have been speaking about or advancing here to talk about now turning around, and for this idea to spend millions and millions of dollars more, when we're trying to cut some of these other very-needed areas. So I -- I think the time is -- is not here; it has not come and would urge a No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I rise in support of House Bill 575, because I think it is a issue that is most certainly something that we should have acted upon a long time ago. I recognize, as Senator Geo-Karis has indicated, that this year and that the State is in a very serious financial crunch; however, this bill does not require any monies this fiscal year, Senator Geo-Karis. But even if it does, and even if we don't have the money to do it, I think we cannot -- can no longer allow ourselves to -- not to vote and to correct issues and problems that we recognize ourselves, by studies that have been done in this State, which lends itself to discrimination against women and minorities. And believe it, when we assign, as we have over the years -- arbitrarily assign monetary values to job categories, that's just not fair. And those job categories often



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end up where you have the bulk of women and minorities employed in this State. And the wedge -- gap between those job categories and those at the top constantly grows wider and wider. If you look at the affirmative actions reports, you will see where women and minorities are concentrated at the bottom of the pay scale - at the bottom of the pay scale. That's just not fair, and it's not because those jobs -- in those job categories, that they do not do adequate -- the same amount of work or the same amount of responsibility, and often stress, that goes to perform those jobs as it does for jobs that's paying maybe even fifty percent more. That's just not fair. So what we are talking about in this bill is equity and parity, and that's what we ought to move toward. If we don't have the money, then it is time for us to bite the bullet and pass an income tax increase to bring us in the 21st century as all other industrial states and provide adequate money to get rid of the -- the discrimination that have been done -- in this Department of Personnel over the years. This is a good bill. It is time that we do it. We should have done it a long time ago, and I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. You know, I have this unenviable position at times as being Minority Spokesman of the Health Committee where, indeed, I have to attempt to defend the budget and the deficit that we are now facing by having to curb in social welfare programs, many of which that I happen to think are pretty darned good, many of which I know if we cut are absolutely going to hurt people, but we don't have the money. And okay, I'm willing to do that. And I think all of us who bite that bullet do, indeed, do that. But I find it upsetting that, indeed, when we do do that and try and curb in programs that

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actually have some merit, that we would turn around and come up with this kind of a proposal which just, on cost alone, could run this State between 19.5 to a hundred and fifty-six million dollars. That buys a heck of a lot of hospital care, and long-term care, and public aid care, and food stamps, and all of these other things that we're hitting on. And I would much rather see that money go into those programs as we rearrange the budget and try and get to the Governor's bottom line. And also, I suppose, just maybe as -- speaking as one with an Eastern European background, I don't like programs that get into social engineering - that decide what I and other people are worth, because government has made this decision. Let me decide what I'm worth. Let the public decide what I am worth. Let the public decide what I charge, and is that a fair charge, and is that acceptable. And basically what the traffic will bear and much like water rising to its highest level, it will find its way. But Senator Hudson and I think Senator Geo-Karis bring a good point. When we're talking about disparities in terms of -- of salary, we're never going to lower any salaries. The natural inclination is to always raise it. So we are going to raise it to the highest level. Again, we get into the fiscal question of who's going to pay for this. Yes, an income tax might be able to -- to back this thing up. But if we're looking at increased taxes, should we not look at our social welfare programs and people who are really in need? I think this is a terrible concept in general. At this point in our juncture here in the Legislature, it is just totally unaffordable and totally irresponsible.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Macon, Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. I will not go on at length, because many points have already been

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debated, but I think what surprises me most is that we are debating this issue. This bill has spelled out that it will take us into the 21st century. It will be paid for over the next decade. I think we kid ourselves in this Chamber as we pass laws and legislation signed into law day in and day out that we --

END OF TAPE

TAPE 2

SENATOR SEVERNS:

-- meet the -- the challenge of House Bill 575. It was all the way back in the 82nd General Assembly when the Illinois Commission on the Status of Women conducted a bipartisan or nonpartisan study that they found that the majority of female employees - in fact, 53.8 percent - earn less than sixteen thousand dollars per year, while the majority of male employees - 89.8 percent - earn over sixteen thousand per year. What does that say to us about the kind of State that we are if we condone this kind of discriminatory policy when it comes to wages? If we don't do it for the right reasons, we ought to at least recognize that we are a changing society where more and more women are the head of households. I think the time is long past due that we as a State take the lead and do what is right, and that's pass a bill that is fair, that is reasonable, and that is built in over the course of time so it will not be a budget-buster, as some of the detractors would like to suggest. The time is now - in fact, it's overdue. It's the right thing to do, and I hope we do it today.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Collins, for a second time.

SENATOR COLLINS:

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Thank you. I apologize for rising a second time, but I just could not let one of the comments go that one of the spokespersons on the other side indicated that this was a bad idea because we had to -- all of these social programs that -- that needed to be attended to. And that's a real cop-out, because I don't expect to get -- see any votes when these issues come on the Floor to try and restore some of those critical human service cuts; we will see red lights on the other side, or we will see yellow lights. So, for the record, I just had to refute that as an excuse for not passing this bill. The other excuse was that we need to assign -- no one else is to assign some value to what we are worth. Well, that's what we are trying to correct, because that's what the Department of Personnel has done consistently over the years. They have arbitrarily, and maybe capriciously, assigned values to certain jobs as to what they're worth. And it is unfortunate that those jobs have been held mostly by minorities and females. And so it's time for we -- to correct that inadequacy.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Lake, Senator Geo-Karis, for a second time.

SENATOR GEO-KARIS:

I apologize, Mr. President and Ladies and Gentlemen of the Senate, for speaking a second time. Just to make a correction from one of the statements made before. This bill requires that by June 30, 1992, a schedule of the attainment of comparable worth would be included in wage ranges and rates and adjustments will be made at least annually for comparable worth for all covered positions achieved not later than June 30, 2000. We're in such a terrible economic crunch right now, and then we start the new fiscal year July 1. Hopefully we can pay all our bills after we restructure the budget. This is a bad time for this bill, and I'll tell you - we should judge people by -- their merit and fitness. And I'll tell you something else - we are the ombudsmen

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for the people. If we know of any discrimination because of race or color or sex in a job, then it's up to us to address that particular department. And I'll tell you right now, if any constituent of mine were involved, I'd be the first one to hit the department with it. I think we should base it on merit and fitness and not on comparable worth. I think those words are dangerous. I don't know how in the dickens anyone ever invented them, because there's no -- no adjudged criterion on that to begin with. And again, I speak against the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

We got a few more lights now, so hang on. Gentleman from Whiteside, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just a -- just a quick remark. I'm surprised that the proponents of this bill want to move in this direction, particularly when we take a look at what's happening in the rest of the world. The communist world is now moving toward the marketplace setting wages and rates. They're doing away with boards and bureaus that establish the working conditions and wage rates. And here we are, in the State of Illinois, having people suggest that we move in the opposite direction. I don't think it makes much sense.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

Mr. President, thank you. That -- the longer it goes, the more arguments I hear to vote in favor of this. I think almost -- the last statements were about the most absurd that I've ever heard that would liken this bill to something dealing with communism. We've already proved that there are differences in State Government in terms of pay. It's about time we take a look at State Government. There is no better time than doing it now.

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This should have been done before. And if there is a cost, we ought to face up to it and pay. The bottom line is, this is a bill for decency. This is a bill that might expose something that the administration might have been hiding for years. We don't know. But there are, in fact, differences, and you just can't go through all of State Government with desk audits. I ask for your Aye vote to pass this measure.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce, to close.

SENATOR J.E. JOYCE:

Thank you, Mr. President, Members of the Senate. Everyone in this Chamber is familiar with what we're talking about here today, and Senator Topinka, Senator Hudson, Senator Geo-Karis, you didn't cause this. This was here long before any of us ever came here. Nevertheless, there are -- it's discrimination. We recognize it. We know it's there. There's not a person in this Chamber who has not had a sister or an aunt or a niece or a neighbor or a friend who was treated unfairly because of this practice that we have stood by now for at least ten years and refused to deal with. The administration says that we cannot afford this. That's basically the argument against this - we can't afford it. Because all the other arguments -- we presently classify, there haven't been lawsuits in the other states that have gone forward and implemented this program. The argument is we can't afford it. We know it's not fair. We know that there's an injustice here. We must afford it, and I ask for your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 575 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? What about Frank? Have all voted who wish? Please take the record. On this question, there are 30 Ayes, 27 Nays, none

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recorded as Present. This -- on -- House Bill 575, having received the constitutional majority, is hereby declared passed. Gentleman from DuPage, Senator Hudson, requests a verification. Would the Membership please be in their chairs? Jerry? Would the Secretary please verify the affirmative vote?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Are there any questions of the affirmative vote, Senator Hudson?

SENATOR HUDSON:

Senator Rea.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea is in the Chamber.

SENATOR HUDSON:

Senator Jones.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's here.

SENATOR HUDSON:

There he is. Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Luft is in his chair. We're all here.

SENATOR HUDSON:

Senator D'Arco. Where is he?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's in his chair. On this question, there are 30 Ayes, 27 Nays, on the recorded -- on a verified roll call. And House Bill

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575, having received a constitutional majority, is hereby declared passed. 576. Senator Leverenz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 576.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. House Bill 576 would provide the Illinois Clinical Laboratory Act to include certain medical units of corporations or other entities as Class I permit laboratories, and provides the laboratories shall provide physician supervision for the laboratory activities. I know of no opposition to the bill. I would ask for your Aye vote, and answer any questions that you might have.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Question is, shall House Bill 576 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. And House Bill 576, having received the constitutional majority, is hereby declared passed. 580 was on the Recall. House Bill 619. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 619.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from LaSalle, Senator Welch.

SENATOR WELCH:



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Thank you, Mr. President. What this bill does is amend the Public Utilities Act. It does so by requiring utilities to reconnect heating services, under certain conditions, to discontinued customers who have applied for assistance under the Energy Assistance Act between October 1st and April 1st of each year. The current law requires reconnection under these same conditions between November 1st to April 1st. The change to October 1st will coincide with the date applicants for energy assistance become eligible for funding under the Energy Assistance Act. This change will cost the State absolutely nothing. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The Lady from Cook, Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in opposition to this bill. By changing the -- the date for energy assistance by one month will cost a substantial amount of money to the utility companies, and I -- I would submit to you that I think that the ratepayers who could be affected by this would probably not be too pleased with our changing that date by one month. So I would urge your opposition to this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Welch, to close.

SENATOR WELCH:

Thank you, Mr. President. I'd just like to say that many of these individuals are individuals that we are going to be cutting off Public Aid funds to in the next week, because we don't have the money in the budget. These are the same individuals who are going to be down here lobbying and have been down here lobbying over the past month. What we're saying is, let these people have their heat reconnected in October so that they don't freeze.

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That's not too much to ask. Not one dime comes from the State. It's not that great a burden, and I think that it's a bill that all of us should be supporting. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 619 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 31 Ayes, 24 Nays, 1 recorded as Present. And House Bill 619, having received the constitutional majority, is hereby declared passed. Please turn to Page 8 of the Calendar. Appears House Bill 630. Senator Etheredge. 632. Senator Weaver. 635. Senator Schaffer. 638. Senator Etheredge. 700. Senator Leverenz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. The bill that I was asked to handle, House Bill 700, would provide the State's Attorneys Appellate Prosecutor's Act to allow them -- by saying may raise the number of hires from eight to twelve. Answer any questions you might have. Ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Question is, shall House Bill 700 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, 2 Nays, none recorded as Present. House Bill 700, receiving the constitutional majority, is hereby declared passed. 760. Senator

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Berman. 766. Senator Etheredge. 801. Senator Joyce, Jeremiah.  
Hold it? 847. Senator Daley. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 847.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. House Bill 847 would establish a voluntary checkoff on Illinois income tax form for Desert Storm veterans. It would also -- part of the bill would restrict deductions to the amounts received by the taxpayers and advances due to a terminal illness.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 847 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 847, having received the constitutional majority, is hereby declared passed. 879. Senator Leverenz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 879.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. This would exempt the small incubators established in financially distressed cities. The only change essentially that we have made is allow the program to go to

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five years. It's currently four. Answer any questions you might have. Ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall House Bill 879 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. And House Bill 879, having received the constitutional majority, is hereby declared passed. 883 is on the Recall. 886. Out of the record. 897. Senator Jacobs. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 897.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This bill simply clarifies that saving banks shall have the powers granted by regulations promulgated under the Federal Deposit Insurance Act for savings bank. This is supported by the Illinois League of Savings Institution and the Commissioner of Savings and Residential Finance. I know of no opposition to the bill, and ask for its support.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 897 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 897, having received the required constitutional majority, is

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declared passed. 927. Senator Cullerton. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 927.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. House Bill 927 is identical to Senate Bill 679, which we passed to the House. Excludes from the Water -- Metropolitan Water Reclamation District's bond limitation certain bonds that are issued for repayment of money received from the Water Pollution Control Revolving Loan Fund. In addition, we adopted two amendments. One would permit sanitary districts to request the discontinuation of water service to individuals who refuse to pay their sewer bills. This Act would not apply to any water service provided by a private water utility, and it would not apply to any tenants in a building or where there's a separate fire prevention system in a commercial or industrial facility. And finally, the bill also provides that trustees of sanitary districts can receive compensation up to four thousand eight hundred dollars a year. Right now it's three thousand dollars. That would be determined by the sanitary district. Happy to answer any questions. Move for the passage of the bill.

PRESIDENT ROCK:

Discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Hall.

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SENATOR HALL:

Senator, I didn't -- I just caught part of that. Are you saying that if a person fails to pay their sewer bill, that their water would be cut off? Or did I hear right?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

That is correct. If -- in certain circumstances, and with due process notice, the -- and it would not apply in any case where there was a tenant. So it's only when the person who owes the water bill knows that if they don't pay their water bill, that their sewer -- I'm sorry -- if they don't pay their sewer bill, that their water will be cut off. And it does not apply to any private water utilities.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

I'm trying to get this straight. We have a large group of people in the East St. Louis area, and they have terrific sewer bills, and many of them are on General Assistance, aid and everything. And you mean to say that if a person owes a sewer bill that you would cut their water off? Am I hearing you right?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Well, I would just indicate that it does not apply to multi-family units. It would only be a situation where there is one person who owns a house, has a sewer bill, haven't been paying their sewer bill. And if they don't pay their bills, you know, eventually they cut off your utilities. They cut off your -- your heat or your -- your water, or if you don't pay your electricity bill, they shut off your electricity eventually, after due

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process. And this is the same principle. If they don't pay your sewer bill, they turn your water off. Instead of turning your sewer -- they don't turn your sewer off. They turn your water off instead.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Well, I think this is really a very bad bill. In other words, here is a person who has no job, and you're going to deny people water? That's just like turning off heat and anything else. And you say -- what do you mean by private? It doesn't apply to private -- what -- you say it does not apply to private water bills -- or water companies? Did I read you right?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Yes, to answer your question, Senator, the bill only applies to situations where the sanitary district, which is a unit of local government, and the public water utility, which is also a unit of local government, comply with an intergovernmental agreement. That's the only time this bill would -- would apply. If there -- as there are in many parts of the State, water services provided by a private water utility, then this Act would not apply. But, Senator, I would tell you in answering your previous question, if people don't pay their water bills now, they can have their water shut off. That's the law right now. And this just says if they don't pay their sewer bills, they can have their water shut off, only after due process protections are covered. There has to be a notice that goes out. There must be an indication that if they don't pay they can be -- have their service cut off. And, you know, I think that certainly there's reasonable notice. But if people don't pay their bills, then

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everybody has to pay with higher -- higher charges.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Well, I certainly want to speak against this, because we have in our area down there -- that -- what they call the river bottoms, and a lot of these people have been brought into court. They don't have jobs, and they get judgment against them. Many of them have water -- sewer bills of five and six hundred dollars. And this company charges the people who do pay to make up the difference. And I just -- I just couldn't understand -- I don't know how that bill ever got over here. You're denying a person the right to have -- have -- because of their sewer, and a lot of these people can't pay. Now, what are we going to do now when it comes time -- folks who are on General Assistance and they've talked about eliminating all this, and they're not going to have water in their homes? That's a bad bill. I don't understand how that ever got out of committee.

PRESIDENT ROCK:

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

SENATOR CULLERTON:

Well, I appreciate the Gentleman's concern, and I certainly have sponsored bills this year to help people who are -- are victims of -- of utility service being cut off when it's not fair. But when someone doesn't pay their bill, we all end up paying, and I think, after giving them due process, it's fair to suggest, in these limited circumstances, that they -- they should be encouraged to pay their bills. And this is what the bill is all about. So I'd ask for an Aye vote.

PRESIDENT ROCK:

Question is, shall House Bill 927 pass. Those in favor will



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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 36 Ayes, 12 Nays, 1 voting Present. House Bill 927, having received the required constitutional majority, is declared passed. 969. Senator Jones. 1007. Senator Marovitz. On the top of Page 9, Ladies and Gentlemen, on the Order of House Bills 3rd Reading, is House Bill 1007. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1007.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 1007 makes references in the Act gender-neutral and updates a reference to the Clerks of Court Act. We do expect the bill to go to conference, and will put in some suggestions by the courts in their decisions regarding child support as well as the judges who handle these cases on a day-to-day basis. Solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, is this the bill that says that you don't have to prove a substantial change in circumstances before you ask for an increase in support?

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PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

No.

PRESIDENT ROCK:

Senator Geo-Karis. All right. Any further discussion? If not, the question is, shall House Bill 1007 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, none voting Present. House Bill 1007, having received the required constitutional majority, is declared passed. 1092. 1171. Senator Cullerton. On the Order of House Bills 3rd Reading is House Bill 1171. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1171.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. This bill at this stage is a vehicle bill. It's introduced at the request of the children's hospitals in Illinois. It's meant to deal with this issue of assessments which is still up in the air. And so I would move for its passage.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall House Bill 1171 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 57 Ayes, no Nays, none voting Present. House

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Bill 1171, having received the required constitutional majority, is declared passed. 1203. Senator Smith. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1203.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have House Bill 1203, which is molded after a California law where the State Legislature specifies the grant amounts, rather than having the welfare agency establish minimum payment levels and by rules, as is the practice in Illinois. The purpose of codifying the rates, which was attempted ten years ago, is to make it clear to recipients, policy makers, budget planners, et cetera, what the menial <sic> level of grants will be. Now under House Bill 1203 the grants amount are ten percent over current rates. The grant amounts are based on the size of the assistance unit according to the geographical county groupings. As I had passed out to you, you will see that in -- from group one, especially in the County of Cook, a person would -- an adult -- they get, for a month, two hundred -- only two hundred and twelve dollars. This is current. And without an adult, they only get a hundred and two dollars a month. And also, like in group three, you get two -- which is some of the downstate areas -- counties, they would get two hundred and four dollars, and a single person would get ninety-seven. In group three, with an adult - and that's another area of our counties down in Alexander, Christian and Marion and places of that sort - they would get -- with an adult, they would get a hundred and seventy-three dollars a month, and without an

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adult, only ninety-four dollars. And in the City of Chicago, you would only get a hundred and sixty-five dollars a month. So the current welfare system payments are approximately 45.3 percent of the standard of need, and by 01/01/91, value of payments have declined to 43 percent. And due to comparatively low rates, many of people are moving from the State of Illinois - they are going to Wisconsin - which is causing a lot of problems in these other areas. And so the last increase in our State was in 1985, which was only 7.5 percent. And I come to you today to ask that we think in terms of this bill and remember that 1203 has no fiscal impact for the Year '92. The grant increase included in 1203 does not become effective until Fiscal Year '93. And it is estimated that it will cost approximately ten million for each one percent across the board. I'm asking to remember that poverty does not discriminate. It has no race, color nor religion. I'm asking for your favorable vote to think in terms of these people, because many of these people, even though they are on relief and general assistance now, they haven't always been there. But because jobs have left where they lived, because plants have closed down, and because of many circumstances has put them on this relief roll. And so I'm asking that we all support this bill, because this is much needed, remembering that it will not become effective until 1993.

PRESIDENT ROCK:

All right. The Lady has moved passage of House Bill 1203. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. As always, I admire Senator Smith's good intentions. I know her heart's in the right place. You know, we still owe seven hundred million dollars in bills. There are cuts being planned all over this place. We're going to be cutting back on social services.

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We are still debating whether or not we're going to have any kind of a -- retention of the temporary tax increase, and then whether or not we'll even be able to tap into that to pay our bills. We are so in the hole we don't know where to go. Yes, she is correct. It is only ten million dollars this year. We don't have that ten million dollars, unless it comes out of some other program that is already hurting. And by 1993, we don't know if we're going to have 94.3 million dollars. But this is going to lock us into a program. For all intents and purposes, it creates an entitlement. We are not going to be able to -- to change this. It's going to lock the Department in. It is just something at this time we cannot afford, and I would ask for a No vote.

PRESIDENT ROCK:

Further discussion? Senator Hall.

SENATOR HALL:

I -- I want to rise in support of this bill, but I want to address the former speaker. Senator, I've been listening to your tirade here, day after day. It's wonderful - it's all of this, but here you want to -- you want to say that we don't have money to pay for all these things. We got a lot of programs that are coming on here right now. And what you're saying is this - and one thing that happens. I see what's happening throughout the country, and you see that. These scoundrels on S & Ls that -- stole billions and billions of dollars. And we come around here and say we don't have money to do these things. But yet we do come up with things here. These are things that people need. We talking about folks that's going to have -- it's just like this other bill that passed. People are trying to pay their bills, and they don't have enough money to pay them. And you say that's wonderful. Oh, that's great. It's great. But the bottom line is you're denying people that need basic things. And any time you deny people the right to have a right to purchase some things here

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-- and I'm telling you, it's just a shame before God that we'd stand up here and say that it's wonderful, all these things that's happening. I tell you, I would like -- and I ask everyone to put an Aye vote up here on this bill.

PRESIDENT ROCK:

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I rise in support of House Bill 1203. I realize, Senator Topinka, that money is short this year, but as I said before, we have a responsibility as legislators to enact laws that will provide the necessary resources to respond to the human needs of the people of the State of Illinois, and especially those who are unable to provide for themselves. When the public welfare system was created, it was designed to help people, on a temporary basis, to become self-sufficient. Unfortunately, in this State we have made the welfare system a way of life, and it is due to our actions and our policies, laws and -- rules and regulations that have made people become self-dependent, generation after generation. If we could bite the bullet and face the facts and stop being penny-wise and dollar-foolish and provide enough money for those people who have legitimate needs - I'm not talking about deadbeats or people who don't want to get off welfare - but if we provide enough money to provide the motivation and the resources for people to go out and to seek training and employment to lift themselves up and to get off welfare, we will find that within five to ten years, we would have drastically reduced the dependency in this State on welfare. But we don't do that. All we do is provide enough money to provide healthy contracts, because public aid and public welfare in this State has become an industry within itself - the largest growth industry. And the people - the recipients - are not really the people who actually get the dollars. And that's

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what it's all about, Senator Topinka. This is what Senator Smith is talking about. It's to shift some of those dollars to the aid recipients, at least enough to provide them with the motivation to get up in the morning, to get themselves together, and to get out and try and seek job employment, job training, so that they can better themselves and get off welfare. Most people on welfare don't want to be on welfare. We should pass this bill, and the time is now to do it.

PRESIDENT ROCK:

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. Speaker. There have been a number of good points made here, particularly in the last few speakers. There was mentioned all we have to do is provide enough. Now, I haven't been in this Chamber very long, as you know. But how much is enough? It would seem to me that ten million dollars this year, ninety-four million dollars next year - that ought to come close - somehow someday - to being enough. Now we talk -- the speaker also mentioned about a way of life. Will this help, or will it harm? The problem we have is somebody has to come up with ninety-four million dollars. We talk about raising taxes very reluctantly. Here's ninety-four million bucks we're going to have to find. Not a drop in a bucket. Someway, somehow, we have to come to some grip with what -- the answer to the question: "What is enough?"

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, I reluctantly rise to speak a second time, but I must admit that Senator Hall's argument kind of -- you know, tingled my sensitivities a bit here, and that is -- is that this is somehow a shame before God that I come out and try and plead to

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defend a budget that is so rickety and -- in such trouble, with no money to pay for the programs we currently have in place. You know, we did this to the State of Illinois ourselves, and we did it with just these kind of bills. We did it - and if you want a shame before God -- and for all practical purposes, God has got nothing to do with this - we did it. We did it because we promised people things we couldn't deliver. We did it by issuing rubber checks. We did it by raising expectations that could never be met. And if indeed there is a shame before God, that is what it is - because we made promises to people who are sick and tired and poor, and then we left them in a lurch. This is not going to solve the problem. We don't have the money. I want a No vote.

PRESIDENT ROCK:

Further discussion? Senator Smith, you may close.

SENATOR SMITH:

Thank you, Mr. President. I merely want to correct the Senator on the other side who said about ninety-three million dollars. It is not, and this is going to be handled halfway by the Federal Government if we put up our part. And this is not going to be effective immediately. It's only to Fiscal '93. I ask - I ask for a favorable vote on this bill, because these people are dependent upon the State of Illinois for their living, and they have families and they need your help. Thank you.

PRESIDENT ROCK:

Question is, shall House Bill 1203 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 34 Nays, none voting Present. House Bill 1203, having failed to receive the required constitutional majority, is declared lost. 1216 and 1220 the Chair has been informed are on the Recall List. 1228. Senator Maitland. On the Order of House Bills 3rd Reading,



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the middle of Page 9, Ladies and Gentlemen, is House Bill 1228.  
Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 1228 recognizes a problem that we had with bicycle rallying when those rallies were used upon -- on State and county highways. This expands the -- the Act to cover bike rallies, and we further put a definition for bicycle rallying in the bill. And the State Police have asked for an amendment, which we placed upon yesterday, that clarifies that they can investigate and check truckers for safety purposes. I know of no opposition. I would appreciate your support.

PRESIDENT ROCK:

Any discussion? Discussion? If not, the question is, shall House Bill 1228 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 51 Ayes, 2 Nays, none voting Present. House Bill 1228, having received the required constitutional majority, is declared passed. 1288. Senator Friedland. 1297 is on the Recall. 1312. Senator D'Arco. 1352 is on the Recall. 1405. Senator Maitland. On the Order of House Bills 3rd Reading, bottom of Page 9, is House Bill 1405. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1405.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 1405 exempts the Illinois Department of Transportation from liability or financial responsibility concerning underground utility or cable facilities located on highway right-of-way by permit. It further, by an amendment offered by Senator Demuzio, exempts land surveyors from the requirements of JULIE and further, Amendment No. 2 allowed contractors who work in the City of Chicago to call the city's one-call system instead of -- instead of JULIE. I know of no opposition. Would appreciate your support.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall House Bill 1405 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 1405, having received the required constitutional majority, is declared passed. Bottom of Page 9, 1470. Senator Cullerton. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1470.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. Members of the Senate, we have debated this bill extensively on 2nd Reading. This bill would

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require that group health insurance policies provide insurance coverage for more than twenty-five employees for pregnancy-related benefits to provide coverage for the diagnosis and treatment of infertility. I would emphasize that this bill has -- has been amended so that it does not apply to individual policies. It does not apply to any company that employs less than twenty-five people. It does not apply to self-insurers. And therefore, even though I think it would be a good idea for the State to provide this coverage, we are not even able by law to require the State to provide this coverage. It does affect not a small, select group of people, but rather eighty-five thousand couples. The cost, if we look at other states, the experience in other states, the cost has been anywhere from sixty cents per family per month to a dollar nineteen, as it is in Minnesota. And we have focused on the fact that this deals with in vitro fertilization, and there's been some concerns raised by legislators who are concerned about the pro-life issue. Let me just simply say for the purposes of legislative intent - and I think this is implicit in the bill - that this insurance coverage, which is designed to help people have children, does not pay for any abortions. If a fertilized embryo is implanted in a woman, and she's having more than one child and she wishes to not have that many children and she decides to have an abortion, whether or not that is paid for by insurance has nothing to do with this bill. This bill does not pay for that procedure. As a result, I think that those people who are pro-life legislators should be voting for the bill because, indeed, it's designed to help people who cannot have children, have children. And that's what the bill is all about. Be happy to answer any questions, and I would urge your Aye vote.

PRESIDENT ROCK:

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of House Bill 1470. It's an Act to build Illinois families. Simply stated, this measure would require that group insurance policies treat infertility the same as other diseases. In addition, this bill would bring hope to couples who desperately want children. As amended, 1470 is a reasonable middle ground between positions of the insurance industry and fertility advocates, including the American Fertility Society and the Family Building Act Committee of Resolve. Excluded now from the scope of this bill are individual policies. Opponents will tell you that infertility is not a disease. The Seventh Circuit Court of Appeals, however, disagreed in a 1990 case entitled Egert versus Connecticut General Life. Opponents also raised the specter of high cost; however, about ninety-five percent of people suffering from infertility can be treated successfully by drugs alone at a cost of approximately one dollar per month per insured family. We should not allow infertility to be the only disease that is not covered by group insurance. This disease affects almost ten percent of Illinois couples, including those of every skin color and ethnic origin. This Senate should have the compassion to help these couples achieve their dreams of building a family. I urge an Aye vote.

PRESIDENT ROCK:

Further discussion? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Madigan. Senator Cullerton? Senator Madigan.

SENATOR MADIGAN:

With Senate Amendment No. 2 on it, Senator, how does this bill differ from House Bill 133?

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PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

The main difference - and I believe the only difference - is that we -- but which is a significant difference, is that we said that this law shall not apply to individual policies, only group policies.

PRESIDENT ROCK:

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I have a follow-up, and then I want to speak to the bill. The -- is this bill now going to -- is it your intent to send this bill to conference committee, Senator? Are we going to -- are we going to see this bill again if it does pass?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

No, I'm -- my intent would be to suggest to the House sponsor that he try to pass it, although I don't know, obviously, what the outcome of that vote's going to be in the -- in the House. But if it's not concurred with, we would go to a conference committee.

PRESIDENT ROCK:

Senator Cullerton. I mean, Senator Madigan. I'm sorry.

SENATOR MADIGAN:

Thank you, Mr. President. To the bill, and I don't want to belabor the point. I've stood many times in opposition to this bill, and I remain opposed to this bill. It was the intent of the committee at the time - and as you can see, we've had many different versions of this bill in an attempt to get it in passable form. I still don't feel that this bill, as it stands today, should be passed. It was the intent of the Committee that

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we continue to take testimony on this bill and see if the bill can be reached in such a fashion that everybody can support it. There are some things that we could do to support this bill. However, as it stands, I would -- I stand opposed to it, and would ask that this bill be opposed. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Thank you. Senator Cullerton, I know that you're calling this bill today because you had made a commitment to do that, and I had asked your earlier about a amendment which would take care of some concerns that I and some of the local people that we have in our area are concerned with, in regards to out-of-state insureds by people who are insured within the State. And we were going to try to put that on as an amendment. We weren't able to get it on this bill. Are you still committed to -- to make sure that we try to get that amendment on another bill to get it out of here so that those concerns are taken care of?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Yes, absolutely. It's not a controversial amendment, and I'm sure that we can and I'm committed to -- have attempted already to try to find a vehicle for this amendment, if this bill shall pass, for this amendment to also pass.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

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SENATOR SCHUNEMAN:

Thank you, Mr. President. The last exchange was interesting, because apparently the bill has not been amended to address the concerns of Deere & Company, who have a trust arrangement that they sell to dealers throughout the United States but is organized here in Illinois. It is their concern that if this bill passes and they're not excluded from it, they won't be able to sell that plan throughout the United States because of the cost. Now, we're all hearing estimates of the cost, and I don't think anybody really knows what the true cost is. I have a question of the sponsor, if he'll yield, Mr. President.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, would you take a look at Page 5 of the amendment and explain that to me?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Are you -- are you suggesting that the amendment's not in order, or is there a specific part of Page 5 that you want me to address?

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

I think it's obvious that the amendment is not in order, Senator.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR SCHUNEMAN:

The amendment repeats it -- repeat -- .

SENATOR CULLERTON:

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Yes, I understand from the staff that the amendment -- is repeated twice and that that's something that is not -- does not render the bill ineffective.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, to the bill, Mr. President: certainly, the amendment is defective and will have to be changed. I'm surprised that the sponsor indicated he wants the bill to pass in its current form, because it doesn't address the concerns of Senator Jacobs, nor does it -- nor is the amendment in proper order. But beyond that, for those of you who are wanting to vote for this bill with the idea that you're going to help those people that wrote to you, let me make this point. Fifty-four percent of the people that are insured in Illinois are covered by self-insured plans. So, fifty percent -- fifty-four percent of the people who have insurance in Illinois aren't going to be covered by this plan. Ten percent of all those who are covered have individual policies and they're excluded. Ten percent are the smallest employers in Illinois, those that qualify for the bare-bones coverage. Remember that? And I believe they are excluded. So that leaves only twenty-six percent of the people who have insurance that will be affected by this bill. Now, is that really what you think you're voting for? And those people are the ones who are covered by small group insurance - for the most part, employers who have less than five hundred employees in this State. You're not affecting any of the big plans, and you're not giving this coverage to most of the people who wrote to you. I think the bill should be held. If we really want to do this, we ought to study it and get the bill in proper order before we pass it, and I would urge a No vote.

PRESIDENT ROCK:

Further discussion? Senator Jones.



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SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. I rise to echo the remarks also of Senator Schuneman and also the Minority Spokesman, Senator Madigan. And the bill still has serious problems. This is the reason why we had agreed to, you know, attempt to deal with this issue as well as the big, broader issue of all those persons in Illinois who have no insurance whatsoever. And to have policyholders pay just to take care of a small group, when we leave the -- many out here with no insurance or underinsurance - just the basic coverage of insurance. And I conveyed this to the sponsor, but the sponsor is quite skillful. He find many vehicles. I don't know how you do this, John, find many vehicles to slide this bill on. But I think the bill should be held until such time as we deal with the entire insurance issue and not pass legislation just to take care of a select group all of his own and leave those who really need the basic coverage insurance left out. And I ask for a No vote on this bill.

PRESIDENT ROCK:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I want to commend the sponsor for making what I think has been a good-faith effort to address himself to some of the objections to this bill. I stood before and spoke against it, and there's one thing that still bothers me. Now, the insurance aspects of this have already been pretty well covered, so I'm not going to try to repeat those. But, Senator, what bothers me a little bit is this - that the letters from so many people that I have heard from are interested in life. They're interested in adding a life to their families. Where they have not been able to have a baby before, this would give them a chance. What bothers me is that there's still a catch to it, and that is that we may end up with more lives, embryos implanted and

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lives started, than the woman actually wants. Now she's going to have to be told, as I understand it, that if there are too many there, too many babies growing - let's say three, when she only wants or can afford to have one, and two of them have to be done away with or aborted - that that part of the process or procedure is not covered under the insurance. And you're assuring me that that is right. But nonetheless, that is part of the -- part of the entire process into which she has entered -- these people have entered. And I don't know what some of them are going to say when they're told -- and I assume then that they have to pay the bills for the -- as the doctor told me, reduction. I call it abortion. But I don't know how -- I don't know how you separate all of the -- the two different things that we're doing. And of course, I still have a philosophical objection to voting for a bill which implies, even though it's not perhaps a part of your insurance - and I know we're talking about insurance - but nonetheless the whole concept includes reduction of life as well as adding to life. So on one hand we're trying to build this family, and on the other hand we're saying; "Well, yeah, there's going to have to be some life destroyed, but anyway it's not part of the insurance. So, close our eyes to it." I cannot close my eyes to that, John, with all due respect to you - and you have tried hard. But I'm still going to have to vote No.

PRESIDENT ROCK:

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stood up on the Floor the last time Senator Cullerton had this issue before us, and I supported him then, and I've heard many of the same arguments. I stand up today when Senator Cullerton once again calls the bill up, and I still hear the same arguments. Senator Jones, you talk about a select group of

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people. And we talk about creating windows for people, windows of opportunity to help pensions and insurance and everything else. And this Body here has probably created more windows than Captain Kirk in the Enterprise and Nassau combined. But we do that for certain individuals - certain individuals that we feel are important, like maybe ex-legislators, other politicians, some other selected group of individuals. And then we hear the discussion and the arguments about letting nature take its course. I think Senator Hudson last time mentioned let nature take its course or one of the other legislators says we'll let nature take its course. If that's what nature had in mind or intended, then I guess then that's what we'll have to do. What do we do about people who have polio or glaucoma? The people with glaucoma - we just let them go blind? We don't perform surgery on these individuals? People with scoliosis - we don't intend to correct the curvature of the spine? We just allow them to -- to be crippled for the rest of their lives. These people here that are before us are a select group of individuals. There's eighty-five thousand throughout the State of Illinois. That's a pretty large number. It's not their fault that they can't have children naturally. There's either a disease or there's a problem that has occurred. There's a large group of insurance companies throughout this State of Illinois. Prudential Insurance has over three hundred million policy holders, or policies that were sold. Bankers Casualty has around a hundred and sixty-eight million. I think that we deserve -- and allow these people to have the chance to have children and to be good -- good parents and loving mothers and loving fathers. This doesn't say that -- or what I meant to say is, Senator Schuneman mentioned twenty-six percent - this is only twenty-six percent of the people that are going to be affected -- or insurance policies. But we do things for much larger -- on a much larger scale most of the time. This is a

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small group of people, and I just hope that we can help them out. This is a worthy cause, and we need to give them the opportunity of hope and the opportunity to bring life into this world. And I just solicit an Aye vote.

PRESIDENT ROCK:

All right. We have six or eight additional Members who have indicated their willingness to address this issue. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I'll be very brief. There can be no greater anguish on the part of a married couple to find out they're unable to have a child, but what is of a greater anguish is to find out there is a solution and that it's not available to them. This bill simply does one thing, and that is to allow people - people who want to have children - to have children. And I don't know how we can be against something like that.

PRESIDENT ROCK:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Those of you who have watched on television all of this year the plight of the American couples that have gone to Romania to adopt a child, should have been present in the Insurance Committee as many of the same type of couple came before the Committee to tell of their anguish in trying to afford to have a baby. They talked of spending the equity in their homes, knowing that the treatment might not be successful the first time and that they might have to go back again, and yet not have insurance to cover it. We in this Body, as I have mentioned before, would not think of cutting off insurance for those at the end of life who are terminally ill and need hundreds of thousands of dollars to keep alive, and that is right; we should not. Neither should we cut off insurance for

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those at the beginning of life who want to live. This is to enable a healthy baby to be born into a happy, nuclear family, and in many cases, never to burden the insurance system again. This is the least that we can do.

PRESIDENT ROCK:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. If you had wanted to hear how important this issue was, it would have been very interesting to have been in the Insurance Committee when this bill came up, and heard -- really the gut-wrenching and heartwarming stories of individuals who had tried everything - exhausted every remedy - to try and have a family, and how very important this was to them. They had tried everything. They left no stone unturned, and now are turning to us as the last resort. And we are here constantly talking about kids and constantly talking about families and constantly talking about priorities, and it's always been our priority in this Body to encourage families and encourage people to have families and encourage loving parents. That's what this bill is all about. No, you can't help everyone. But the fact is, there are individuals who have tried everything and for whom we are the last resort. Let's remember this when we push our button and decide where our priorities are and whether we truly want to encourage families. This is a very good and a very important bill.

PRESIDENT ROCK:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is not an abortion bill. I think we're -- we're confused about the issue here. This bill has nothing to do with abortion. These embryos, for the most part, expel themselves naturally. Now, does that mean these embryos are

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being aborted? The fact of the matter is, Ladies and Gentlemen, in vitro fertilization is legal in the State of Illinois. Believe it or not, this procedure is quite correct and proper, and there's nothing illegal about it in the State of Illinois. So what are we getting so upset about? Why we're being -- why are we denying these infertile couples the right to try to have a baby? These people are suffering because they can't conceive of a child. This has nothing to do with what the right-to-life people perceive as taking away life. That's not the issue. The issue is to get these people insurance so they can provide themselves with the drugs and the procedures that are necessary to go through -- go through the process in order to have a baby. That's all this is. There's nothing sinister about this. Vote for the people that need this. Quit thinking about all these crazy ideas. Forget about ideas. Think about people's hearts and their feelings and what they're going through. Be a human being once in a while. Think about the individual once in a while. Think about the child that can be conceived as a result of this. Show your humanity for these people. Vote Aye on this bill.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, much of what I would have said has already been said. There's no question we have about eighty-five thousand couples in Illinois that need this help. And if they get this help, they might be able to conceive and produce the children they really want to love and care for. I think we should give them the opportunity. I speak in favor of this bill. I think it's a good bill, and we've got to help those people too.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Hudson, for

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the second time.

SENATOR HUDSON:

Mr. President, I do apologize. I think this is the first time here that I have risen to speak a second time, and I apologize for that. We are being enjoined here to forget -- forget about ideas. This reminds me of a speech I heard made once when I was in the House, when the speaker said, "Let's forget about ethics and morality and get back to the serious business of government." We cannot forget about ideas, and you cannot separate these two issues, Senator, whether we'd like to or not. When we go down this path, we are creating life and those embryos are not necessarily - and I was in -- the Insurance Committee too, and asked the doctor some questions. And he admitted to me that, yes, in many cases they would have to - he called it reduction. They would have to effect a reduction in these embryos; otherwise, they're going to continue to live in the woman's uterus just as sure as the sun will come up tomorrow. And a decision has to be made. And that decision is what do we do with those that we don't want? We discard them, I guess. We abort them. And he had to -- he didn't like to use it -- the word, but that's what has to happen. So, on one hand, I commend those who are urging for the creation of life for those couples that cannot have it. I can -- I can commiserate with them. I really can. They want children. They can't have them. But with this process, we're doing two things: we are creating life; we are also making it possible that we have to destroy it. There is a connection. And on that basis, I simply still cannot vote for this bill.

PRESIDENT ROCK:

Further discussion? Senator Cullerton, you may close.

SENATOR CULLERTON:

Thank you very much, Mr. President and Members of the Senate. Let me just quickly address some of the issues. With regard to

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the arguments made by Senator Schuneman as to who it applies to, it's true it doesn't apply to everybody. The Federal Government says we can't make it apply to self-insurers. We, at the request of objections in the committee, made it not apply to individual policies. That was at the request of Members in the committee. At the request of also Members of the General Assembly, we have it limited to not cover the truly small employers, under twenty-five employees. I mean, those were decisions that were made because we didn't want it to have such a negative effect on those particular types of policies. So, that's why it's only limited to the people that it covers - that is, the group coverage. With regard to the pro-life issue, let me just simply say, for the purposes of legislative intent, one more time - this bill talks about insurance which treats infertility. It does not cover any abortion procedures. And when you treat successfully -- when you successfully treat infertility, you're talking about bringing a life into the world. The cost, as I said, is minimal. I think it's something which is a matter of public policy we should pass. And let me just -- one other point that hasn't been made. It's important. Think about it. Because there's still a social stigma to infertility, people do not go in and negotiate for these benefits on their own. They just simply don't do it. It's a risk that is in your future. You don't know it's going to happen. You don't know who you're going to marry, and you don't know who that -- whether that person's going to be infertile or not. You don't know if you're infertile. It's not something you can go in and -- and negotiate for with your employer. As a result, that's why we have to have it required through the Statute. I ask for an Aye vote.

PRESIDENT ROCK:

Question is, shall House Bill 1470 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all



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voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 27 nays, 1 voting Present. House Bill 1470, having failed to receive the required constitutional majority, is declared lost. Sponsor requests further consideration be postponed. So ordered. Top of Page 10. Page 10. 1478. Senator Leverenz. 1499. Senator Marovitz. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1499.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 1499 provides for the use of closed circuit televising of a child witness' testimony in a trial for aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse and criminal sexual abuse. This bill would assist prosecutors in child sex cases by allowing the child witness to testify without having to look at the defendant. Most molesters occupy a position of trust in relation to the witness. As a result, the child frequently breaks down when forced to look the defendant directly in the eye. Now, we in the General Assembly attempted to deal with this problem when we passed similar legislation a couple of years ago. This Act allowed the State to tape-record the child's testimony prior to trial, with no right to cross examination. However, in a recent case, People versus Bastion, the Illinois Supreme Court found the Statute unconstitutional. This bill satisfies the concerns of that Court in that case, and would make the law constitutional. It provides

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that a judge may order the testimony of a child witness under eighteen years in a trial for the offenses that I enumerated. There would be a hearing, and the judge would determine whether the circumstances were necessary to tape-record in this particular case. Also, in the bill we allow a court to impose a five-dollar-a-day fee on all individuals placed on pre-trial and post-conviction bond home supervision. We direct that money collected from alcohol, cannabis and controlled substance defendants can be placed in the Substance Abuse Service Fund, and that money collected from all other defendants be placed in the County Working Cash Fund. This portion of the bill attempts to address the recent increase in the use of home monitoring programs to deal with prison overcrowding. At least eleven other states currently charge fees like this. It's working there. It would work very well here, and I solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, simply to concur with Senator Marovitz and urge a favorable vote.

PRESIDENT ROCK:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for two questions?

PRESIDENT ROCK:

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, in the first part of the bill, as I understand it, the amendment limits this to child victim witnesses, as opposed to minor witnesses in general. And secondly, the last amendment that went on, on the second part of the bill, makes this permissive

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with the counties. Is that correct?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

That is correct.

PRESIDENT ROCK:

Further discussion? Senator Marovitz, do you wish to close?

SENATOR MAROVITZ:

Ask for a favorable roll call.

PRESIDENT ROCK:

Question is, shall House Bill 1499 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 1499, having received the required constitutional majority, is declared passed. 1514 was on the Recall. 1524. Senator Joyce. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1524.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. House Bill 1524 has no amendments. We tried some amendments yesterday and they failed. And so it's currently the way it came from the House. It allows the Illinois Valley Development Authority to issue non-moral-obligation bonds. And that's all it does.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall

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House Bill 1524 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1524, having received the required constitutional majority, is declared passed. 1537. Senator Leverenz. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1537.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. The bill would require counties within an area served by the Northeastern Illinois Planning Commission with a population over four hundred thousand to enter into agreements setting standards for the control of stormwater. Answer any questions you might have. Ask for your Aye vote to pass the bill.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 1537 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1537, having received the required constitutional majority, is declared passed. 1565. Senator Vadalabene. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1565.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT ROCK:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and Members of the Senate. House Bill 1565 -- in 1985 the Department of Public Aid instituted a new payment system for long-term care providers. In order to implement the system, the State temporarily was divided into three regions for payment. The three-cycle system was never meant to be permanent; and since 1985, two Department Directors and other DPA representatives have committed to a single-cycle system. In 1989, the commitment was made publicly that single-cycle billing would become effective January 1, 1990. The Department suggested that the change could be done administratively rather than legislatively. In 1990, House Bill 3655 mandated single-cycle billing and passed the General Assembly, but was vetoed by the Governor. The bill does nothing to change the existing reimbursement to facilities, nor does it mean facilities in any part of the State get paid faster or slower than any other part of the State. And I would appreciate a favorable vote.

PRESIDENT ROCK:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Mr. President, may I ask a question of the sponsor, please?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Topinka.

SENATOR TOPINKA:

Yes. In Committee, the Department of Public Aid did not testify on this in any capacity. We let it out. It does have a fiscal impact of 15.1 million. Do you know if anything has happened with DPA on this bill? Are they in support? Are they against? Or where are they on this bill?

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PRESIDENT ROCK:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, the fiscal impact on this issue is in Fiscal 1993, and not this year.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Well, I would disagree on that, because the fiscal impact is 15.1 million in '92. Then in '93 it gets to sixty thousand and -- and it kind of follows. I realize we have made this promise, and that makes me feel somewhat supportive of this bill. But my question is, where is the Department of Public Aid on this issue? Are they in support? Are they against? Are they negotiating with long-term care facilities? What are they doing at this point?

END OF TAPE

TAPE 3

PRESIDENT ROCK:

Senator Vadalabene.

SENATOR VADALABENE:

At this point, Senator Topinka, I don't know where they are on this issue.

PRESIDENT ROCK:

All right. Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This bill is a good bill. It provides long-term equity -- equity for long-term facilities both upstate and downstate. It -- it's one that I

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think is reasonable in approach and at least tries to address some of the problems that exist. I would urge a favorable vote.

PRESIDENT ROCK:

Further discussion? Senator Rea.

SENATOR REA:

Thank you, Mr. President. I rise in support of this bill. This is -- will only provide the single-cycle system. It's needed. It's been discussed over the last two or three years, and everybody has pretty much been in agreement with it. And in answer to Senator Topinka's question earlier, I know that two of the past directors have endorsed this concept. The only thing is that it's never gotten implemented. So I would ask that you support this bill.

PRESIDENT ROCK:

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. I rise in support of this. I think this is something that everyone has asked for if they're in the provider business, and that is, they have a right to know when they are going to get their money. That's exactly what this does. I don't know of anyone that should be opposed to this, and I ask your Aye vote.

PRESIDENT ROCK:

Further discussion? If not, Senator Vadalabene, to close.

SENATOR VADALABENE:

Yes. Thank you, Mr. President, Members of the Senate. House Bill 1565 will mandate single-cycle calendar-month billing and -- for all long-term providers, and I would urge a favorable vote. Thank you.

PRESIDENT ROCK:

Question is, shall House Bill 1565 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 8 Nays, none voting Present. House Bill 1565, having received the required constitutional majority, is declared passed. 1584. Senator Hall. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1584.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This allows township trustees to contract with private entities to construct and operate a factory to manufacture housing and housing components within the boundaries of the township. This is a facilitated contract between the Township of East St. Louis town and the private industry, in order to alleviate high unemployment, economic depression, and lack of moderately-priced housing. So therefore, I ask your most favorable support of this bill.

PRESIDENT ROCK:

Discussion? If not, the question is, shall House Bill 1584 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 1584, having received the required constitutional majority, is declared passed. 1632 was -- was on the Recall List. 1685. Senator Brookins. I'm sorry. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Purpose of an introduction, Mr. President.



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PRESIDENT ROCK:

Indeed. That's in order.

SENATOR HUDSON:

Make it brief. In the gallery - the President's Gallery, directly behind you - we have a gallery loaded with students from Oswego High School, under the tutelage of Tom Fletcher, their teacher. And I would like them to stand and take a bow.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. All right. 1692 is on the Recall. 1695. Senator O'Daniel. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1695.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. House Bill 1695, as amended, creates the Farm Family Assistance Program and directs DCCA to establish and coordinate a program to assist eligible individuals who are dislocated from their farms. This also includes seasonal and migrant workers, and -- as the bill was amended, it's -- it's supported by DCCA. And I know of no opposition, and I would move for its passage.

PRESIDENT ROCK:

Discussion? If not, the question is, shall Senate -- House Bill 1695 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1695, having received the required constitutional majority, is declared

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passed. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes. Thank you, Mr. President. There'll be a Democratic Caucus immediately in Room 212.

PRESIDENT ROCK:

All right. Democratic Caucus immediately in Room 212. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there will be a Republican Caucus immediately thereafter in Room -- Senator Pate Philip's Office. I repeat, Republican Caucus in Senator Pate Philip's Office immediately thereafter.

PRESIDENT ROCK:

Republican Caucus immediately in Senator Philip's office. Democrats, please gather in 212 immediately. The Senate will stand in recess till 2:30. 2:30, Ladies and Gentlemen.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

...(machine cutoff)...ask the Membership. Both caucuses have concluded. We will begin again at Page 11 on Calendar on the Order of House Bills 3rd Reading. That's Senators Leverenz and Kelly, Jacobs, Cullerton, Brookins, Jones, Davidson, Friedland, Karpel and John Daley. All right, Ladies and Gentlemen, we'll begin again on the Order of House Bills 3rd Reading and attempt to -- attempt to move through the Calendar. I've asked the Secretary to prepare a new Recall List to reflect the Members' requests. We will handle the Recall List after House Bills 3rd have been

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completed. Tomorrow, I'm sure you're aware, is the deadline for the consideration of House Bills. Senator Leverenz, on the Order of House Bills 3rd Reading, top of Page 11, is House Bill 1855. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1855.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. This bill, House Bill 1855, would provide that the Director of Public Health would do an educational program on bone marrow donors, in cooperation with the Secretary of State to place the educational material in driver's license facilities and any other program that would help get this out. And it is to be completed by June 30 of 1992. Entertain any questions you might have, and ask for your Aye vote for the passage of House Bill 1855.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall House Bill 1855 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 53 Ayes, no Nays, none voting Present. House Bill 1855, having received the required constitutional majority, is declared passed. 1910. Senator Kelly. 1918. Senator Jacobs. 1929. Senator Cullerton. 1-9-2-9. We're in the middle of Page 11, Ladies and Gentlemen. On the Order of House Bills 3rd Reading is House Bill 1929. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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House Bill 1929.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill came over as a shell bill from the House. We attempted to work on an agreement. The bill deals with the issue of real property lease with option to purchase. And we try to create some protections for people who are involved in these types of transactions. Let me just suffice it to say that the bill is still a shell. We want to put it in a conference committee to see if we can reach an agreement. If we can't reach an agreement, we won't call the bill, but we need to pass it to get it into a conference committee first. So I would move for its passage.

PRESIDENT ROCK:

All right. The Gentleman has moved passage of House Bill 1929. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Cullerton, is it your intention then to get this bill in a conference committee to provide some rights for people who buy these condos and are involved with condominium association -- owners' associations?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

No. It doesn't deal with the issue of condominiums, although

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it amends that Act. This is -- this issue deals with providing protection for people who lease their apartment with an option to buy. And the problem is that what happens is that they -- they're paying more because of this option, but then the apartments don't go condo. They continue to be rental or the developer goes under and -- what -- is there any protection there for the people? That's what the issue is. We've been talking to the Realtors. We're trying to work out some kind of an agreement.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall House Bill 1929 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Bill 1929, having received the required constitutional majority, is declared passed. 1960. Senator Brookins. Senator Brookins on the Floor? 1960. Senator Jones. 1971. Senator Davidson. 1995. Senator Davidson on the Floor? 2022. Senator Karpel. 2-0-2-2. It's on the Recall? Okay. 2038. Senator Daley. Read the bill, Mr. Secretary, please. We're at the bottom of Page 11, Ladies and Gentlemen. On the Order of House Bills 3rd Reading is House Bill 2038. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2038.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President, Members of the Senate. House Bill 2038 -- 2038 would allow only the victim of a violent crime to receive compensation for psychological treatment obtained as a

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result of the incident. The amendment offered by Senator Hawkinson would specify that psychological treatment compensation shall be available only for the victim, and only after other expenses have been compensated.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 2038 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2038, having received the required constitutional majority, is declared passed. Top of Page 12. We have only two more pages to go. Top of Page 12. 2042. Senator Berman. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 2042.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 2042 provides that the programs for implementation of the gifted education programs will be subject to the funding levels that we, in fact, appropriate. This is to carry out our intent, but within the framework of the dollars available for the gifted programs. I will be glad to respond to questions, and solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 2042 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 56 Ayes, no Nays, none voting Present. House Bill 2042, having received the required constitutional majority, is declared passed. 2118. Senator Brookins. 2125 is on the Recall. 2134. Senator Joyce. 2149. Senator Savickas. 2169 was on the Recall. 2222. Senator Marovitz. On the Order of House Bills 3rd Reading, the middle of Page 12, is House Bill 2222. Read the bill, please.

SECRETARY HAWKER:

House Bill 2222.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President, Members of the Senate. House Bill 2222 provides forms of notice to be given to parents, custodians and children before any hearing on custody is -- is had. Orders entered on ex parte hearings provided within ten days unless the petitioner can demonstrate that there's really been an actual notice to the respondent. This amendment is a result of negotiations among the Governor's Office, Department of Children and Family Services, Cook County Public Guardian, Voices for Illinois Children, Legal Assistance Foundation, Children's Rights Project, the State Appellate Defender, foster care representatives and the Cook County State's Attorney. The amendment is designed - and the bill is designed - to address the problem with the lack or the grossly inadequate notice given to custodial and noncustodial parents and children. I solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 2222 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2222, having received the required constitutional majority, is declared passed. 2227 is on the Recall. 2228. Senator Cullerton. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is somewhat of an unusual bill, because it deals specifically with the possibility that we may not adjourn here by June 30th and pass a Public Aid appropriation bill. In that event, this bill is designed to provide some relief for public aid recipients. And it basically says that if we don't pass a appropriation for the Department so that these people can pay their rent or the utility bills, that they would be -- have a defense in an eviction case, or they would not have their utility service discontinued. This would apply only to rent that was due after July 1st, 1991. The Section is repealed on July 1st, 1992. So it's only meant to cover this year. We did amend it on 2nd Reading at the request of Senator Jones, who had raised some concerns in committee. The customer of the utility service must demonstrate to the utility company that they are a recipient of aid and that the delinquency in payment was the result of the non-receipt of the aid check. I would be happy to answer any questions, and I hope that this is something we -- which we'd never have to use. But if for some reason we can't get our budget together, and the people don't -- are out there without any money, we don't want to have them



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evicted. That's what the purpose of the bill is.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. If -- if -- you could -- if I could ask some questions of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

PRESIDING OFFICER: (SENATOR COLLINS)

Yeah. In trying to amend this to tighten it up further, do we accommodate those situations where people, for instance, have not paid their rent or their utilities before public aid checks would have come and gone or after that date, so, indeed, it is targeting just this particular period of time? Do -- do we still have some -- it seemed to be awfully loose when we started life with this bill. Has that been tightened up?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, I certainly attempted to with the amendment, and I specifically refer to Page 2 of the amendment where it says, "This subsection does not provide a defense to an eviction based on the failure to pay rent that accrued before July 1st, 1991." So, it's -- it's only rent and utility bills that are due after July 1st. I mean, if somebody's late on their utility bills or -- or rent for previous months, they -- they can still be evicted; their utility service could still be shut off. That's my intent.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka.

SENATOR TOPINKA:

In committee, we also kicked around the idea that once these checks would be reissued and started, would there be a provision

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put in that this bill would end at that point and not continue? Was that provision put in here, and does this bill now reflect something like that?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, I believe it does. Now, I -- I think if we read this -- the entire amendment as a whole, it's obvious what we're trying to do here, and that this is a defense. This is a defense in front of a judge to a eviction case. And the defense would be that, "Hey, I didn't get my public aid check." But if -- the fact of the matter is, we have already passed the appropriation, and they are getting their public aid check, that matter would be raised, and the judge would -- would not allow the -- or would allow the eviction.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka.

SENATOR TOPINKA:

Let's say we pass the budget now on July 2nd. How long would this bill be in effect beyond that point, and for how long would the public aid recipient have the provisions of this bill covering them?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, I think that's a good question, and I -- I haven't really thought about it, but let's just talk -- talk it through. If -- if -- if there's -- if we do pass the appropriation, but we're late, and as a result of our being late, they didn't pay their rent on time, and some landlord wants to bring them to an eviction, but they -- after the eviction proceeding is brought, they get their check - you know, as a practical matter, they can

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then pay their rent - I think they still should be allowed to have a defense because the checks weren't there on time. But once the checks are issued, I think that should resolve the matter, and they should pay their rent.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR FAWELL:

Senator Cullerton, I'm not an -- an attorney as you -- as you well know, but doesn't the -- the -- the people who are on public aid, couldn't they use that as a defense, whether we pass this bill or not? I mean, surely judges in Cook County aren't that different from judges in DuPage. And it seems to me if -- if somebody came in front of a judge, that the judge certainly would be willing to hear that -- that defense, and -- and take that into consideration, and -- and tell him just, you know, cool it for a while until such time as the checks are got. Are you telling me that the Cook County judges will not do that?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

The -- the landlords and the Realtors have been very successful in the General Assembly in passing laws that govern forcible detention and detainer. And believe me, the -- if you don't pay your rent, you're in violation of your lease. Now, whether or not you get some compassionate judge that says, "Oh, I understand you didn't get your -- the Legislature's in Session. They're still in Session. It's July 14th, and you haven't got

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your paycheck." Whether or not they want to try to take that into account is one thing, but this should be in the Statute to make it clear that it is a legal defense. That's the purpose of the bill. If -- in the absence of this, I think that a judge might say, "Look, I'd like to help you, but the Legislature says I got to kick you out."

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Senator, are you -- are you telling me that as soon as somebody doesn't pay their rent that's there's an immediate hearing by the courts in Cook County? How long does it take? I understand it takes several months before you can get a hearing.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

You get a five-day notice. It's in the Statute. It's -- it's designed to give landlords possession immediately when -- or as quickly as possible, affording due process, and that's what happens in -- in many cases throughout the State, not just in Chicago.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR JACOBS:

Senator Cullerton, this bill affects mainly just those on public aid, correct?

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Cullerton.

SENATOR CULLERTON:

It -- it only affects recipients of public aid.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Well, what happens then to the young couple who are both working, say, at Hardee's or whatever, and they get knocked out of work because of being cut back? Do they also have this same privilege? Are we giving this same privilege to young couples and people who may run into some unfortunate problems on a temporary basis?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

No. We don't afford them this same protection, because that unfortunate occurrence would be as a result of -- you know -- a bad economy, unemployment going up. These people not getting their public aid checks would only be -- the only reason why they wouldn't have got it was because we in the Legislature and the Governor were unable to pass a bill by June 30th. That's the only reason why they would be found in this situation. This is money that they would be normally receiving, but for our inaction. And we're just simply saying, "Look at -- if we can't get our act together, for whatever reason, on passing the bill, the least we can do is provide these people, until we pass a bill, a defense to eviction and for utility shut-off."

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Just in closing, then, to that provision: You know, I -- I think by the time they would get into court, it's going to take

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them a -- a -- quite some time anyway, and to use this as a defense - I think we're just cluttering things up. And I happen to, on this particular bill, Senator Cullerton, stand in opposition.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator MacDonald.

SENATOR MACDONALD:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR MACDONALD:

Senator Cullerton, what about in the event that the bills are not paid? What about other employees in the State? Are we not being preferential to one group? I mean, there are going to be a lot of people affected if we don't take care of problems here.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

If your employer doesn't pay your check that you've earned, for whatever reason, you have some recourse against that employer. We're talking about here a situation where we are - the General Assembly - is responsible for providing the appropriation for the public aid recipient's check that they use to pay for their utility bills and their -- and their rent. Now, most other people, perhaps, have some savings - they can tide themselves over for a month or two. Public aid recipients live, as you know - as you can imagine from these checks - from week to week. And so we're talking about a compassionate response to a situation where we mess up; we don't get our act together and pass an appropriation bill. It's a very limited situation, but I think it's something we should unfortunately have to consider, in light of the way the budget process is going at this point.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald.

SENATOR MACDONALD:

Well, my point I'm trying to make is that the State is also paying other State employees. I'm not talking about employees outside of the State. I'm talking about -- I am talking about State-funded employees. I mean, the State of Illinois is their employer. So they also will be significantly impacted, and many of them do not have set-aside funds or any other way. So if they also are not going to be paid, or there should be some reason, do we have anything in this bill that will protect them as well?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, I understand what your point is, but let me see if I can make a distinction. I don't know what the lowest-paid State employee is. I don't know what that salary is. Maybe it's twelve thousand dollars. But whatever it is, it's -- it's more - much more - than what these public aid recipients are actually receiving. We're talking about money that they use for literally food, clothing and shelter. And -- and I -- I put in utilities in here, because it's -- it's almost part of the housing that's essential for people to have a place to live. And -- we're not talking about hard times. We're talking about literally being -- being thrown out of your apartment. And -- and that's the reason for -- for the response. Now, if you wanted to expand this to cover all the State employees including State Representatives and State Senators when we don't get our paychecks, so if somebody wants to evict us we have a defense, I think that that's getting too broad. I think that what we're -- now we're really working a disservice against the landlords and utility companies. But for the people who are limited, these limited number of people who are

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renting in a place where they owe rent and where they have a utility bill for -- only until we get our act together and pass a bill - we're just talking about really -- probably only one month - I think it's a compassionate response.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton, to close.

SENATOR CULLERTON:

Well, I think it's been adequately debated, Madam President, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 2228 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 28 Ayes, 27 Nays, none voting Present. Having failed to receive the required constitutional majority, Senate Bill 2228 is declared lost. The sponsor is requesting Postponed Consideration. In the middle of the Page 12. House Bill 2243. Senator del Valle. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2243.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. House Bill 2243 adds citizenship status as an additional class of protected persons under the Human Rights Act. The amendment to the bill was worked out in negotiations with representatives of the business community. The amendment eliminated any reference to real estate, and it brought the employment protections into conformity with federal law. I'll



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be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 2243 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2243 is declared passed. House Bill 2282. Senator Jones. House Bill 2292. Senator Jones. House Bill 2295 was on the Recall List. So at the top of Page 13, House Bill 2343 <sic>. Senator D'Arco. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2334.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Madam President. House Bill 2334 establishes the -- creates the Health Care Surrogate Act. And the purpose of the Act is to provide a system where people who are in the process of dying can make health care decisions by themselves and by others, where they lack decisional capacity. We amended the bill to tighten up some of its provisions. We even accepted an amendment by Senator Kelly and Hudson that said that pregnant women under the age of eighteen would not be considered adults. We accept that. We're willing to live with that. On my desk, there's a newspaper article that has been circulated to all Senators, and it's by a Dennis Burn. And in the article, he says that incompetent patients should have the right to make their own health care decisions. And when I saw this article, I read it, I

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analyzed it, and I said, "You know what? He's got a point." If you have decisional capacity to make decisions, what difference does it make if you're competent or not? So we amended the Act to provide if you have decisional capacity, you decide what decisions will be made on your behalf. So the Act only kicks in where decisional capacity is not present. We've worked hard and long on this bill. Senator Hawkinson, I might add, has helped us considerably - even though he opposes the bill. He helped us considerably on some of the amendments to this bill. Ladies and Gentlemen, Illinois is in the forefront on this issue and Illinois will take the step forward on behalf of all of our citizens in enacting this legislation, and I ask for a favorable 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, on the point of the patient's right to decide, it's my understanding, with the amendment you adopted yesterday, that if a patient is incompetent, as you say, even if he or she lacks decisional capacity, but utters a statement that they want continued treatment or they want to live, that the -- the law would then not apply, and the patient's verbalized wishes would be adhered to.

PRESIDING OFFICER: (SENATOR COLLINS)

Further -- further -- I'm sorry. Senator Cullerton.

SENATOR HAWKINSON:

No.

PRESIDING OFFICER: (SENATOR COLLINS)

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I mean, Senator D'Arco. I'm sorry.

SENATOR D'ARCO:

Thank you. Madam President, I'm glad Senator Hawkinson asked that question. In the article, the last paragraph of the article says, "I don't care if you get every doctor in town to say a patient is incompetent. If the patient can utter, blink or wave that he wants to live, then, by God, no one has the right to say he doesn't." And I agree with you, Senator. And that's what that amendment does. Even if he lacks decisional capacity and he indicates through some -- through some way, manner or form that he wants to live, he should have that right.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 2334 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 33 Ayes, 23 Nays, none voting Present. Having received the required constitutional majority, House Bill 2334 is declared passed. House Bill 2364. Senator Joyce. Read the bill.

SECRETARY HAWKER:

House Bill 2364.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Madam President. House Bill 2364 requires the Governor to submit a tax expenditure report specific to economic development activities, including tourism promotion and the annual budget request to the General Assembly. This would let us have some idea of what the tax money -- the tax dollars are creating in lieu -- in -- in -- as jobs go involving tourism and -- and DCCA

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and so forth. I know of no opposition.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is -- Senator Etheredge.  
Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR ETHEREDGE:

Senator, I just wanted to clarify -- I heard -- heard you say  
-- I thought I heard you say that this was limited to tourism?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

No. Economic development, including tourism.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

What would be the nature of this report, Senator? I guess one  
of the things that's going through my mind now is that it -- it  
impresses me that it would be very, very difficult to track some  
of this kind of information. Exactly what are you asking us to  
provide?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. Well, the Federal Government does this now, and we're  
looking for the real impact that -- these monies that we're  
spending that -- that -- in economic development and tourism, as  
to whether or not they are actually doing any good or not.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

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SENATOR ETHEREDGE:

Well, it impresses me that we may be asking a question for which there really is no answer. I -- for example, if you ask for how much money is being expended to advertise the Lincoln Shrines here in Springfield, for example, that's one thing. How do you evaluate the difference in tourism that that makes? Are you asking for that kind of information as well, or are you simply asking for the dollars that are spent?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

No. I'm asking for the dollars that are spent, and then -- you know -- DCCA -- when -- when -- when we give money to some industry somewhere, DCCA suggests how many jobs this is going to create. Well then, let's -- let's find out afterwards if they did create that many jobs.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, you know, we receive a budget from the Governor each year, and then we always modify it. Quite frequently, there -- there's a considerable amount of modification in that budget. So there -- many times there's little resemblance between what comes in to us and then what we send back to the Governor's desk. I mean, what are -- are we supposed to then reevaluate all of this information after we've gotten through with the budget?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. Well, as the Governor submits the budget, this would give us a chance to reevaluate what he -- what has happened in the past - Mitsubishi, Sears, all the rest of them. This -- he would

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give that -- in -- in his budget a report on what has happened, and whether or not we have created this many jobs.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

It seems to me that the -- what you're asking here -- let -- let's -- let's back up and talk about -- let's say Diamond-Star. Would there be -- you're asking that each year that we report the number of jobs that would then be current at that facility?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

As long as the tax abatement is in effect or the incentives are in effect, yes.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

Are we going to be asking similar information on TIF districts around the State? Is that part of this process too? That -- would that be required under this bill?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Not in this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Etheredge.

SENATOR ETHEREDGE:

You say not on this bill? Well, it seems to me that that's a question -- I mean, if your question is legitimate, why can't we ask it on the TIF districts as well? It -- it seems to me that we're -- what you're asking for is very cumbersome and will be of dubious value, and I think might be an economic disincentive. I

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think we ought to vote No on this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Butler.

SENATOR BUTLER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR BUTLER:

Two -- I really have two questions. One, is there some sort of a sunset on this? I can picture this thing going on ad infinitum ad nauseam as -- as these projects continue or as these programs continue. The second question is - does this require all of the waterfall effects -- all the jobs created and the -- and the correlating results from all of the purchases that families make and on and on and on?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

The first -- your first question is -- ad nauseam and all. You said this goes on and on and on. As long as we're giving them a tax break or tax incentives. Don't you think your constituents want to know, when you're giving tax incentives and tax breaks, what's going on there? And then the second part is no.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Butler.

SENATOR BUTLER:

Well, I'm sure they want -- want to know, but all I'm trying to find is the parameters of this thing. It's like a big -- it's like a -- a cascade effect on all of these. It's an enormous job. And secondly, I must say, parenthetically, that since I've been down here, I've been impressed - or I probably should say depressed - by the number of reports we get, and I wonder how many

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people ever read those things.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. Couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR DeANGELIS:

Senator Joyce, when you talk about tax expenditure, are you talking about only State tax expenditures?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Well, yes.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis.

SENATOR DeANGELIS:

Can you give me an example like, for instance, in Diamond-Star, what tax expenditure the State used?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. Thank you. An example of what tax -- well, we went through that, as well as Sears and every other industry. Why -- why should I have to give you an example of what tax expenditures we have here? This bill would require the Governor to do that in his budget, and -- and what -- the results of the money we spent there. It just seems to me we ought to know if we're getting any kind of results or not.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis.



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SENATOR DeANGELIS:

Well, what if I told you there were none?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Then there wouldn't be a report.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, that's my point. The point is that in these tax-incentive programs, they're basically abatements on local property taxes that are agreed to by local governances or they're in enterprise zones that allow those types of abatements or incentives. So essentially, what you're asking here is something that provides very little information in terms of what the incentive packaged. But let me tell you, more importantly, why I have some problems with this. I co-chair the Audit Commission, and about a year and a half ago we had a report on DCCA's activities in terms of incentives. It resulted in the Audit Commission itself unable to agree, for the first time that I've been chairman, on the reliability of a report. In fact, it was deemed that the road improvements - the Highway 51 - eighty million dollars worth - ought to be accrued to the Diamond-Star venture. This can be rather misleading and dangerous, and in the end, it doesn't produce a lot of information, because the majority of incentives are local incentives that are done by abatement by local governances on a permissive basis, as it was with the Sears situation. The two hundred million dollars in tax abatements was not any tax expenditures on the part of the State, because we don't collect property taxes. So, I mean, essentially what you're doing is probably creating a vehicle that's going to create a lot of confusion and have very little value.

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PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies -- Madam President and Members of the Senate. I just wonder why we are insisting the Governor should include a tax expenditure report, when we're the ones who make the appropriations, and we don't prepare such a report. I -- I -- I think this is just superfluous. And as Senator Butler had said earlier, we're so reamed down with paperwork. My God, who has the time to read all of it? I -- I don't think that this is what we need right now, and frankly, I rise to speak against it.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I guess I find this debate quite interesting. Suddenly there are Members of the General Assembly who don't want to know. Bury your head in the sand. Yet every time someone comes to you and said, "Why did you give this tax break? How many jobs did it create?" You always answer, "Well, I don't know. That's the Governor's Office." No, we don't create the tax incentives. Yes, we act on them, but traditionally, they are offered by - and always signed by - the Chief Executive, usually at the request of the Department of Commerce and Community Affairs as an incentive to do something positive for this State. One of the things I dare say that was found in that Audit Commission report was that requirements allegedly made a building that received an incentive to create jobs -- no one ever went back and found was a single job created, maintained, or still in effect. Why would we not want to know? If we are passing a plan that is supposed to improve the economic climate of Illinois, and that tax abatement incentive or other program is supposed to go on for a few years to create more

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tax revenues, income tax, sales tax, whatever the tax may be, a healthier economic climate for our State - how are we supposed to know if that was a giveaway or a true incentive? Well, one way to know is to merely say to the agency most responsible, the Executive Office of this State, "If you've approved an incentive, then as long as the State is paying part of that tab by not receiving income it would have otherwise gotten, merely file a report like the Federal Government does, and nineteen other states do, of how many jobs did it create, did it maintain. Did it live up to what we were told it was going to do when we were asked to vote on it?" This type of sunshine is exactly what government should be about, and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank -- thank you, Madam President. I -- I have this comment to make. Senator DeAngelis made some reference with respect to the Audit Commission and the audit -- management audit that was conducted of the Department of Commerce and Community Affairs. And there had been some indication that somehow or other that this audit was somehow or other politically motivated. I think that regardless of how the audit came out, and regardless of the differences of opinion that may have been expressed by the Members of the Audit Commission, it seems to me that the scrutiny and the debate with respect to incentives and the way in which goals, plans, priorities, strategies and decisions are being made with respect to that agency and to the administration, I think, has caused a lot of us to have some additional information as to the overall makings of government. And it seems to me that this is a prudent approach. It seems to me that this is a financially responsible approach. And it seems to me it is something that, given the times where we are in, and the budget process and the

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crunch that we are in, is something, that as Senator Carroll has indicated, that we -- we need the information; we need to know what's taking place. And I would support House Bill 2364 in its present form, and ask our colleagues to do the same. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator DeAngelis, for a second time.

SENATOR DeANGELIS:

Thank you, and I beg the indulgence. Senator Demuzio, if this bill did what you just said, I would ask to be the co-sponsor of that bill. That's not what this bill does. Now, if you want to know - and I would be very much in favor, Senator Joyce, that we include in here the grants that are given and how many jobs are created because of those grants - sign me on right now. You tell me how many jobs Diversatech created in your area for all the grants they got. Sign me on. That's not what this bill does. This bill doesn't do that. And frankly, in terms of the jobs that are created - Senator Demuzio, you sat in that committee like I did. We had a record of every one of those. And what was the criticism? That they didn't create the amount of jobs that they should have. That data is available. Now, if you want to turn around an amend a bill to include that, fine, but tax expenditures don't mean anything, because in most instances what the State does do is give out grants. The tax expenditures are, in fact, part of the process that local government goes through. So this bill does not do what you thought it might do, Senator Demuzio. And like I said, if it did, put me on it right now.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce, to close.

SENATOR J.J. JOYCE:

Well, thank you, Madam President. I just can't imagine anyone standing up here and saying that -- you know -- gee, it's going to be -- cause confusion and -- and it's -- it's bad, and it's going

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to be a lot of bureaucracy. It just gives us a right to know where the money is going, and if, in fact, it was well-spent. And that's all it does, and I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 2364 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 33 Ayes, 24 Nays, none voting Present. Having received the required constitutional majority, House Bill 2364 is declared passed. House Bill 2392. Senator Karpiel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. House Bill 2392 amends the Adoption -- the Adoption Act to say that the legal fees of any party and the living expenses of the child's natural mother can be paid. Current law allows for the payment of medical fees by the adopting parent to a doctor or hospital. This would include legal fees and living expenses of the natural mother. The amendment that went on specifies exactly what can be -- what's considered living expenses, and it goes through a great deal of detail as to how those expenses will be paid.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, -- Senator Raica.

SENATOR RAICA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

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She indicates she will yield.

SENATOR RAICA:

Senator Karpziel, just -- can you run by that me -- it says --

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR RAICA:

Just give it to me one more time about -- does this mean -- what if it's a newborn child or anything like that - does that affect this bill, or -- as far as the living costs of the natural mother? How does that work in here?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Well, this is -- this bill -- what it says in the bill is that the adoptive parents can pay the living expenses of the natural mother during pregnancy and thirty days thereafter. I suppose, if this is going to be a -- an adoption where you're adopting a child from an adoptive agency or something, that's not included in this.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Raica.

SENATOR RAICA:

My understanding is, under the law, though, that a child is not -- or can't be adopted for three days; that that mother - the natural mother - has three days to -- to agree to have the child go up for adoption or not. So I don't understand how we're able to do this, when legally the child doesn't belong to the adopted mother for -- there's a three-day grace period.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Well, that's true, but that's sort of a different thing. This is mainly set up for a -- an adoption that takes place with a

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lawyer and a -- parents that want -- people that want to adopt a baby. And so during the entire time that the natural mother is carrying the child, her living expenses can be paid at the culmination - her medical expenses, her hospital bill and her legal fees can be paid. That three-day period is still in the law, and we're not taking that out. If the mother wants to go back on it during that three days, she still can.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Raica.

SENATOR RAICA:

Who pays the -- these costs then? Who picks up this cost?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

The adoptive parents.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the -- the question is, shall House Bill 2392 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, 1 voting Present. Having received the required constitutional majority, House Bill 2392 is declared passed. House Bill 2417. Senator Jacobs. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2417.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Thank -- thank you, Madam President, Ladies and Gentlemen of

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the Senate. House Bill 2417 is now the Rock-Philip amendment, which was put on yesterday, and as amended, House Bill 2417 addresses two problems resulting from a class action suit concerning the local telephone company practice of recovering municipal utility taxes associated with pay phone revenues. And it -- what it does, it validates a collection method the telephone company has utilized in the past, for a period until December 31st, 1993. And it permits a telephone company to amortize the amount that it must now refund to individual customers, over a period not to exceed five years, by way of a temporary surcharge on -- on coin phones in a manner approved by the ICC. I ask for your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Discussion? If not, the question is, shall House Bill 2417 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, 3 Nays, none voting Present. Having received the required constitutional majority, House Bill 2417 is declared passed. House Bill 2444. Senator MacDonald. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2444.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator MacDonald.

SENATOR MACDONALD:

Yes, Madam President. House Bill 2444 changes the labeling requirements from, quote, "all rigid plastic containers," to quote, "all single use, rigid plastic containers." It requires that the symbol "7 Other," quote, include only multi-resin



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containers and not single-resin multi-containers. Illinois plastic coding laws differ from that of other states, making it very difficult for manufacturers, who mostly modify their product equipment, to meet Illinois requirements. This bill would standardize the State's plastic coding laws to conform to other states. So I ask for your support of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 2444 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2444 is declared passed. House Bill 2464. Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2464.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Smith.

SENATOR SMITH:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill -- House Bill 2464 does just what the calendar states. It creates the Adult Day Services Resource Development Project Act. House Bill 2464 is one of several bills which addresses the issue of adult day care, and it also -- the Adult Day Care Providers Association and current adult day care providers supports this legislation. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Severns, for what purpose do you -- state your point,

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please.

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR COLLINS)

State your point.

SENATOR SEVERNS:

It's my honor today to have joining us in the President's Gallery, Jim Beaumont of Decatur. I know a lot of us have had the opportunity to work with his son, who works for the State Chamber. And we're proud of him, and -- and I think those who know Jim Beaumont would be proud of him too. I'd like the Senate to join me in welcoming him.

PRESIDING OFFICER: (SENATOR COLLINS)

Will our guest please rise and be recognized by the Senate. Welcome. Senator Brookins. Further discussion? Discussion? If not, the question is, shall House Bill 2464 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 51 Ayes, 4 Nays, 1 voting Present. Having received the required constitutional majority, House Bill 2464 is declared passed. House Bill 2465 was on the Recall List. House Bill 2489. Senator Karpziel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2489.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. House Bill 2489 authorizes the

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Department of Public Aid to select collection agencies to collect past-due monies on child support enforcement orders. The amendment that we put on it would also allow the Department of Public Aid to require recipients of general assistance who have not completed high school, to participate in a program which would lead to a high school diploma or its equivalent. This amendment is -- is permissive. The Federal Government, at the present time, mandates the State to have a similar education and training program for AFDC recipients. This merely allow IDPA to provide this program to GA recipients.

PRESIDENT ROCK:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

If I might ask the sponsor a question.

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Demuzio.

SENATOR DEMUZIO:

Can you tell us how much this thing's going to cost?

PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

Well, it's a permissive program. So, first of all, I don't know if it's going to cost anything. And there is -- there is no money involved in the bill.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I guess what puzzles me is that I participate in a number of GED-type of activities, and -- and I don't know what we are doing with this bill that we are -- what does this authorize that we are currently not doing? I -- I just don't understand the reason for this -- for this bill and why it's before us.

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PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

At the present time, it's required for AFDC recipients, but we don't do the same thing for GA recipients. This would allow the Department to do it for GA recipients if they wished. If they -- there is no money, they obviously aren't going to do it.

PRESIDENT ROCK:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, on the other part of the bill regarding the selection of collection agencies to -- to work in collecting these overdue payments, is there any requirement in the bill, or will there be any bid process so that the contracting collection agencies -- we can get the lowest rate? In other words, some -- some collection agencies may charge fifty percent to do it, others a third, others twenty-five percent. Are we going to do a bid process when we select these collection agencies?

PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

Senator, that's not part of the bill. I would presume that would be up to the Department.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall House Bill 2489 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

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there are 50 Ayes, 4 Nays, none voting Present. House Bill 2489, having received the required constitutional majority, is declared passed. Senator Collins. 2524. On the Order of House Bills 3rd Reading, the middle of Page 13, is House Bill 2524. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2524.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. House Bill 2524 is a similar bill that we passed, similar to House -- Senate Bill 1337, which created the Pay-Call <sic> Consumer Protection Act. And it requires disclosure of the cost for the initial billing of a call prior to the person being billed. It requires a delay - a time delay - so that they can, in fact, let the caller know what the call will cost and basically how long it is expected the average call to -- to take. It also has been amended to include a provision that would require the AT&T to keep on file a record of the names, telephone and addresses of all of the -- the -- the businesses that's providing the services. It tightened up the enforcement provision including the issuing of subpoenas with complaints filed in the circuit court in order to bring about action. The whole bill is designed to get at some of the unscrupulous and fraudulent pay-call businesses that operate over the television and other mass-media technology that also prey upon the less fortunate - the uninformed consumers. I would be happy to answer any questions. If not, I would ask for a favorable roll call.

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All right. The Lady has moved passage on House Bill 2524.  
Discussion? Senator Raica.

SENATOR RAICA:

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

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Raica.

SENATOR RAICA:

Senator Collins, does this - your amendment on here - does it exclude charitable fundraising numbers?

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

It excludes the Lottery, but not all charitable fundraising numbers.

PRESIDENT ROCK:

Senator Raica.

SENATOR RAICA:

Senator Collins, when I asked you that question on 2nd Reading, you said that it did -- it did exclude everything. ...  
Actually, it does not is the right answer, right?

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

If I recall, my first answer was yes, it did. I turned to the staff, because I assumed that the amendment would do that, as indicated in committee, but the AG's Office - this is their bill - they do not want that provision excluded, because they feel that those charitable organizations are -- many of them are -- actually, it is really where the bulk of the problem rests. There are some legitimate ones, but -- but there are a lot of illegitimate ones also that come on as charitable organizations. And it is difficult to distinguish between what -- who are

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legitimate and not legitimate.

PRESIDENT ROCK:

Senator Raica.

SENATOR RAICA:

Yes. Senator Collins, I guess that's a little different than what you had on 2nd Reading. That's not what you said on 2nd Reading. It says it did exclude. It did not exclude. Maybe we should just leave this bill here. They changed the -- the one that went over to the House. They changed it to exclude. After we suggested it include charitable fundraising, they decided to take that out. Maybe we should just leave this one here. I ask for a No vote.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I've had some experiences with -- with some of my constituents on these darned numbers. I had one woman that called me up and told me that her retarded son had run up a thirteen-hundred-dollar phone bill while she was at work. And I had another one that called me and said that she had three children who were playing with the phone while she was also at work, and they had run up a thirty-five-hundred-dollar phone bill. It seems to me, somewhere along the line we ought to put a stop to some of this. I don't know, in these particular instances, if this would have helped, but it might have. At least maybe it might have made the kids think about it for a few minutes. I think we should be regulating these programs a lot better than we are. I get phone calls all the time from various charities. One, frankly, said that they were policemen. And I found out that it, too, is rather questionable. And I think we should vote Aye on this bill.

PRESIDENT ROCK:

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Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates she'll yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Collins, Senate Bill 1337, which you sponsored, exempted charitable fundraising from the 900 numbers, and this amendment which you put on this bill, which you're sponsoring, does not. Can you explain your change of mind from 1337 to 2524 at this time?

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Unfortunately, I did not know about the change in the House on -- on my bill. And I cannot get into -- inside of the minds of those who made their changes -- that change without my approval. But it was made, and they did not want to exempt those charitable organizations on this bill. And so I am abiding by the wishes of the House sponsor.

PRESIDENT ROCK:

Further discussion? Senator Collins, you wish to close?

SENATOR COLLINS:

Just ask for a favorable roll call.

PRESIDENT ROCK:

Question is, shall House Bill 2524 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 -- take the record. On that question, there are 41 Ayes, 14 Nays, none voting Present. House Bill 2524, having received the required constitutional majority, is declared passed. 2530. Senator Berman. Read the bill, Mr. Secretary, please.



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ACTING SECRETARY: (MR. HARRY)

House Bill 2530.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2530 amends the Environmental Barriers Act, which addresses the needs of the disabled. The bill does two things. It sets a deadline of October 1st, 1992, for the time in which off-street parking spaces to accommodate the disabled would be -- would have to be sixteen feet wide. And it lowers the per-day charge for violation from one thousand dollars to two hundred and fifty dollars per day, as per the agreement with the Building Owner and Managers Association. I'd be glad to respond to any questions, and solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, Senator Keats had an amendment to this, and it's my understanding that he was going to be given an opportunity to offer it. As you know, he's been ill. He's expected back tomorrow. Have you talked to him about his amendment?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

I did speak to him, and I've got to tell you, I'm not sure

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that he wanted to move on it. If -- if you'd be more comfortable, I'll take it out today. Do we know he'll be back tomorrow? Do we -- oh.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

The representative from the Attorney General's Office indicates that Senator Keats said to her that he wasn't going to move the amendment because they couldn't find the right language. That's what she just indicated to me.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall House Bill 2530 pass. Those in favor will vote Aye. Opposed, 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 53 Ayes, no Nays, none voting Present. House Bill 2530, having received the required constitutional majority, is declared passed. Senator Jacobs. 2557. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2557.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. House Bill 2557, as amended, merely closes a loophole in the Bid-rigging Act. This bill is similar to Senate Bill 817, which was passed out of the Senate on the Agreed Bill List. Be happy to answer any questions. If not, ask for an Aye vote.

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Discussion? Any discussion? If not, the question is, shall House Bill 2557 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 2557, having received the required constitutional majority, is declared passed. Senator Welch, on 2589. 2592. Senator Savickas. Was on the Recall. Top of Page 14. Senator Jerome Joyce. Senator Jerome Joyce. 2611. All right. Ladies and Gentlemen, I -- you have -- had distributed a Recall List. We will go through the Recall List on 3rd Reading, with the exception -- and I'd ask leave of the Body not to take up 1935 at this time. I have discussed this matter with Senator Philip. I understand there are additional amendments being drafted and -- so we'll do it tomorrow. 121. Page 6 on the Calendar. Page 6 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 121. 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 121, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton, on Amendment No. 1.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. It simply adds an effective date. Move for its adoption.

PRESIDENT ROCK:

Senator Cullerton has moved the adoption of Amendment No. 1 to House Bill 121. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

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SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Middle of Page 6, on the Order of House Bills 3rd Reading, is House Bill 244. Senator D'Arco 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 244, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator D'Arco.

PRESIDENT ROCK:

Senator D'Arco, on Amendment No. 1.

SENATOR D'ARCO:

Thank you. Mr. President, this amendment removes the provisions relating to the reporting requirements of any outage of four hours or more. That's what I thought - this is the wrong amendment. This amendment is a technical amendment, and it really guts the bill. And we just want to move the bill to 3rd Reading and get this bill in a conference committee.

PRESIDENT ROCK:

All right. Senator D'Arco's moved the adoption of Amendment No. 1 to House Bill 244. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes -- I'm sorry. Senator Maitland.

SENATOR MAITLAND:

Well, thank you -- I just wonder -- we're just putting another vehicle out there. And I -- I would just suggest -- this late date -- and there are plenty of vehicles out there. I'm wondering why we're doing this, Senator.

PRESIDENT ROCK:

Senator D'Arco.

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SENATOR D'ARCO:

Well, we -- we want to address the concerns of people that are worried about outages. And we want to address the concerns of Commonwealth Edison, if possible. And we feel at this time the only way to do that is to get this in a conference committee.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Well, Senator, there are plenty of vehicles around that do that, and I think probably the intent of the original bill is still on your mind. And I was in strong opposition to that, as you know, and would ask the Members on my side of the aisle just to resist -- resist this.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Amendment No. 1 to House Bill 244. Those in favor of the amendment 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? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 27 Nays, none voting Present. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 580. Senator D'Arco. On Page 7 on the Calendar, Ladies and Gentlemen, on the Order of House Bills 3rd Reading, is House Bill 580. Senator D'Arco 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 580, Madam Secretary.

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END OF TAPE

TAPE 4

SECRETARY HAWKER:

Amendment No. 1 offered by Senator D'Arco.

PRESIDENT ROCK:

Senator D'Arco, on Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. This adds an immediate effective date to the bill, and I move for its adoption.

PRESIDENT ROCK:

Senator D'Arco has moved the adoption of Amendment No. 1 to House Bill 580. 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. Senator Jones, 1216. You don't wish to pursue? 1220. Senator Rea. Page 9 on the Calendar, Ladies and Gentlemen, middle of the page, on the Order of House Bills 3rd Reading is House Bill 1220. 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 1220, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Rea.

PRESIDENT ROCK:

Senator Rea, on Amendment No. 1.

SENATOR REA:

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Thank you, Mr. President. All this does is to change the effective date from 1992 to 1993. I would move for adoption.

PRESIDENT ROCK:

Senator Rea has moved the adoption of Amendment No. 1 to House Bill 1220. 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. Senator Brookins, on 1685. On Page 10 on the Calendar, Ladies and Gentlemen, bottom of the page. On the Order of House Bills 3rd Reading is House Bill 1685. Senator Brookins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1685. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Brookins.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This amendment helped put the bill into shape to answer some questions that was posed yesterday. What ordinance really - is really what it says - and what will it be prohibiting. And I just ask for an Aye vote on adoption of the amendment.

PRESIDENT ROCK:

All right. Senator Brookins has moved the adoption of Amendment No. 3 to House Bill 1685. Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President. Senator Brookins, who wants

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this amendment, and what are you trying to accomplish with it?

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Yes. CTA is the one that wants the amendment. And what we're attempting to accomplish is to allow the new buses, which will transport handicapped people, to be able to pull to the curb and pick them up. So this is really a bill to help -- well, the bill will be, when it's in order, to help the handicapped people, but this amendment is to answer the questions that was posed on the Floor on yesterday.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

The way I read it, Senator, this is the amendment which will lay off police officers and meter maids. You're taking the responsibilities that are -- that are specifically for law enforcement personnel and meter maids - to write tickets - and you're giving these -- this authority to supervisors in the CTA. Is that correct?

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

I would never lay off police officers - never, ever, if I can help it. If anything, we need to hire some. But to answer your question, this is in keeping with the FOP - of the police department, in keeping with Superintendent Martin, in keeping with the City of Chicago. They cannot hire enough meter maids to do this. They can't hire enough. What we're saying in the ordinance that we want to enforce is merely, when people park in bus zones, that these people can ticket them and remove them so that the buses can get to the curb and pick up the handicapped people. And



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I'm only merely trying to put this bill in order so that on 3rd Reading you can vote the bill up or down.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

Well, Senator, how many -- how many people -- how many supervisors within the CTA system will be authorized now to -- to write citations?

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Approximately two hundred.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

Well, it's my understanding that the Secretary of State opposes this amendment. And I'm not quite sure that the Chicago Police Department -- did you say that the Chicago Police Department is in favor of this?

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Yes, the City of Chicago and the police department, Superintendent Martin, is in favor of this, and it's my understanding that they have spoke with you concerning it.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

No, I'm sorry, but they have not spoken with me whatsoever. And it's my understanding that they -- they are opposed to it, and nobody has given me any information to the contrary. And the most recent information I received is that the Secretary of State also

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opposes it, and for that reason, I'm going to oppose the amendment.

PRESIDENT ROCK:

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I spoke to a George Edwards, who is the Intergovernmental Affairs Officer from the CTA, today, and he stated that he spoke to Fraternal Order of Police John Dineen, and John Dineen is not opposed to this concept. I can see where giving the supervisors the authority to write parking violations just within CTA obstructed ways might not be a bad idea. It would take some of the ticket-writing jurisdiction - or not really jurisdiction - away from the police department, but it can free them up to go and do some more crime-related matters, instead of just writing violations. And if -- if John Dineen says it's okay for the police officers, it has my support anyway.

PRESIDENT ROCK:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the legislation. Let me just say, in a congested area like downtown Chicago, while they have a significant number of meter maids, there are not sufficient numbers there - and equally in the outlying areas, where there are not meter maids - to have people patrolling that limited area known as a bus stop. In the outlying areas particularly, the bus must get up to the curb with this new type of handicapped access equipment in order to accommodate handicapped persons or wheelchair persons, and often they're unable to do so because of an illegally-parked car in a bus stop. A car in a bus stop cannot be towed unless they have first been given a ticket. The purpose

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of this is to merely -- to add to the meter maids by allowing those supervisors who work for the CTA and are traveling those routes to -- where they see an illegally parked car, issue a citation so that that car can then be towed by the police department or the outside tow people of the City, and then allow the handicapped person to actually get on the bus. The City, as I understand it, helped draft this legislation. This merely allows for an intergovernmental cooperation agreement between the Chicago Transit Authority and the City. It will take both to get this done. It is something that will just help make those funds expended for handicapped access usable for a change, and I think it's a very good idea.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you. This is the same approach, this amendment is, as we heard yesterday -- is to allow for some two hundred more individuals to be issuing parking tickets in Chicago. It is tightened up to some degree in the fact that it does say "public transportation," but that public transportation, I'm sure, could be -- taxi stands and other -- other possible areas of -- on the street of Chicago. Two hundred more people out there. I don't know if the Members are aware of this or not, but there's some fourteen thousand parking citations written each day in the City of Chicago. I don't know if you're aware of that or not. Some two to three thousand of them are issued by meter maids. And I don't know, Senator. You mentioned that they need to be doing other things. They're obviously getting the job done on parking tickets. And now we're going to have some two hundred more people out there issuing parking tickets. I introduced a resolution several weeks ago asking that the City of Chicago and others look into the problem of all of these parking tickets and the fact that

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they're writing and contacting people downstate who have never even been in Chicago, and the fact that there have been a violation, and that they will be fined, and that they need to make a court appearance. I mean, this, I think, is just a wrong direction to go, Senator, and I would urge the Body to vote No on this amendment and ask for a roll call.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I have to concur with Senator Watson, because my office must be sending letters to the superintendent of police - about two hundred a year - for people who get parking tickets who haven't even been in Chicago. And I don't know that this is going to help matters any by adding these people on. No, they don't deserve it, Senator D'Arco. Yours might, but not mine. And I certainly speak against the amendment.

PRESIDENT ROCK:

Further discussion? Senator Brookins, you may close.

SENATOR BROOKINS:

I don't know what we have against the handicapped people, but we certainly have passed the bill to equip the CTA buses and all buses with equipment so that we can transport or give them a new life and a productive life by letting them ride public transportation. This bill here -- this amendment clears up -- it merely clears up what ordinance that would be enforced by CTA supervisors. We're not taking jobs away from anyone. We're only saying that we want to give them an opportunity to pull the buses into the curb where they can get on. This amendment clears up points that was raised yesterday, and I ask for the adoption of this amendment.

PRESIDENT ROCK:

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Senator Brookins has moved the adoption of Amendment No. 3 to House Bill 1685. Those in favor of the amendment will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 28 Nays, none voting Present. The amendment fails. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Same Page, Page 10 on the Calendar. Senator Schuneman seeks leave of the Body to return House Bill 1692 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 1692, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Schuneman.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. 1692 is a bill that Central Management Services plans to use for changes in the Health Insurance Program, and this amendment merely deletes the immediate effective date in the bill, which will send the bill to conference committee, where those changes will be amended on. So I would move approval of this amendment.

PRESIDENT ROCK:

Senator Schuneman's moved the adoption of Amendment No. 1 to House Bill 1692. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

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No further amendments.

PRESIDENT ROCK:

3rd Reading. Same Page. 1733. Senator Luft 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 1733, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Department of Revenue's current penalty and interest rate system has six interest rates and thirty penalties. This amendment replaces that system with seven penalties and one interest rate, the interest rate being the IRS underpayment interest rate, which is equal at this date to ten percent. The penalty for a failure to file is five percent. Failure to pay, fifteen percent. And twenty percent for trust taxes. Failure to file information returns, five dollars per return. Negligence, ten percent. Fraud, fifty percent. And personal liability penalty on trust taxes. I'd attempt to answer any questions - otherwise, ask for the adoption of Amendment No. 2 to House Bill 1733.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 2 to House Bill 1733. Discussion? Senator Rigney.

SENATOR RIGNEY:

This amendment is an amendment that has been worked on for a long time with the various business and industrial interests in the State. And I'm pleased to say it looks now like they have reached an agreement, so I am supporting the amendment.

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PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 2 to House Bill 1733. 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 Luft.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 3.

SENATOR LUFT:

Thank you, Mr. President. The amendment references No. 2, -- 3, and it should reference No. 2. This just simply eliminates the number 3 and replaces it with the number 2.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 3 to House Bill 1733. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. With leave of the Body, we'll take up 1935 tomorrow, when we're satisfied that all who want to propose an amendment have had the opportunity to get it prepared. Page 12 on the Calendar. Page 12. Senator Barkhausen. 2125. Senator Barkhausen 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 2125. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT ROCK:

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Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I apologize. We found a problem with the amendment, and would ask -- and I would ask that it be withdrawn at this time.

PRESIDENT ROCK:

All right. Withdraw the amendment. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2295. 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 2295, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton, on Amendment No. 2.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is the Lead Poisoning Prevention Act -- or amends that Act. This amendment comes at the request of the Home Builders, and it's an agreed amendment with the Home Builders. I'd move for its adoption.

PRESIDENT ROCK:

Senator Cullerton has moved the adoption of Amendment No. 2 to House Bill 2295. 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. All right. Ladies and Gentlemen, we have been through House 2nd and House 3rd. There's been a request to go to the Order of Resolutions. I would turn your attention to Pages 16 and 17 of your Calendar. There are a number of Members who have Senate Joint Resolutions, which obviously require joint action and have to be sent to the House for their action. And there are a number of Senate Resolutions, a number of Members have indicated their desire to move ahead. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 584 offered by Senator Madigan.

Senate Resolution 585 offered by Senator Rea.

Senate Resolution 586 offered by Senator Hawkinson.

Senate Resolution 587 offered by Senator Ralph Dunn.

And Senate Resolution 588 offered by Senator Daley.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar.

PRESIDENT ROCK:

Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

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

PRESIDENT ROCK:

State your point, please.

SENATOR MADIGAN:

Ladies and Gentlemen of the Senate, visiting with us today is a resident of Snyder Village Health Center in Metamora. Her name is Lyda Bitner. She's been down here today to testify on the Medicaid problems. And Lyda Bitner is a lady that's one hundred years young today. And I would like to -- for the Senate to welcome her. She's up in the press gallery.

PRESIDENT ROCK:

Will the Members please recognize our guest. Welcome to

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Springfield. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I rise also on a point of personal privilege. I'd like to introduce everyone to the Village Manager of the Village of Carol Stream, where I live, Greg Bielawski, who is visiting us today. And the reason he is here is because he's very interested in a bill that's on 2nd Reading, and I would just like to request of the Chair if we will be going back to 2nd Readings today or not.

PRESIDENT ROCK:

Yes, we will be going back. This is the last day for 2nd Readings, so I intend to go through --

SENATOR KARPIEL:

That's what I thought.

PRESIDENT ROCK:

-- it one more time.

SENATOR KARPIEL:

Thank you very much.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, it's Tuesday, June 25th. Tomorrow is the 26th. That's the deadline for consideration of House Bills on 3rd Reading. We're going to run through House Bills 2nd one more time. It's today or never for those -- 550. Senator Marovitz. 841. Senator Joyce. Read the bill.

SECRETARY HAWKER:

House Bill 841.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Jerome Joyce offers Amendment No. 1.

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PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. The first amendment is the original bill that exempts projects that are licensed by a State agency from the notification approval requirements by the Resource Preservation Act. I'd ask for its adoption.

PRESIDENT ROCK:

Senator Luft -- I mean, Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 841. Discussion? If not, all in favor, indicate by saying Aye. Opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jerome Joyce.

PRESIDENT ROCK:

Senator Joyce, on Amendment No. 2.

SENATOR J.J. JOYCE:

This -- thank you, Mr. President. This requires only when it's economically feasible that it -- it be carried out, and I'd ask for its adoption.

PRESIDENT ROCK:

Senator Joyce has moved the adoption of Amendment No. 2 to House Bill 841. 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 Jerome Joyce.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

I'd like to withdraw that amendment.

PRESIDENT ROCK:

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Withdrawn. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1249. Senator Luft. Read the bill. No, don't read the bill. 1449. Senator Macdonald. 1512. Senator Woodyard. 1587. Senator Alexander. Senator Alexander, do you wish the bill read? Read the bill, please.

SECRETARY HAWKER:

House Bill 1587.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Alexander offers Amendment No. 1.

PRESIDENT ROCK:

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. This Amendment No. 1 is in response to the committee's inquiries concerning the substance bill. The bill presently -- or the amendment presently deletes all the mandatory changes and becomes the bill. It requires the appointment of two new housing authority commissioners who are residents of the housing authority. This amendment also takes in consideration how they shall be appointed by the current appointing authorities from each resident or district throughout the State. I ask for a concurrence or the passing of this amendment to this bill.

PRESIDENT ROCK:

Senator Alexander has moved the adoption of Amendment No. 1 to House Bill 1587. 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:

Amendment No. 2 offered by Senator Schaffer.

PRESIDENT ROCK:

Senator Schaffer, on Amendment No. 2.

SENATOR SCHAPPER:

This amendment's fairly simple. It would limit these provisions to the City of Chicago and County of Cook. Those of us downstate - at least in my part of the world - have no problem and if it isn't broke, we aren't prepared to fix it. If our friends from Chicago wish another system for appointing members to the housing authority, why I'm more than happy to defer to them.

PRESIDENT ROCK:

Gentleman's moved the adoption of Amendment No. 2 to House Bill 1587. Discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you. I stand in opposition to this amendment. I have worked diligently. I have held this bill religiously, at the request of the committee, until it had been worked out with all persons interested. As for making this a Chicago-only bill, testimony was given in both Houses from members from a coalition of housing tenants who desire to have a chance to express their own life through the commissioner system. I ask that this amendment be defeated, and I'd ask for a -- roll call.

PRESIDENT ROCK:

All right. Senator Schaffer, on Amendment No. -- Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I just -- I'm sorry, I wasn't paying too close of attention, but it seems to me that we did say in committee - and, Senator Schaffer, I'm not sure exactly what your amendment does, because I

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don't have it in front of me - that we were going to attempt to limit this -- the two new housing authorities - commissioners, I guess, to the housing authority - to Chicago only. And I thought that's the way in which this bill was proceeding, and perhaps I've been misunderstood and perhaps somebody could straighten me out.  
PRESIDENT ROCK:

Senator Alexander.

SENATOR ALEXANDER:

My commitment was to the method of the election only, because the cost that was purportedly involved with the election was so prohibitive, and that was the agreement that I agreed to. There has been some major changes with this amendment which I've worked diligently with downstate housing authority persons and the coalition. As late as this morning, there have been conversations regarding this amendment, and I do think it's a good piece of legislation. I do stand in opposition to making it a Chicago-only amendment.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

All right. Well then, Senator Schaffer, does your amendment then limit this bill only to the City of Chicago and not to downstate housing authorities?

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Yes, Senator Demuzio. Frankly, I've been contacted by my housing authorities, and they have very serious problems with this concept. It might, in fact, work in a large, urban setting; but in a downstate housing authority, where your housing tenants are spread so diversely, you know, it really doesn't -- is not a workable solution. And they -- frankly, this would also force the

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various county boards to dump the incumbent board members -- at least I'm -- it's either dump them or add new board members on. Okay, we're adding new board members. I'm sorry. And I don't see any need for that. These boards are already fairly cumbersome. The bottom line is that I don't have a problem in my area. I haven't been getting any heat from anybody, and my housing authorities, who I think are pretty humane, well-motivated people who serve without pay, are opposed to this Cook County-type of solution being inflicted on them. It's that simple.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I simply want to reiterate what both Senator Schaffer and Demuzio have said. Furthermore, I sponsored a bill this year that was a rewrite of the Illinois Housing Authority Act. That rewrite was prepared as a result of input from counties all around this State, and none of them asked for this particular provision that Senator Alexander is seeking. If the system is broken in Chicago, we should allow Senator Alexander to fix it. But this amendment simply takes the rest of us out of it. So I would urge adoption of the amendment.

PRESIDENT ROCK:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

In the amendment, where there are no tenant associations, this bill would not have any effect. Where there are tenant associations, they should have the privilege - whether it's in Chicago or whether it's in Cairo - to elect -- I mean, to select commissioners to help them run their lives. These tenant associations must be recognized by HUD and certified as such before they can have any part in this process. This is a bill -- or a document being submitted from the Coalition of Public Housing

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Residents, and I present it to this Body for its consideration.

PRESIDENT ROCK:

All right. The question is the adoption of Amendment No. 2. Senator Schaffer, to close.

SENATOR SCHAFER:

Well, just respectfully, Senator, what you wish to do for the City of Chicago - what those of you from Chicago want to do - is fine. Downstate and -- we wish no part of this. Thank you. Would appreciate a favorable roll call.

PRESIDENT ROCK:

Question is the adoption of Amendment No. 2 to House Bill 1587. Those in favor of the amendment will vote Aye. Opposed will 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 33 Ayes, 13 Nays, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1838. Senator Luft. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1838.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Luft offers Amendment No. 1.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 1.

SENATOR LUFT:



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Thank you, Mr. President. I would ask to have that amendment withdrawn.

PRESIDENT ROCK:

Withdraw. Further amendments?

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs, on Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 merely allows for a redevelopment project that has -- with respect to which there has been issued a certificate of eligibility under the subsection, that the issuance of the certificate of eligibility shall be conclusively deemed for all purposes of this Act to be a waiver of any omission. The reason for this amendment is that there is a -- a project ongoing now in Moline which -- did everything right, as far as they knew. They -- they were certified, and there evidently was some problems with some of the publication. This will, in effect, confirm what they have done is right. And I don't know of any opposition. And while I am on it, I would like to, as a point of personal privilege on the same information, introduce the Mayor of Moline, who is on the Floor today - Allen McCaulley. Mayor McCaulley.

PRESIDENT ROCK:

Mr. Mayor, welcome. All right. Senator Jacobs moves the adoption of Amendment No. 1 to House Bill 1838. 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 Jacobs.

PRESIDENT ROCK:

Senator Jacobs, on Amendment No. 2. Withdraw, please.

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Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Withdraw.

PRESIDENT ROCK:

Withdraw, please. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1852. Senator Geo-Karis. 2239. Senator Cullerton. 2362. Senator Luft. 2433. Senator Berman, that series - you want to move any of that? Okay. Senator Luft said what? On the Order of House Bills 2nd Reading is House Bill 2362. Read the bill, please.

SECRETARY HAWKER:

House Bill 2362.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Luft offers Amendment No. 1.

PRESIDENT ROCK:

Senator Luft, on Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. The amendment just simply limits the notice requirement for businesses which receive economic incentives to businesses which have to report to federal authorities under federal law.

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PRESIDENT ROCK:

Senator Luft's moved the adoption of Amendment No. 1 to House Bill 2362. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Those series of revisory bills will be held. 2491. Senator Joyce. Hello. Read the bill, please.

SECRETARY HAWKER:

House Bill 2491.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Jerome Joyce offers Amendment No. 1.

PRESIDENT ROCK:

Senator Joyce, on Amendment No. 1.

SENATOR J.J. JOYCE:

Thank you for the wake-up call, Mr. President. This changes the effective date to put it in a conference committee for ongoing negotiations with the Hospital Association regarding infectious waste. I'd ask for its adoption.

PRESIDENT ROCK:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 2491. 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. All right. Ladies and Gentlemen, we have now been through 2nd Reading for the second time and 3rd Reading. So that pretty much concludes our business for today, except for Pages 16 and 17, which are resolutions. And the Members have indicated they wish to go to that Order. We'll go through these resolutions, these two pages, and then adjourn for the day, and we'll start again tomorrow morning at 9:30. And that will be our last day for the consideration of the House Bills on the Calendar. And there will be a Recall List. Senator Davidson indicates the Secretary of State is having amendments prepared. We will have the McCormick Place amendments, and I understand there are one or two others. So we'll try to accommodate as best we can. Senator Butler, for what purpose do you arise, sir?

SENATOR BUTLER:

Point -- point of personal privilege, please.

PRESIDENT ROCK:

State your point.

SENATOR BUTLER:

Ladies and Gentlemen, I would like to introduce to you a very special person. She, too, is a Mayor. This is Sonya Crawshaw, the Mayor of Hanover Park. But in addition to that, she is the President of the Northwest Municipal Conference. The Conference has -- represents over a million residents, and there are thirty-four communities and five townships. Ladies and Gentlemen, Sonya Crawshaw, Mayor and Madam President.

PRESIDENT ROCK:

Madam Mayor, Madam President, welcome to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Page -- Page 16. Senator Davidson, turn to Page 16. Senate -- Secretary's Desk, Resolutions. Senate Resolution 59. Senator O'Daniel. Senator O'Daniel.

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SENATOR O'DANIEL:

Thank you. Thank you, Mr. President and Members of the Senate. Senate Resolution 59 asks the Secretary of Agriculture to allow double cropping of canola on 0-92 provisions of the Federal Farm Bill. You know, canola is a new crop - new speciality crop - in the State of Illinois, and it's low in cholesterol or has hardly no cholesterol at all. And eighty-five percent of our canola now is imported from other parts of the world, and I would move for the adoption of Senate Resolution 59.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? Senator O'Daniel has moved the adoption of Senate Resolution 59. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 59 is adopted. Senate Resolution 64. Senator Joyce. Senate Resolution 95. Senator Tom Dunn. Senator Tom Dunn. I'm sorry. Oh, I'm sorry, it was -- Senate Resolution 64. Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. I'll try to wear a brighter coat tomorrow, and you'll be able to recognize me. Senate Resolution 64 asks that -- basically it asks that the Norfolk & Southern Railroad and the Department of Conservation to stop negotiating on a bicycle trail in Will County until the landowners along the bicycle path have had an opportunity to negotiate with the Department of Conservation. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Senate Resolution 64. Is there discussion? If not, those -- Senator Fawell.

SENATOR FAWELL:

Thank you very much. I -- I did get several phone calls on this resolution. Of course, we have the Prairie Path in our neck of the woods, and there are a lot of people in my district who would like to see this proceed on a normal course with the Rock

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Island and the -- I mean, with the railroad and the Department of Conservation to continue their talks. And therefore I rise in opposition to your resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR J.J. JOYCE:

Thank you, Mr. President. All this is asking for is the -- is the Department of Conservation to talk to the landowners along there. They got them -- they told them to all get together -- or I mean the railroad to talk to the landowners. They asked them to all get together, form a -- a landowners' group, and they would talk to them, and then they absolutely stopped and are only negotiating with the Department of Conservation. Ask for --

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved the adoption of Senate Resolution 64. All in favor, indicate by saying Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. Senate Resolution 64 is adopted. All right. Senate Resolution 95. Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This resolution urges Congress to reevaluate the federal statutory limit on the length of rehabilitation for combat-incurred brain injuries, and this would apply to -- back to Vietnam, as well to Desert Storm. Currently there's a twenty-four-month period where they will treat a combat brain injury, with a maximum extension of six months, and after that, they are shutting off veterans. And this would urge them to reevaluate that time period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Thomas Dunn has moved the adoption of Senate Resolution 95. All in favor,

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indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 95 is adopted. Senate Resolution 96. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Senate Resolution 96 is our annual Respect for Life Week. I would designate the week of October 6th through October 13th to be Respect for All Life, from the unborn to the young to the old, all the citizens of Illinois, a respect for life. And I request your support for this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Kelly has moved the adoption of Senate Resolution 96. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 96 is adopted. Senate Resolution 99. Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This resolution directs the Commerce Commission to study ways to achieve universal telecommunication service, and to report to the Senate by October 1st of this year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? This one will require a roll call, because it does deal with the expenditure of some monies. Question is, shall Senate Resolution 99 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 none, none voting Present. Senate Resolution 99 is adopted. Senate Resolution 100. Senator Raica. Senator Raica on the Floor? 109. Senator Woodyard. Senate Resolution 109. Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This resolution was introduced several months ago, when our office

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started getting quite a number of calls from families of military people in the Desert Storm Operation who didn't seem to be able to get much consideration from banks and automotive companies and things like that. And all the resolution does is to urge those financial institutions to use restraint in negotiating settlement of any indebtedness by the Desert Storm participants.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Resolution 109 pass. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 109 is adopted. Senate Resolution 177. Senator Savickas. -- 204. Senator Hudson. On the Order of Senate Resolutions, Senate Resolution 204. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Resolution 204 is the resolution that urges Congress to propose an amendment to the U.S. Constitution for ratification by the States specifying that Congress shall have the power to prohibit physical desecration to the United States Flag. This one we have discussed and considered before. I think the last time we did so it passed unanimously out of this Chamber to the House. This time it's a Senate Resolution, and I would simply urge your agreement on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Hudson has moved the adoption of Senate Resolution 204. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 204 is adopted. Further resolutions? Senate Resolution 233. Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Resolution 233 basically instructs the State Universities Retirement System to make



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recommendations to the General Assembly with respect to early retirement plans and equitable service credit formulas for public community college faculty and other such matters. This was brought about because all of the community college faculty were hired at one time when we started the system, and most of them will be retiring at the same time, and we need to include options for them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Holmberg has moved the adoption of Senate Resolution 233. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 233 is adopted. Senate Resolution 266. Senator Daley. Senator Daley.

SENATOR DALEY:

Thank you, Mr. -- thank you, Mr. President and Members of the Senate. Senate Resolution 266 welcomes the 1994 World Cup to the U.S., and urges the City of Chicago to be selected as the site.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley has moved the adoption of Senate Resolution 266. All in favor -- discussion? If not, all in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 266 is adopted. Senate Resolution 379. Senator J.J. Joyce. Senator J.J. Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This resolution urges the Federal Government, the Department of Agriculture, and our State Department of Agriculture, as well as soil and water conservation districts, to cooperate with the 1990 Farm Bill and let farmers plant strips along ditches and streams and impoundments to cut down on siltation and run-off. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Joyce has moved the

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adoption of Senate Resolution 379. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senator Resolution 379 is adopted. 388. Senator Topinka. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, Senate Resolution 388 asks that we encourage the Postmaster General and the postmaster in Chicago to give the Town of Cicero its own post office. Town of Cicero has asked that this be done. The mayor, the town board and the chamber of commerce there, which found that eighty-four percent of the businesses there in this sixty-six-thousand-person town are not getting good mail service, and we would ask your assistance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Topinka has moved the adoption of Senate Resolution 388. All in favor will indicate by saying Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. Senate Resolution 388 is adopted. Senate Resolution 401. Senator Philip. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Resolution 401 urges the Department of Transportation to develop and implement and adopt a highway program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Senate Resolution 401. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 401 is adopted. Page 17. Senate Resolution 403. Senator Ralph Dunn is recognized.

SENATOR R. DUNN:

Thank you, Mr. President, Members of the Senate. Senate Resolution 403 requests that the State Toll Road Authority conduct

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a study of the feasibility of a four-lane highway from the Carbondale to St. Louis area based on the receipt of adequate funding. Congressman Poshard has put in to highway -- federal highway request for funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Ralph Dunn has moved the adoption of Senate Resolution 403. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 403 is adopted. Senate Resolution 425. Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Resolution 425 sets up an advisory task force which will study the problems that roller skating rinks have in this State with the escalating liability insurance rates. And they are to -- to report back to the General Assembly by April 1, 1992, if there is any -- any suggestions for legislation that could help this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpziel, this -- this resolution would require a roll call. Senator Karpziel has moved the adoption of Senate Resolution 425. All in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are none, none voting Present. Senate Resolution 425 is adopted. Senate Resolution 544. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this resolution would create a Task Force on Alternative Markets for Used Newsprint. It is supported by the Illinois Environmental Council, the Department of Energy and Natural Resources, the Illinois Press Association. We would seek to involve and look at

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profitability, the uses of used newsprint in agriculture, conservation, solid waste and composting by the private sector, and anything else that this could apply to. And I would ask your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. It, too, also requires a roll call. Is there a discussion? If not, Senator Topinka has moved the adoption of Senate Resolution 544. 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 1, none voting Present. Senate Resolution 544 is adopted. House Joint Resolution 6. Senator Jacobs. House Joint Resolution 10. Senator Kelly. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. House Joint Resolution No. 10 extends an invitation to the people of Taiwan to join with Illinois as a sister state. We all know that Taiwan has been a faithful ally for two-thirds of a century. They're -- we've got over, well, billions of dollars in trade with Taiwan, and this would request that they would be a sister state with Illinois. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Kelly has moved the adoption of House Joint Resolution 10. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. House Joint Resolution 10 is adopted. Senate Joint Resolution 4. Senator Topinka. Senator Topinka is recognized.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this resolution encourages the Illinois Congressional Delegation to request an examination of all federally owned real property within

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the State for the purpose of selling all latent or unused federal property to private entities. It would be our -- it would be our wish that the liquidation of such unused federal property in Illinois would generate funds not only for the Federal Treasury, but also revenue for local governments. And I would seek your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Topinka has moved the adoption of Senate Joint Resolution 4. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Joint Resolution 4 is barely adopted. House <sic> (Senate) Joint Resolution 6. Senator Brookins. Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This resolution urge the ICC to amend proposed rules regarding restriction to the entry into the commercial motor carrier business. The ICC has proposed new restriction rules for issuing motor carrier license. The intent of Public Act No. 86-105 was not to restrict entry into the motor carrier business. The new rules would result in restriction -- restricting minorities into the field and the increase in cost to consumers. I have letters of support from Congressman Denny Hassel <sic> and the Secretary -- Hastert -- and the Secretary of Transportation also. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Jones.

SENATOR JONES:

Yes, will the sponsor yield? Yes, Senator Brookins, I recall a constituent brought this issue to me, and I told him that any proposed rules as such would be going through the Joint Committee on Administrative Rules. Now, the Joint Committee will review any rules, at which time they hold public hearings to see if there's adverse impact of such. The -- the Joint Committee is the arm of

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this Body and -- for us to pass a resolution on rules that we have not even had a chance as a Committee to even look at, is being rather presumptuous. So what I'm saying to you is simply this here -- is that they cannot propose any rules that the Statute do not permit them to do. I, as Co-chair of that Committee - and there are other Members here who serve on Joint -- on the JCAR - it's rather presumptuous to assume that the Commerce Commission rules would -- would have a adverse impact, when we have yet to even receive -- hold a hearing on any proposed rules. I wish you would hold this until the Joint Committee has time to carry out its legislative authority to look at any proposed rules along these lines -- on this line.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Senator Jones, as I stand here and talk to you today, and as we've been in Session all this year, the ICC is enforcing rules and barring people from receiving license and going into the transportation business in our community - in your community and in my community. They are barring truckers. They have also began to enforce these rules and saying that this was the intent of this legislation in passing that. I am saying to you that we're only asking until such time as your Committee can meet and establish some hard rules for them, for them to cease and desist. Do not enforce these rules on our constituents now. They're preventing people from going into business. And I'm merely saying in a formal resolution, do not enforce these rules. Let people enter into the business. It was not our intention to bar people from going into business. And I'm asking for a favorable vote. I am not trying to block your Committee. I am not trying to interfere with your Committee. I want your Committee to work, but I want people to be able to go into business today - not two years from

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now, not next year, but today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator -- I thought Senator Brookins said close.  
Senator Jones.

SENATOR JONES:

Well, only thing that I want to respond to the Senator to, and aside from the emotional rhetoric, is that how can -- they cannot put rules into place until such time as those rules -- you know, receive its approval. Now, we have not had those rules even presented to us as a Body, and I know it's not an emergency as such. So, what I'm saying is that I recognize the issue is before us. But what I'm saying is that the rules have not been presented to the Joint Committee, which is your Committee as a Legislative Body. And to be -- this is being rather presumptuous and that's the reason why I say -- you know, they cannot put rules into place that have not been approved as such.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not -- I'm sorry. Senator Woodyard.

SENATOR WOODYARD:

Well, thank you, Mr. President, Members of the Senate. In this particular case, I certainly support what the Co-chair of the Joint Committee is saying. We don't have those rules yet, and we certainly do want to hold hearings on this. And I know I certainly have no intent or don't want to be a part of limiting minorities from -- from the trucking industry, but I certainly agree with the position in opposing the resolution by the Co-chairman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones may close. I'm sorry. Senator Brookins may close.

SENATOR BROOKINS:

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Thank you. I indicated that I have a letter from the Secretary of Transportation from Washington, D.C. Let me just read just one paragraph of it. "We have urged the Commission to interpret the existing Illinois Statute to the greatest extent possible in such a manner as to minimize the burden on carriers, shippers and consumers. The Commissioner, Chairman Barnich, has written to me explaining the General Assembly legislated -- enacted in 1986 and 1988 gives the Commissioner no choice but to interpret this proposal. I would appreciate your consideration of efforts to prevent this giant step backwards." Now, all I'm saying to them in this -- in this resolution is do not enforce these rules, because that was not our intentions. I'm asking if there is a committee, the JCAR Committee, you will have meetings over the summer, then you will propose hard rules. But until that time, we did not intend for them not to allow people to go into business. We want people in business. We encourage people to go into business, and let them go into business. And -- they feel that there's no way that they can allow them to do this because we passed this rule. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins has requested a roll call. Senator Brookins has moved the adoption of Senate Joint Resolution 6. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 10, none voting Present. Senate Joint Resolution 6 is adopted. Senate Joint Resolution 20, I understand, has an amendment. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move the adoption of the committee amendment. It's a technical amendment to correct a spelling error. And I would move



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its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock has moved the adoption of Committee Amendment No. 1 to Senate Joint Resolution 20. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Senator Rock, on Senate Joint Resolution 20.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 20 sets up a task force to be composed of twelve members, three each appointed by the President and Minority Leader and the Speaker and the Minority Leader to study the issue of ritual abuse of children in the State of Illinois. It has come to my attention, and it was brought to the attention of the Executive Committee, that there is, in fact, in our State, unfortunately, an underground ritual abuse of children that's going on. We had some serious testimony from police officers, investigators, psychiatrists and some who have taken an interest in this subject matter, and so we are proposing a task force to study it and make recommendations to the General Assembly. I know of no objection, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Rock has moved the adoption of Senate Joint Resolution 20. Those in favor will indicate -- those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Joint Resolution 20 is adopted. Senate Joint Resolution 33. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this resolution would ask IDOT to designate and

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rename --

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry, Senator Schaffer, there's a committee amendment that has to be adopted. Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

The committee amendment is a technical amendment asked for by IDOT that would include renaming the lock and dam, as opposed to just the lock, to avoid confusion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer has moved the adoption of Committee Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further -- Senator Schaffer now is recognized on Senate Joint Resolution 33.

SENATOR SCHAFFER:

This resolution simply asks IDOT to re-designate the McHenry Lock and Dam and name it after former Governor Bill Stratton, who was responsible for construction of the lock and the early rebuilding of the McHenry Dam. This is some recognition to a former Governor that's long overdue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, Senator Schaffer has moved the adoption of Senate Joint Resolution 33. All in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are none, none voting Present. Senate Joint Resolution 33 is adopted. Senate Joint Resolution 36. Senator del Valle. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Joint Resolution 36 will create a task force to investigate how effectively the State of

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Illinois is pursuing the capturing of all federal dollars. And the committee -- the task force will report its findings and recommendations to the General Assembly by December of '91. Much has been said during this Session about how federal dollars can be captured. Let's have an in-depth look at this and let's look at the total picture. That's what this resolution would do. I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator del Valle has moved the adoption of Senate Joint Resolution 36. All in favor will indicate by saying Aye. Opposed, Nay. I'm sorry. This would require a roll call. Senator del Valle has moved the adoption of Senate Joint Resolution 36. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Joint Resolution 36 is adopted. Senate Joint Resolution 43. Senator Topinka, on Committee Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President, Committee Amendment No. 1 removed any consideration of public -- exhibits, thus limiting the resolution to breeding farms, which is where we want to be in the entire resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Committee Amendment No. 1. Discussion? Senator Leverenz.

SENATOR LEVERENZ:

Well, exactly what does the amendment remove or add?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I think it has to be looked -- looked at in light of the whole

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resolution. The whole resolution would create a Zoological Park Study Commission to study the feasibility of establishing a breeding farm in Illinois for various endangered species now in the confines of our respective zoos, including Lincoln Park, Brookfield, and also the St. Louis Zoo. And we've been in contact with all of them and they are supportive. What they did not want to see happen would -- that it would be open to the public. They wanted to keep it private as a farm type of a situation, so as to encourage endangered animals to breed, and so as to be able to create and enhance the gene pool.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Does the amendment eliminate the representative from the St. Louis Zoo from the Commission? Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No, it does not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

Who then would be on the Commission if it doesn't get eliminated, as I understand it does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The only thing the amendment removes is the public display of these animals, so as not to disturb them in what is intentionally trying to be done here, which is to enhance the breeding of endangered species. The -- the membership of the Commission would be four Members of the Senate, two each appointed by the President

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and Minority Leader; four Members of the House, two each appointed by the Speaker and Minority Leader; the Director of DCCA or a designee; the Director of the Department of Ag or a designee; and one representative from each of the following zoos: the Brookfield Zoo, Lincoln Park Zoo, St. Louis Zoo, and also the Sierra Club. I'm sorry, the amendment did remove the -- it was a staff error. It did remove the representative from the St. Louis Zoo.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

Well, I asked the question, does it eliminate the representative from the St. Louis Zoo. You said, "No." Directing your attention to line nine of the amendment on Page 1, deletes line 26 by deleting the St. Louis Zoo. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I just responded that, indeed, I was incorrect. That was a staff error, and it did eliminate the member from the St. Louis Zoo.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

So now, also in the amendment, now would they be -- would the animals be breeding in public or private?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Well, they will be breeding in private. And that is what the zoos requested, and that is what we gave them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Further discussion? Senator -- Senator Topinka has moved the adoption of Committee Amendment No. -- I'm sorry. Senator -- Senator Marovitz.

SENATOR MAROVITZ:

Senator Topinka, is this your first -- your very first resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No, it's not, sir.

SENATOR MAROVITZ:

Oh, we thought it was your first resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Committee Amendment No. 1. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further -- Senator Topinka is recognized on Senate Joint Resolution 43.

SENATOR TOPINKA:

Just to recount what the resolution does. Indeed, it would establish a Study Commission on the part of our zoos, and the various departments that were noted, to create a breeding farm in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? Senator Leverenz.

SENATOR LEVERENZ:

Well, we've eliminated the breeding in public. But would the sponsor yield and give us some idea of the cost, and what might be covered by the four Members of the Senate and four Members of the House, since we spent a great deal of time and -- and public interest in eliminating commissions that study things? Perhaps you could address that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Topinka.

SENATOR TOPINKA:

It would be strictly what is standard, which is expenses incurred. They receive no compensation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

And do -- they would have to go around and visit breeding farms? And could the Lady explain perhaps where those breeding farms are and how many, for example, might be in-country, and how many are out-of-country?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I think you're probably expanding on this significantly more than these zoos wish to participate. They already know what they have to do. So I think it would be very limited, and probably their being able to get together in Illinois very conveniently to achieve their purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

But that did not address the question at all. Could the Lady at least give us some indication of the cost of the Commission? Because she does say it's going to cover expenses, et cetera, and that is what the public was desirous of eliminating.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

It would incur no more expenses than any of the other commissions and task forces we have passed upon here in the last ten minutes.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Topinka may close.

SENATOR TOPINKA:

In order to achieve a better gene pool for endangered species, because it is supported by our zoos, I would ask a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Senate Joint Resolution 43. All in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 4, none voting Present. Senate Joint Resolution 43 is adopted. Senate Joint Resolution 46. Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, this is, unfortunately, the third time that this resolution comes to us, really at no fault of the Senate. Part of our problem has been in trying to get the various groups who are to act on this to act on this in a timely fashion. This creates an advisory panel within the Illinois Local Government Law Enforcement Officers' Training Board to examine all issues and disputes between municipalities, counties, police and labor, regarding the use of auxiliary police as well as their benefits, liabilities and relationship with regular police. The Law Enforcement Training Board and all police associations in the State support this, would like to see it passed, so they can begin their work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? The question is, shall House -- I'm sorry. Shall Senate Joint Resolution 46 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



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Nays are none, none voting Present. Senate Joint Resolution 46 is adopted. Senate Joint Resolution 47. Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This authorizes the Illinois State Toll Highway Authority to expand into Will County, and it is supported by Senator Mahar, DeAngelis and Hudson. This is part of the twenty-year plan for the collar counties. It has minimal relocation and is supported by every community along the way. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Joint Resolution 47 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. Senate Joint Resolution 47 is adopted. Senate Joint Resolution 58. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. I think people on the committee, as well as I, were kind of astounded to find that this commendation, basically, for the Health Industry Manufacturers' Association did wind up in the Executive Committee. All it is is a commendation to those companies which indeed aid our -- our economy here in the State of Illinois for the work they do. It is strictly a commendation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, Senator Topinka has moved the adoption of Senate Joint Resolution 58. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Joint Resolution 58 is adopted. Leave of the Body, we'll go to the Order of Resolutions. There are a couple of Members who have requested that congratulatory resolutions need to be passed today.

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Leave is granted. Senate Resolution 586. All right. It's already been read in. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is a congratulatory resolution, and it's for a June 28th anniversary. Would ask that we suspend the rules for the immediate consideration of Senate Resolution 586.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Hawkinson to -- he moves to -- I'm sorry. He moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 586, which is congratulatory. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Hawkinson now moves the adoption of Senate Resolution 586. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Joint Resolution 86 <sic> is adopted. Senator Severns indicated that she had -- too has a congratulatory Resolution which needs to be moved with some dispatch. Senate Resolution 576, Madam Secretary. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I also move that we suspend the rules for immediate consideration and adoption of Senate Resolution 576, a congratulatory resolution that we need right away.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Severns has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 576. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Severns now moves the adoption of Senate Resolution 576. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 576 is adopted. Further business to come -- I'm

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sorry. Resolutions.

SECRETARY HAWKER:

Senate Resolution 589 offered by Senator Topinka.

And Senate Resolution 590 offered by President Rock and all Members.

They're both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Further business to come before the Senate? Senator Vadalabene moves that the Senate stand adjourned till tomorrow morning at the hour of 9:30. Senate stands adjourned.

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