

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 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 James Lyons, St. Peter's Catholic Church, Volo, Illinois. Father.

FATHER JAMES LYONS:

(Prayer given by Father James Lyons)

PRESIDENT ROCK:

...(machine cutoff)...Father. Reading of the Journal, Madam Secretary.

SECRETARY HAWKER:

Senate Journals of Wednesday, June 19, and Thursday, June 20, 1991.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

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. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Friday, June 21st; Monday, June 24th; and Tuesday, June 25th, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

You've heard the motion as placed by Senator Hall. 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. Message from the Treasurer.

SECRETARY HAWKER:

A Message from the Treasurer.

To the Honorable Members of the Senate - I have nominated and appointed the following named persons to the Treasurer's Personnel Review Board. I respectfully ask concurrence and confirmation of these appointments by your Honorable Body.

Filed by Patrick Quinn, Treasurer.

PRESIDENT ROCK:

Committee on Executive Appointments. Messages from the House.

SECRETARY HAWKER:

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

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

- Senate Bill 51 with House Amendment 1.
- Senate Bill 56 with House Amendment 1.
- Senate Bill 83 with House Amendment 1.
- Senate Bill 86 with House Amendment 1.
- Senate Bill 94 with House Amendment 1.
- Senate Bill 108 with House Amendment 2.
- Senate Bill 152 with House Amendments 1 and 2.
- Senate Bill 216 with House Amendment 1.
- Senate Bill 225 with House Amendments 1 and 2.
- Senate Bill 248 with House Amendment 1.
- Senate Bill 253 with House Amendment 1.
- Senate Bill 264 with House Amendment 1.
- Senate Bill 278 with House Amendments 1 and 2.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senate Bill 312 with House Amendments 1, 2 and 3.

Senate Bill 433 with House Amendment 1.

Senate Bill 539 with House Amendment 1.

Senate Bill 549 with House Amendment 1.

Senate Bill 588 with House Amendment 1.

Senate Bill 593 with House Amendments 1 and 3.

Senate Bill 600 with House Amendment 1.

Senate Bill 630 with House Amendment 1.

Senate Bill 706 with House Amendment 1.

Senate Bill 717 with House Amendment 1.

Senate Bill 727 with House Amendment 1.

Senate Bill 758 with House Amendment 1.

Senate Bill 811 with House Amendment 1.

Senate Bill 922 with House Amendments 1, 3 and 8.

Senate Bill 986 with House Amendment 1.

Senate Bill 1016 with House Amendment 1.

Senate Bill 1048 with House Amendment 1.

Senate Bill 1060 with House Amendments 1, 2 and 3.

Senate Bill 1119 with House Amendment 1.

Senate Bill 1337 with House Amendment 1.

Senate Bill 1364 with House Amendment 1.

And Senate Bill 1380 with House Amendment 1.

All passed the House, as amended, June 25, 1991.

PRESIDENT ROCK:

Secretary's Desk. Message from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 67.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

It is congratulatory.

PRESIDENT ROCK:

Consent Calendar. Resolutions.

SECRETARY HAWKER:

Senate Resolution 591 offered by Senators Davidson, Weaver and all Members.

And Senate Resolution 592 offered by Senator Watson.

They are both congratulatory.

PRESIDENT ROCK:

Consent Calendar. Ladies and Gentlemen, we will begin on Page 6 on the Calendar. As I'm sure everyone is aware, it's Wednesday, June 26th, which is the deadline day for consideration of House Bills on 3rd Reading. So we will be on that order of business until we conclude. Starting at Page 6 with Senators Cullerton, Carroll, D'Arco, Luft, Jones and D'Arco. All right. If I can have your attention, please. Senators Luft and Hawkinson have some special guests to present to the Illinois Senate. The Chair will yield to Senator Luft.

SENATOR LUFT:

Ladies and Gentlemen of the Senate, I'd like to take this opportunity to have your attention so Senator Hawkinson...(machine cutoff)...provide you the ability to meet with the Farmington State High School Class A Softball Tournament champions. I represent Farmington; however, I think some of these ladies may live in Senator Hawkinson's district. This is the second time - yeah, we don't know where the district's going to be at the end of this month -- this is the second time Farmington has been awarded this honor. What I'd like to do is ask their head coach, Tom Wierzba, to introduce the group, along with the assistant coach - who does a lot of the work, I'm told - Chris Walker. So if Coach Wierzba could come up here and introduce the ladies, and as their name is read off, if they'd just raise their hand, we'd appreciate

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

it very much.

COACH TOM WIERZBA:

(Remarks by Coach Tom Wierzba)

SENATOR LUFT:

Thank you very much.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, we're going to begin on House Bills 3rd Reading. This is the final day for consideration of House Bills on 3rd Reading. So we'll go through this Calendar one time. Then there are four or five bills on the Recall. We'll do the recalls. And at some point, if time remains, we will get to the Order of Secretary's Desk, Concurrence, to deal with House action on Senate bills. Middle of Page 6. The middle of Page 6 on the Calendar. On the Order of House Bills 3rd Reading. 121. Senator Cullerton. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 1-2-1.

(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 bill prevents local authorities, road district highway commissioners and Department of Transportation from prohibiting the operation of non-commercial, second division vehicles under eight thousand pounds on a designated highway. What this is all about is that on, specifically, Lake Shore Drive in Chicago, they prohibit the small pickup trucks, which weigh under eight thousand pounds, from using it. Purpose of the bill is to try to allow them to do it. Some cars weigh more than eight thousand pounds -- I think as many -- as much as ten or twelve, and so that's the goal. Now, we did

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

put an amendment on, because the Secretary of State's Office wanted to look at this and see if it was necessary to have a -- a new classification for these vehicles. So we did put an amendment on. I understand that in the House, they will hold off on concurring with that amendment until they find out from the Secretary of State whether or not they have an objection to it. But that's what the goal of the bill is, and I'd be happy to answer any questions.

PRESIDENT ROCK:

Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

If -- if this goes into conference, are you -- are we going to add things to it, or are we just going to -- or have you got an agreement with the -- the House sponsor that he will accept whatever needs to be done?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Well, the House sponsor is a she - I believe it's Representative Currie, and this is not meant to be a vehicle for any other bill. It strictly comes out of a request, I think, from one of her constituents, with regard to the use of Lake Shore Drive and small pickup trucks. The only hitch is this issue of whether or not the Secretary of State wants to have a separate classification for the vehicles, and that's the only reason why it would be put into a conference. So that's my intent -- I'll state that publicly.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT ROCK:

Sponsor indicates he will yield.

SENATOR WATSON:

Thank you. Senator, does this preempt home rule?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

I was told that it did not by, again, the House sponsor. There's no language in the bill that does that. It's only one sentence long, and there's no preemption language.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Can you tell me who this affects then, if it doesn't preempt home rule in Chicago?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Well, my understanding would be that we're amending the Vehicle Code, and we're lifting a prohibition against these types of vehicles being allowed to be on this particular road. So I guess you could argue that it's permissive, and I guess that's the best I can do in terms of answering. I don't see any preemption language.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

Well, we hear from our township officials and our county

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

superintendents of highways about the weight limits on township and county roads. Does this have any impact on -- on that, Senator?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

No. It's very specific. It says -- I'll just read the whole bill for you. "For purposes of this subsection, all motor vehicles registered at eight thousand pounds or less shall be considered the same type of motor vehicle." And -- and that would be in the Section that just authorizes vehicles to drive on particular types of highways. They are multi-lane, controlled-access highways with three or more lanes in one direction, or on any multi-lane highway with two or more lanes in one direction. And that's -- that's the -- that's the Section that this would affect.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

Well, Senator, you mentioned the Lake Shore Drive, and -- and wouldn't that be under the authority of the city, and -- and shouldn't this then have preemption in it?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Well, that is -- my understanding is that that's a State highway, and you know, if you want me to, I could take this out of the record. I can answer that question for you. I will check with the House sponsor, and we -- if we come back to this order, since it is the last day --

PRESIDING OFFICER: (SENATOR COLLINS)

Take it out of the record, please. House Bill 244. Senator

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

D'Arco. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2-4-4.

(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 2-4-4 is a vehicle bill at this point. Senator Maitland, yesterday, got up on the Floor and suggested that he was against the bill. Well, I'm against the bill too, in the way it was constituted, and I don't want that particular provision in the bill any more than he did. Negotiations are going on at this present time regarding this concept, and the idea is to get it into a proper posture, so eventually we can do something for the citizens of the State of Illinois.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Madam President. I rise in strong opposition to this bill. I also was opposed to the content of the original bill. It now is a vehicle, but I will say that there are other bills -- there are plenty of other bills out there that could be used to amend. And I -- I think we have plenty of vehicle bills that are appropriate and available for this particular piece of legislation if it should be put on some other piece of legislation. So I would strongly oppose this bill, and ask for its defeat.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Thank you, Madam President. Just to clarify the issue a little bit. I, too, Senator, as you know, probably have some opposition to this, but I think that -- that under the circumstances, what you're asking is to -- just to move it along, and unless there's an agreement, we won't see this thing again. Is that correct?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco.

SENATOR D'ARCO:

Well, the -- the -- the original -- the original bill that provided reporting requirements for utilities, in case of outages, is absolutely unacceptable to everyone. There's no question about that. The issue is whether we're going to pay people that have damaged goods some compensation for these outages, if the utility is at fault. That's the simple concept that we're dealing with here. All the other language in this bill is superfluous and unnecessary, and should be totally eliminated from the bill. That's what this bill is all about. I don't know of anybody that should oppose that concept. It's a -- it's a good concept. It says if people have damaged goods - tangible, damaged goods - foodstuffs - and the utility is at fault because of a power outage, they should compensate the people. That's exactly what they did on the west side of the City of Chicago. When those people suffered damages, Commonwealth Edison paid those people compensation for the amount that was damaged. That's simple enough. That's all we want to do. All the -- all the other superfluous language in the bill is extraneous and should be removed, and nobody wants to have it in the bill. Now we're getting into this big debate about vehicles, and what this bill does, and there's other vehicles there, but this is what the bill is all about, and I want to keep that concept in this bill. I think that's reasonable.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Senator, and I -- I agree with that. That -- there -- just so I can get it clear in my mind. There was also a concern in committee as to the -- the outages in the four hours and how they're going to keep track of that. Is that now out of the bill, and we're just strictly talking about the payment of damages that can be proven to be caused by the outages - is that correct?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco.

SENATOR D'ARCO:

There were two concerns. One was that the utilities - the downstate utilities and Commonwealth Edison - were going to have to put in three-hundred-dollar meters to monitor the outages that occurred. That is absolutely out of this bill. Nobody wants any utilities to add any expense to their already debt service. The other concept was this four-hour deal. That's out of the bill. I mean, we want to make the bill as simple as possible. Simply to say if peoples' goods are damaged because of an outage that -- that's caused by the fault of the utility, they should be compensated. That's what Commonwealth Edison did on the west side of the City of Chicago.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President -- or Madam President, Ladies and Gentlemen of the Senate. I also rise in opposition to this legislation as a vehicle. What the -- in all due respect to the sponsor, the three-hundred-dollar meters are out, as you say. The four hours are out, and it's simply to pay damages for outages caused by the utilities. Well, they already do that. And they

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

can do that now through small claims court, and this is unnecessary, and it's not the time of the year to have these types of vehicles out. So I hope we can defeat this legislation.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco, to close.

SENATOR D'ARCO:

Well, you're right. You're right. They already -- they did do that. Yeah, you're right. But the point is, the only reason they did it is because the pressure was on to pay these people compensation. That's the only reason they paid the people on the west side. If there wasn't public pressure that caused them to make those payments, they would have never paid those people. We -- we just want a simple law that said, "Hey, it's your fault. You caused the damage. You pay for the tangible goods that are damaged." It's -- it's very simple, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 244 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 27 Ayes, 30 Nays, none voting Present. Having failed to received the required constitutional majority, House Bill 244 is declared lost. Postponed Consideration? House Bill 298. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2-9-8.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Thank you, Madam President. House Bill 298 provides that cities or counties that establish enterprise zones shall have the authority determined by Statute whether all property or just some property shall receive building materials exemption for incorporation in enterprise zones, and as amended by Senator Cullerton, sets up a procedure for taxing sports figures' salaries when they are performing in the State of Illinois.

PRESIDING OFFICER: (SENATOR COLLINS)

Any discussion? If not, the question is, shall House Bill 298 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 298 is declared passed. House Bill 562. Senator Jones. Read the bill. Senator -- Senate -- Senate Bill -- House Bill 580. Senator D'Arco. Read the bill, Madam Secretary

SECRETARY HAWKER:

House Bill 580.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you. Madam President, this bill is another vehicle bill, but this bill -- this bill is for the IRAPP legislation, if we need it. And I don't know of any opposition to this bill. Commonwealth Edison doesn't care about this bill. It's for poor people. They don't care about it.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Macdonald.

SENATOR MACDONALD:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Thank you, Madam President. Well, I do care about poor people, and I do think that this vehicle bill is necessary, and I think it's a great bill, and I hope you'll vote Yes for it.

PRESIDING OFFICER: (SENATOR COLLINS)

The question -- Senator D'Arco, to close. Senator D'Arco. Are you on -- you have difficulty?

SENATOR D'ARCO:

Roll call. Roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 580 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 580 is declared passed. In the middle of Page 7. House Bill 760. Senator Berman. House Bill 801. Senator Jerome Joyce. J.E. Joyce, I'm sorry. Jeremiah Joyce. House Bill 969. I'm sorry. House Bill 841. Senator Jerome Joyce. Read the bill.

SECRETARY HAWKER:

House Bill 841.

(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 841 amends the Historic Preservation Act to exempt projects that are licensed by a State agency from notification and approval requirements of the Historic Preservation Act. This is -- this is brought to me by the Homebuilders Association. They are maintaining that it takes so much time and money that it adds about approximately a thousand

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

dollars to the cost of a home to get this built. Also there is an amendment from the CDB saying that it has to be economically feasible - the alternatives. So it's somewhat controversial. In fact, it's very controversial, and the Homebuilders and -- and the State Preservation Agency have been trying to work something out, and so far they haven't. This is the Homebuilders' original bill, and if -- and the Governor's Office would like me to state that it's their intention to continue to try and work things out through the administrative rules process. Be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR DEL VALLE:

Does the cost/benefit calculation in rehabilitation projects - does this apply only to situations where State funds are involved?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Okay. No, it's only -- no -- no State funds. It's where the State has to issue a permit. That's -- that's what it's doing. It's a private undertaking. It's if you're building a home. You have to get a permit from the Historic -- or from the -- what -- Archeological -- and -- and then the Historic Preservation Act. And the Homebuilders maintain that it takes so long to get this done, and the cost that it -- that it adds to the price of a home.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator del Valle.

SENATOR DEL VALLE:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

The Capital Development Board has indicated to me that this does not affect private developers with Historic Preservation concerns. So that -- that statement is not accurate?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Well, would you repeat that. I -- I don't think it's accurate, no.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator del Valle.

SENATOR DEL VALLE:

The sponsor has answered my question.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. -- Madam President, Ladies and Gentlemen of the Senate. I -- I rise to speak in favor of this bill, because currently the Historical Preservation group does not evaluate State projects with regard to financial consideration. And I think this bill will consider the economic impact of its decisions and proposed State projects, and I think that's a very necessary item. So I speak in favor of the bill and support it.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. I also rise in support of this legislation. What happened several years ago -- we passed a bill that said that -- and required that an archeological study be done on property before development. And what's happened is its broad brush has gone through here as far as the interpretation of the legislation, and the intent differs considerably. What's happened is the small homebuilders and developers now have to have a archeological study

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

done on each -- each lot that they build a -- build a home. As a result, as the sponsor says, this -- this ties up the -- the development for a -- a long period of time. It's very costly. If you find an arrowhead or a piece of pottery or something like this on the property, further studies have to be done. So this was never really the intent of the legislation originally, and all this does is clear up that -- that concern, and I rise in support of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. Question, Senator Joyce. I wasn't quite clear, Senator Joyce, whether the -- the Homebuilders have signed off of this, or whether there are still some that are opposed to it. Can you clarify?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. Senator Weaver, this is the Homebuilders' bill. This is exactly what they want. It's not what the Historic Preservation Agency wants. You know, they've tried to negotiate, to no avail. So this is the Homebuilders' original bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition, in part, I guess. I'm opposed to Amendment No. 2, and I have been advised, as a matter of fact, in a phone call quite early this morning, that had this amendment been in place, there probably would not - Senator Davidson, there probably would not - have ever been a purchase and restoration of the Dana Thomas House, because this says that the Capital Development Board

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

can only do this kind of stuff if it's economically feasible. And by nobody's imagination was the Dana House purchase and restoration economically feasible. It was the right thing to do, but under this new-found authority or new proposed authority by the Capital Development Board, it simply would not have happened. I am advised that the Historic Preservation Agency is violently opposed to this amendment. I have suggested to Senator Joyce that -- that perhaps it would be in everybody's best interest to try to get the representatives from the Historical Society and the Landmarks Preservation and the Homebuilders all to sit down in a little room and say, "Look it. You know, don't -- don't present us with problems that you feel are insoluble, because our judgment is they're not insoluble." And I think that's the -- I -- so I'm going to withhold my vote on this.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Madam President, Ladies and Gentlemen of the Senate. Having been involved in this issue at the beginning, because it starts life with a bill that I introduced about two or -- two to four years ago, in terms of trying to save Illinois' heritage, in terms of its background and primitive peoples and things of that sort. We have sat down with the Homebuilders extensively, and very fair compromises have been worked out. Each and every one of these compromises has been rejected, and new bills have been put in, or new amendments have been put onto bills to exempt them totally, so that they are not part of the process. I think the Illinois Department of Historic Preservation has bent over backwards in trying to achieve a fair permitting process - one that could turn around quickly - one that would not impose any type of problematic time periods for these people. But they would still rather go the hard-ball approach and shove something through

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

this. I would point out, it does put Illinois' history at risk, and everybody makes their choice accordingly.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Madam President. This would, in fact, make history for the State if we would not do something as suggested in House Bill 841. What we're talking about is are we going to support housing starts or, as it is now, housing stops? All of those on the other side of the aisle, as well as those on this side of the aisle, are for, I'm sure, keeping government out of stopping and sticking its nose into things. This bill does exactly that. If you want to lessen government's involvement in private projects, you would vote Aye for this. I just hope we have enough to pass this bill. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

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

SENATOR J.J. JOYCE:

Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 841 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 39 Ayes, 6 Nays, 7 voting Present. Having received the required constitutional majority, House Bill 841 is declared passed. House Bill 969. Senator Jones. House Bill 1092. Senator Lechowicz. Senator Keats, for what purpose...

SENATOR KEATS:

Thank you, Madam President. On that last bill, I guess I'd just gotten rusty hitting my switch. I did not vote. Had I --

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

had it gone right, I was voting Yes.

PRESIDING OFFICER: (SENATOR COLLINS)

The record will so show. House Bill 1196, on the Recall List. House Bill 1216, Recall List. House Bill -- at the bottom of Page 7 -- House Bill 1220. Senator Rea. Top of Page 8. House Bill 1282. Senator Friedland. I mean 1288. I'm sorry. House Bill 1297. Senator -- House Bill 1312. Senator D'Arco. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1312.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you. Madam President, 1312 requires the disclosure of utility payments, paid in rent, to be made to tenants. It requires the landlord to provide tenants and owners, in writing, the formula used in allocating public utility payments among tenants. And it provides other -- other things, but basically, that's it, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1312 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 1312 is declared passed. House Bill 1352. Senator Hawkinson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1352.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hawkinson. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. This bill was suggested by the Department of Public Aid and provided for direct child support payments through the clerks to the Department. However, there have been some concerns raised at the last minutes, so yesterday we amended this bill to make it strictly a shell bill, with the intention to send it to conference committee and -- and wait a possible agreement between the Department and the county clerks. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1352 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 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 1352 is declared passed. House Bill 1449. Senator Macdonald. Read the bill.

SECRETARY HAWKER:

House Bill 1449.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Madam President. House Bill 1449 is the result of long negotiations between the Department of Nuclear Safety and also the utility companies. This continues the funds - the tipping funds - that are necessary to carry on the inspection of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the thirteen facilities that are existing in the -- nuclear reactors that are located in Illinois. The -- the amounts are a compromise agreed upon by the Department and the utilities, and I would ask for your approval of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1449 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 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 1449 is declared passed. House Bill 1478. Senator Leverenz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1478.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Madam President. The -- House Bill 1478 now does two distinct things dealing with park districts. The original bill, which was brought forth by people involved with park districts, allows for establishing a baseline requirement of twenty percent of the legal voters to petition the district for dissolution. And secondly, the amendment that we put on takes care of another glitch in the law, and that is where a term a person gets elected today, sworn in, and a month later, resigns. It provides for the filling of that vacancy. Answer any questions you might have. Ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Geo-Karis.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR GEO-KARIS:

Under your bill, you are taking the right away from the legislation that's already in -- in -- in effect to -- where two-thirds of the legal voters that voted in the last preceding park district election for the commissioner who receives the greatest number of votes, to vote to dissolve a park district. And what you're doing now - you're asking that at least twenty percent of the legal voters of a district, which is a much larger number than those that vote in park board elections, be gotten before you can dissolve a park district. Mr. President and Ladies and Gentlemen of the Senate, I think that this is an awful onerous amount of voters. I think we should leave the -- the law the way it was. I don't think this is good legislation, to crimp the style of voters, where there's park districts that spend so much money. They are a governmental entity in themselves, and with this tax crunch that we have, I think it's necessary we tighten our belts, and I think the park district should tighten their belts, too. I speak against the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Well, this bill actually is a -- is a -- is a Park Association bill. It does two things. It -- it says that the number of voters needed to sign a petition to dissolve the park district would be at least twenty percent of the legal voters, which I think is a logical suggestion by the parks. I think there should be at least twenty percent if we're going to dissolve a park district. The other thing that the Park District Association

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

suggested was that if there is a vacancy -- there is a vacancy in a term of a -- of a Park District board member with more than twenty-eight months left in the term, but less than eighty-eight days before the next scheduled election, the person appointed to fill the vacancy shall hold office until the second regularly scheduled election, instead of having a -- another election. It just seems to me that, too, is logical. As Minority Spokesman on Local Government, I think we should support this bill. I think it's a good bill, and I think the amendment is good.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? I mean, Senator Leverenz, to close.

SENATOR LEVERENZ:

I thank you, Madam President. I agree with Senator Fawell wholeheartedly. Logic should rule in this case, and I would ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 1478 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 39 Ayes, 13 Nays, none voting Present. Having received the required constitutional majority, House Bill 1478 is declared passed. House Bill 1514. Senator Leverenz. Read the bill.

SECRETARY HAWKER:

House Bill 1514.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Leverenz.

SENATOR LEVERENZ:

I thank you, Madam President. The -- the bill now has the agreed amendment that we have put on, that is worked out with the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

EPA, establishing the procedures on the recycling of materials. Answer any questions that you might have on the bill, and ask for your Aye vote to pass this good, agreed piece of legislation at this time.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1514 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 1514 is declared passed. House Bill 1580. Senator Brookins.

SENATOR BROOKINS:

Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

For what purpose do you rise?

SENATOR BROOKINS:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR COLLINS)

State your point, please.

SENATOR BROOKINS:

I see that Senator Keats is back into the legislature after being ill, and that he had removed the -- Pate Philip's foot from his rear end, and we're just glad to get him back here.

PRESIDING OFFICER: (SENATOR COLLINS)

Welcome back, Senator Keats. Middle of the page. House Bill 1587. Senator Alexander. House Bill 1632. Senator Dunn -- Thomas Dunn. Read the bill.

SECRETARY HAWKER:

House Bill 1632.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Madam President. This bill would permit the Department of Corrections to conduct a pilot literacy program, and there is no -- no cost to this, unless we appropriate the money for it next year. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1632 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 59 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 1632 is declared passed. House Bill 1685 - on a Recall List. House Bill 1692. Senator Schuneman. Read the -- House Bill 1696. Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1696.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. This is a bill that we passed out earlier in the year with one additional amendment. What the bill does is require that electric utilities purchase electricity from public-owned hydroelectric producers at the wholesale rate. The purpose of the bill is to encourage a clean source of energy - that is, energy created by hydroelectric power - the power from water spinning fans at dams and creating electricity. An amendment to the bill also allows for Madison County to have a

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

hydroelectric power plant that is more than fifteen megawatts - up to eighty megawatts. These plants - should this bill pass - except for the Alton plant, will not go into effect -- will not be built and ready to work until the year 2000. About --

PRESIDING OFFICER: (SENATOR COLLINS)

Excuse me. Excuse me, Senator Welch. Can we have some order, please. The noise level is so high, I can't even hear up here. So will you please take your -- Senator Schaffer, will you please -- will you all please take your conferences off the Floor so that we can reduce the noise level in here, we can hear what is being said. I'm sorry, Senator Welch.

SENATOR WELCH:

Thank you. As I was saying, it will take eight years for the plants to be constructed and on-line, with the exception of the Alton plant, which is -- will be ready to go in about two to three years. We just went through a -- a conflict concerning energy in the Gulf. I think this is a proposal which will help us to be energy efficient; it's something that we should be moving towards. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. -- Madam President, Ladies and Gentlemen of the Senate. I rise in opposition to House Bill 1696, as amended. And for years around here, we have been hearing, at least the allegation, that we have, indeed, excess capacity. If we have excess capacity, what in the world are we doing engaging in this exercise for? As I understand the bill, and I am not usually subject to the importuning of the Illinois Manufacturers' Association, but it seems to me they have a very valid point - that we are -- will be incurring probably an extra fifty- to sixty-million-dollar cost on utility customers, which will be

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

spread just so we can engage in the exercise of building these plants and guaranteeing these plant owners a profit. And the question is, for what? Why are we doing this? Not necessary. Seems to me that the better discussion would have been, at this point in the year, that we ought to be talking about waste to energy facilities - not hydroelectric - waste to energy, so that at least there is some justification for the sale of that energy to a utility, that it is alleged, has excess capacity. This one, there is no justification, except profit to the person who builds the plant. I think this is a bad idea, and I would urge a No vote. You're talking about incurring additional, substantial costs that are going to be spread to your constituents and mine, for what? I urge a No vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Rea.

SENATOR REA:

Thank you, Madam President. I also -- rise in opposition to this bill, and especially at a time whenever we have the Clean Air legislation that's been enacted, and there -- in addition to not only having the excess capacity now - which has been explained - now is not really the time for the ratepayers to also pay for a new capacity. So I would ask that the timing of this type of this legislation is untimely and should be delayed.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I, too, stand in opposition to House Bill 1696. When the sponsor was in the process of trying to gather support for this piece of legislation, I told him I would oppose it because of the fact that the cost will eventually be absorbed by the consumers, and especially in my respective area. Let me point out to you a

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

letter I received from the Illinois Manufacturers' Association, signed by Mr. William Dart, stating that any way you cut it, this legislation proposal in House Bill 1696 will result in an increase in cost for the utilities which, by the very nature of the beast, will be passed on to the consumers. And that and the people that IMA represent are big users and the big losers. If the concept to advocate is valid, there is no reason why it should be subsidized by the ratepayers. And he also indicated a 2.5 million dollar profit for the clients based on each ten megawatts of power. Right up front then, the ratepayers are going to absorb that cost of profit for -- to -- the consumer. Then based on a growth, you indicated of an average of ten megawatts of power on line per year, over the next six -- seven to ten years, we would see electric consumers ultimately picking up an additional fifty to sixty million dollars per year of their profit going to the clients. I think President Rock is absolutely right on target when he mentioned that figure. I just wanted to say that exactly where that figure came from, and I would hope that this Body would reject this cost increase to the consumers of Illinois. I encourage a No vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch, to close.

SENATOR WELCH:

Thank you. Well, let me answer some of the misinformation that just has been given by the last three speakers. Senator Rea suddenly stands up and is representing the consumer, because he doesn't want an additional, approximately fifteen cents a month added to a -- to a utility bill? This is the same fellow who -- who's going to raise a buck or two bucks a month for the coal bill. So it's kind of interesting that he's going to save us fifteen cents, but wants us to pay two dollars. Senator Rock's argument is that there's excess capacity. That's true. In 1991,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

that's true. These will not be on-line until 1999 or the year 2000. And if there's going to be excess capacity, then why do three out of the four utility companies have on file, with the Illinois Commerce Commission, a certificate of need stating that they will not have sufficient capacity eight years and nine years from now? They are admitting there will not be sufficient capacity. Why do they then oppose a bill that will generate more capacity? The obvious reason is that they want to build more nuclear power plants, because the more you build, the more capital you have in your company, and then you can raise rates based on the amount of capital. So to say that we have excess capacity now only tells half the story. This is a bill looking towards 18 -- 1999 and the year 2000. The lead time on this is -- is tremendous. As far as the cost - it may cost fifteen cents a month, but if you allow hydroelectric power to be created in the State of Illinois, you're going to save the cost of building a nuclear power plant. Each company wants to do more building. That's how they get more capital. That's how they get more money back from the Illinois Commerce Commission. If we avoid another nuclear power plant building fiasco that happened in the 1970s, we're going to save more than the fifteen cents a month. So I see this bill as saving consumers money, not costing consumers money. I think this is a good bill. I think that you can vote for this and say that you saved consumers money in the long run. We've got to think beyond the next year. We've got to think for the rest of the decade and the decade beyond. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall House Bill 1696 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 21 Ayes, 30 Nays, 1 voting Present. Having failed to receive the required constitutional

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

majority, House Bill 1696 is declared lost. House Bill 1733.

Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1733.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Thank you, Madam President. This bill is rather lengthy and technical. I'll try to get through it as fast as I can, and if there's any questions, I'll attempt to answer them. The first part of this bill restricts the investment capital tax of those assets that are dedicated to provide -- providing utility service, rather than the entire assets of a business. It exempts a building operator of an apartment or office building, who purchases or resells electricity to the tenants of the building, from paying the investment capital tax base. We allow employers to file forms W2 and W2P via magnetic tape. Records from optical disc storage are considered to be original documents. Enabling language is added to permit taxpayers to file by electronic fund transfer. The bill specifies that the investment capital tax shall not be imposed on any entity that is not regulated by the ICC. Revises the deadlines for filing a copy of ordinance imposing a home rule sales tax. Specifies that property used in Illinois by a business that has moved into a state shall not be subject to use taxes, if such property was used in another state for at least three months. Excludes the circuit breaker checks sent by the Comptroller. Any requirements that a mailing of fifty thousand -- or more contain CUB. The bill also reduces the number of interest rates and penalties imposed by the Department of Revenue to seven penalties and one interest rate. That one

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

interest rate will be the present ten percent IRS underpayment interest rate -- the rate is now ten percent. And we specify in the bill six different penalties for fraud, negligence, failure to file, failure to pay, and failure to file. I am also asked to read in, for legislative intent, the following: The definition of reasonable cause for an audit deficiency penalty will be easier for a taxpayer to meet than the standard for a negligence penalty. And since 1986, there has been an automatic penalty applied to audit deficiency findings. The Department has agreed - the Department being the Department of Revenue - has agreed to reevaluate the whole concept of the automatic penalty if monitoring by the Department finds that it fails -- falls inordinately and unfairly on taxpayers who have neither the time nor the resources to protest a penalty. And finally, the Department will strongly consider rules that would delay the imposition of the automatic penalty, unless and until there is an administrative hearing. I'd try to answer any questions. Otherwise, I'd ask for a favorable vote on House Bill 1733.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Rigney. No. Further discussion? If not, the question is, shall House Bill 1733 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 1733 is declared passed. Top of Page 9. House Bill 1776. Senator Rea. Read the bill.

SECRETARY HAWKER:

House Bill 1776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Rea.

SENATOR REA:

Thank you, Madam President. I would ask for leave to be able to return back to House Bill 1776.

PRESIDING OFFICER: (SENATOR COLLINS)

Leave -- Senator Rea asks leave. House Bill 1838. Senator Luft. Senator Luft. Read the bill.

SECRETARY HAWKER:

House Bill 1838.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Luft.

SENATOR LUFT:

Thank you, Madam President. This bill affects the Village of Carol Stream, and it just simply revises the requirement regarding -- contributions from -- from sources other than property taxes. Apparently, the Village of Carol Stream did not levy a property tax and wishes to meet the ten-percent matching contribution from sources not generally associated with funds that were TIF-generated revenue. So we just allow them to use revenues that were not originally designed to meet the ten-percent requirement. Senator Jacobs put amendment on which clarifies the existing initial application, and after a certain time, I believe that there is no ability to make an objection to the creation of that district after a certain period. I again will attempt to answer any questions. Otherwise, ask for a favorable roll call on House Bill 1838.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1838 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the record, Madam Secretary. On that question, there are 57 Ayes, 1 voting Nay, none voting Present. Having received the required constitutional majority, House Bill 1838 is declared passed. House Bill 1910. Senator Kelly. House Bill 1918. Senator Jacobs. House Bill 1935 on Recall List. House Bill 1960. Senator Brookins. Read the bill.

SECRETARY HAWKER:

House Bill 1960.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Madam President. Senate <sic> Bill 1960 is a vehicle bill. We've added an amendment to it to send it over and send it -- put it in conference. I ask a Do Pass motion.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 1960 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 58 Ayes, no Nays, 1 voting Present. Having received the required constitutional majority, House Bill 1960 is declared passed. House Bill 1971. Senator Jones. Read the bill.

SECRETARY HAWKER:

House Bill 1971.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Madam President and Members of the -- of the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senate. House Bill 1971, as amended, is a -- a bill to deal with -- with the cleanup we may need as relate to all the various licensure acts that are currently on the book. It's a vehicle bill to deal with that as well as -- we have in the Reference Bureau language being drafted to deal with the problem we have as it relate to counselors, as relate to foreign immigrants in this country. This is what this bill is for, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 1971 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 53 Ayes, no Nays, 1 voting Present. Having received a required constitutional majority, House Bill 1971 is declared passed. House Bill 1995 on the Recall List. House Bill 2022. Senator Karpziel. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2022.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. House Bill 2022, as amended, will allow the Department of Nuclear Safety to recoup any possible expenses that they incur in, not necessarily the -- the material on -- on the Kerr-McGee Factory site, but at -- on the off sites that are around in the town. This will allow them to get Kerr-McGee to pay them. They can charge a -- a fee for their costs in monitoring or cleanup.

PRESIDING OFFICER: (SENATOR COLLINS)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Discussion? If not, the question is, shall House Bill 2022 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 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2020 <sic> (2022) is declared passed. House Bill 2118. Senator Brookins. Read the bill.

SECRETARY HAWKER:

House Bill 2118.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Brookins.

SENATOR BROOKINS:

Thank you. Thank you. This bill is an agreement between the Community Bankers Association and the Treasurer's Office. The bill would allow banks in Cook County and contingent counties to have an additional six automatic teller machines, if three of those machines are located in low-income areas in Cook County. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

I -- I -- I think I'm correct, and I wish to pose this question to Senator Brookins. And that is, that this is only applicable now in the County of Cook. Is that correct?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Brookins.

SENATOR BROOKINS:

Yes. That is correct.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

2118 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, 1 Nay, 3 voting Present. Having received the required constitutional majority, House Bill 2118 is declared passed. House Bill 2125 is on the Recall List. House Bill 2134. Senator Joyce. At the top of Page 8. House Bill 1288. Senator Friedland. House -- top of Page 10 on your Calendar. House Bill 2149. Senator Savickas. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Madam Chairman and Members of the Senate, all House Bill 2149 does is require the Illinois Commission on Intergovernmental Cooperation to conduct public hearings on State mandate information under the Department of Commerce and Community Affairs' recommendations. I would move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall House Bill 2149 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 59 Ayes, no Nays, none voting Present. Having received a required constitutional majority, House Bill 2149 is declared passed. House Bill 2169. Senator Savickas. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2169.

(Secretary reads title of bill)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Savickas.

SENATOR SAVICKAS:

...the city on municipals. Yes. This House bill, as amended, House Bill 2169 -- the Department of Commerce and Community Affairs would maintain an index of all home rule notes filed, and shall annually publish the home rule notes prepared for bills that become law, and it defines the home rule note within the Municipal Code as a definition provided in the Home Rule Note Act. It was requested by our municipal council, and I would move its passage.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 2169 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, 1 Nay, none voting Present. Having received the required constitutional majority, House Bill 2169 is declared passed. House Bill 2227. Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2227.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Smith.

SENATOR SMITH:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 2227 merely authorizes the Comptroller to deposit Public Aid payments for Articles 3, 4, 6 and 10 recipients into electronic benefit transfer accounts. Establishes a five-year case management service pilot program for

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Medicaid-eligible, pregnant or pre-parenting girls under the age seventeen.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 2227 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 59 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2227 is declared passed. House Bill 2228 <sic>. Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2282.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Thank you, Madam President. In the interest of reducing the load on the Calendar, I move to re-refer House Bill 2282, as amended, back to the Insurance, License and Pensions Committee <sic>.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones has moved to refer House Bill 2228 <sic> back to the Insurance, License and Pension Committee <sic>. All in favor, indicate by saying Aye. Opposed, Nay. The motion carries. House Bill 2292. Senator -- I mean, House Bill 2295. Senator Cullerton. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2295.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill amends the Lead Poisoning Prevention Act. Lead, as you know, is a very potent poison that can affect individuals in any age group, but children are particularly vulnerable because of their rapidly developing nervous system, and they are also exposed to lead more than adults. In Illinois right now, we have sixty-seven thousand children who are screened by local health departments for lead poisoning, and there's twelve hundred cases of lead poison that are identified. Unfortunately, there is -- it's estimated that there are twenty-eight thousand preschool children in Illinois that have significant lead poisoning. So the purpose of this bill is to require physicians to screen children ages six months to six years for lead poisoning; to have the Department of Public Health establish guidelines for the removal of lead in the soil and residential buildings and day-care centers. The Department is supportive of the bill, and I -- think it's a -- it's an excellent bill that should help save some lives. So I would urge an Aye vote, and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Madam President. May I ask a question of the sponsor?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR TOPINKA:

Could you run through for us once more what Amendment No. 2 did to this bill, because Department of Public Health was totally on board and very supportive. Now they're a bit queasy, 'cause they're just not quite sure where you're going with Amendment No.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

2.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I -- I know that they did not have a chance to look at it, and -- but I -- I can -- I've assured them that I believe that it no way affects their support for it. But it -- the amendment was put on as a result of some discussions with the Homebuilders. And the first thing it did was to add dust to the definition of lead - dust on surfaces or on furniture or other nonpermanent elements of the dwelling. It also referred to a definition that is similar to the one that HUD uses for the purposes of lead. It talked about an integral element of these procedures shall be an education and training program prescribed by the Department, which shall include, but not be limited to, scientific sampling, chemistry, and construction techniques. And that amends that portion of the bill that deals with the Department developing guidelines towards prevention of this. So I -- I think that it's an amendment which is -- as I said, it was done at the request, after discussions with the Homebuilders, and the Department should not be in any way concerned about it.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR SCHUNEMAN:

Senator, this is my first look at this bill, but as I read our analysis, it indicates that day-care centers and schools apparently are going to be required to secure proof of lead screening. Is that -- is this a new provision and -- and mandate

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

on schools, that they require this information?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. They will have to show, before they are admitted, that they've had this screening. I believe it's done right now for certain types of diseases. I think you have to get - before you put your kid in a day-care program or a preschool program - you have to show that they have had immunization proof, and this is along the same lines.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, we're having a lot of difficulty in downstate Illinois keeping what few day-care centers we have and keeping our schools open. Will -- the parents, I assume, are going to have to get this screening and pay for whatever the cost is of the screening. Is that correct?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. It costs six dollars, and it's covered by Medicaid and private insurance coverage. And I understand, Senator, that you have to get -- you have to show proof right now that you have certain immunizations. And this is just right along the -- the same lines. So I don't believe in any way that it's a onerous burden on the parents. And as I indicated, there are -- it's estimated there are twenty-eight thousand preschool children who have significant lead poisoning, and we are only detecting twelve hundred of them. So that's what the purpose of the bill is - to try to detect, at an early age, the levels - high levels - of lead poisoning.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well -- okay. My concern about the bill, I guess, is that we are mandating another test on schoolchildren, and if it is warranted, I have no problem with that. It -- it's a Statewide requirement. I guess my impression of the lead poisoning usually is one that -- that deals with a child growing up in tenements and -- and really bad circumstances - bad living conditions which are more prevalent in the large cities than they are throughout the rest of our community. And I -- and I guess I have a concern as to why we're making it applicable everywhere in the State, when I really don't believe it's much of a problem in the part of the State that I live in.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton, to close.

SENATOR CULLERTON:

Well, let me just indicate that lead paint had been used up until 1978, and that -- so any housing stock that has -- built prior to that is likely to have had this lead poisoning or lead in -- in the -- the paint. And as a result, it -- it's something that can affect the entire State. And as I indicated, it's not a small problem. There are - as estimated by the Department of Public Health - twenty-eight thousand preschool children who actually have the poisoning. The only way to detect it is to screen it. It's not a -- obtrusive procedure. It's not an expensive procedure, and it's something which will obviously prevent the -- more people from obtaining the poisoning. So I think it's an excellent idea, and I'm -- I just very strongly urge your support and support the Department of Public Health in their support of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

The question is, shall House Bill 2295 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 41 Ayes, 6 Nays, 4 voting Present. Having received the required constitutional majority, House Bill 2295 is declared passed. House Bill 2362. Senator Luft. House Bill 2465. Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2465.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall.

SENATOR HALL:

Thank you, Madam President and Members of the Senate. House Bill 2465 amends the Head and Spinal Cord Injury Act. And what it currently reports -- that the administrators are made by hospitals within thirty days of the identification of head and spinal cord injuries. This amendment is a recommendation of the Department of Health. The purpose of the amendment is to lessen paperwork for the hospitals. The Illinois Hospital Association supports this amendment. I -- with -- with this bill -- supports the bill now, with the amendment on it. I ask your most favorable support of 2465.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not -- Senator Topinka.

SENATOR TOPINKA:

Yeah. Does this amendment now become the bill, or do you continue to have your nurse's aide registry in this, which you have not addressed?

PRESIDING OFFICER: (SENATOR COLLINS)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Hall.

SENATOR HALL:

If you're referring to the nurse's aide, it's still in there.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka. Further discussion? If not, the question is, shall House Bill 2465 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 2465 is declared passed. House Bill 2491. Senator J.J. Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2491.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Madam President. This is House Bill 2491. It deals with the infectious waste problem - trying to incorporate the Governor's Task Force recommendations. We put an amendment on here to delete the effective date, to pass it over to the House, and get it in a conference committee so negotiations can continue to go on. I'd ask for favorable support.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall House Bill 2491 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 58 Ayes, no Nays, none voting Present. Having received the required constitutional majority, House Bill 2491 is declared

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

passed. House Bill 2589. Senator Welch. House Bill 2592 - on the Recall List. House Bill 2611. Senator J.J. Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes. I'd like -- ask permission to refer this back to the Executive Committee.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Joyce has moved to refer House Bill 2611 back to the Executive Committee. Those in favor, indicate by saying Aye. Opposed, Nay. The -- the motion carries. Top of Page -- will -- will the Members just stand at ease for a few minutes, please?

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR COLLINS)

...(machine cutoff)...we began. We are going to go to the -- Order of Recall. We are getting the list together, and it will be down shortly. So, be in your seats and be ready if you have a bill on the Recall List. Senator Watson, your light is on. Are you seeking recognition?

SENATOR WATSON:

Thank you. No.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR COLLINS)

...(machine cutoff)...Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 593 offered by Senator Ralph Dunn.

Senate Resolution 594 offered by Senator Topinka, as is Senate Resolution 595 and 596.

Senate Resolution 597 offered by Senator Karpziel.

And Senate Joint Resolution 78 offered by Senator D'Arco and all Members.

They're all congratulatory and death resolutions.

PRESIDING OFFICER: (SENATOR COLLINS)

Consent Calendar. Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. I'd like to move for immediate consideration of Senate Resolution 597.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel moved to suspend the rule to have Resolution -- for the immediate consideration for adoption of Resolution 5-9-7. Is leave granted? Leave is granted. Senator Karpziel.

SENATOR KARPIEL:

Well, I'd like to have immediate consideration for -- of -- you know, Senate Resolution 597.

PRESIDENT ROCK:

All right. Senator Karpziel has moved to -- All right. Senator Karpziel has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 597. It is a congratulatory resolution. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Karpziel now moves the adoption of Senate Resolution 597. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution's adopted. Ladies and Gentlemen, we are awaiting the arrival of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the Recall List. There are one, two, three, four, five, six, seven, eight bills on the Recall List. Senator Welch, for what purpose do you arise, sir?

SENATOR WELCH:

A point of personal privilege.

PRESIDENT ROCK:

State your point.

SENATOR WELCH:

I'd like all of the Senators to pay attention for one second. Every year about this time we get inundated with paper on our desk, and this year we have a recycling bin we're going to put on each side of the Chamber. This is the one going behind Pate Philip. This is for white paper only, though. They're not able, yet, to take the colored paper. You can leave your staples and paper clips on there, but those of you who are environmentally conscious and do not want to see all of this filling up our landfills here Springfield, please put your white paper in the back of the Chamber in one of these white boxes. Thank you.

PRESIDENT ROCK:

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

SENATOR GEO-KARIS:

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

PRESIDENT ROCK:

State your point, please.

SENATOR GEO-KARIS:

It's my pleasure today to have visiting us, Marilyn Mauer from Peoria, Carilyn Testin from Plainfield, Mr. and Mrs. Floyd Krapf and Judi Keller. Mr. and Mrs. Krapf happen to be my secretary, Peg Booker's, mother and dad, and Marilyn and Carilyn are her cousins - they're twins. Judi Keller is her sister. And Marilyn Mauer is Senator Carl Hawkinson -- I'd like you to welcome them

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

here today.

PRESIDENT ROCK:

Will our guests please stand and be recognized? Welcome to Springfield. All right. Ladies and Gentlemen, we'll turn now to the Recall List. At the conclusion of the Recall List, we will go back through House Bills 3rd Reading for the last time, and then there has been a request to go, obviously, to the Order of Consideration Postponed. I think there are twelve or thirteen matters on that list. Then, time -- time permitting, we will go to the Order of Concurrences to handle the substantive bills on Concurrence. The budget summiteers indicate they're not quite ready to move on the budget bills. We turn to Page 6 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 5-6-2. Senator Jones 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 562. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Amendment No. 2 would turn the bill into a shell bill for continuing discussion with the State Board of Education concerning the legislation. I would move for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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

SECRETARY HAWKER:

Amendment No. 3 offered by Senators Jones, Collins, Brookins,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Alexander and others.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Thank you, Mr. Chairman -- I mean, Mr. President and Members of the Senate. Amendment No. 2 <sic> (3) is a permissive amendment, and what it does is give the local school 299, which is Chicago public schools, permission, if necessary, to raise this levy for education from 2.11 to 2.61. The amendment will give the authority to the Board, if they so desire, to increase its educational tax levy for the purpose of education. That's what the amendment does.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Cook, Senator Raica.

SENATOR RAICA:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR RAICA:

Senator Jones, is this a fifty cents tax levy by the Chicago school system to the homeowners of the City of Chicago?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Senator Raica, we do not have the authority to raise the tax levy for the Chicago schools. That is left to the Chicago schools itself to do. What this -- what this legislation does is raise the ceiling. It does not raise the taxes - the ceiling, as such, and is left up to the local board to decide whether or not it wish to -- to increase its taxes to that level.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR RAICA:

That's like waving candy in front of a kid and asking them not to take it, or trusting in his best nature that he won't take it. I think this is a bad idea. I don't think we should allow them to do it, and I'd hope that we can ask for a No vote on this.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

I rise in strong support of this amendment. Maybe it is not the best idea, but I haven't heard any other ideas around here. It's very, very strange to me that someone can criticize the efforts of anyone in this Body to find and provide the opportunity - and that's all this amendment does - to the Chicago School District in order to -- to get the necessary resources to open the school and to -- to implement the reform that all of you supported and urged and demand that take place in that system, and at the same time, provided no additional dollars in order to make sure that that reform was, in fact, successful. To have laws on the books without the adequate resources in order to fund the necessary new programs to carry out the objective of the intent of the -- of the Reform Act is a waste of time, and that's all we're doing. We're saying that we have no other alternatives. Let that decision be made at the local level by the Board. We're not raising taxes. We are providing the opportunity, and this is a good amendment, and I think it should be adopted.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I rise in opposition to this. The School Board -- Chicago School Board of Education can, if they wish, raise -- the maximum rates can be raised to four dollars, if -- by referendum. This is a way of bypassing the referendum

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

process and letting the people decide whether or not they want their property taxes raised. This is just a way of increasing the maximum rate by which the Board can, without referendum, raise everyone's property taxes, and I think that's something that we generally in this Legislature are opposed to. And I would urge a No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones, to close. Excuse me. I'm sorry. You just put your light on. Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise in support of this legislation. Yes, we say bypass a referendum and give them the authority to do it right away if they want to, because we don't have time for a referendum. We're talking about closing schools and schools closing all over the City of Chicago in September. I ask for a favorable vote on this. I think that we have been in meetings this morning with over seventy-five to eighty representative from across the City of Chicago that said to us, "Do something. Do it now." This is a solution to that question. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

WGN-TV requests leave of the Body to videotape its proceedings. Hearing no objection, leave is granted. Might as well give Channel 5 the same opportunity, WMAQ-TV. Senator Jones, to close.

SENATOR JONES:

Thank you, Mr. President, Members of the Senate. As I indicated in my opening remarks, this is permissive legislation. We've heard all the talk about Chicago schools, but one thing we have not talked about is revenue. Those of you who -- who represent districts in the suburbs and downstate pay a very high tax rate for education. The City of Chicago educational tax rate

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

is one of the lowest in the State for education. Many of the school districts across the State levy a tax for special education. Chicago does not. So the funds that come in for general education, many of those dollars are siphoned off to meet the federally mandated Special Education Program. Many of you levy a tax for transportation. City of Chicago does not. So all the money that is required in excess of the reimbursement they receive from the State comes out of the Educational Fund for transportation. And we just got through debating here last week on the safety tax. Chicago does not levy a safety tax. So for all the security and safety comes out of the general Education Fund. It is a disgrace for the over four hundred thousand children in Chicago public school system that is drastically underfunded, and you who represent districts who pay a very high rate for education but will not even fight for -- to lift the ceiling to give the Board the authority to do so. We are in the waning days of this Session. I see McCormick Place. I see all the deals being cut. I see the ship getting loaded. But we do not intend for that ship to leave the dock and leave the Chicago schoolchildren sitting there waiting for someone to do something for them. This is permissive legislation. It gives them the power, if they so desire, to increase the educational taxes for Chicago public schools, and I urge a favorable vote. It is permissive, and you should be on this, because this is local control. If the local government decides they want to do it, then they have the power to do such, rather than being strung out by a cap that permit them to do what they should do to educate the children of the public schools. And I ask for a favorable vote on this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Amendment No. 3 be adopted. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

voted who wish? Have all voted who wish? Please take the record. On this question, there are 29 Ayes, 26 Nays, none recorded as Present. And the amendment's adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. On Page 7 appears House Bill 1196. Senator Rock seeks leave of the Body to return House Bill 1196 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. Read the bill, Madam Secretary. 1196.

SECRETARY HAWKER:

Amendment No. 5 offered by President Rock.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

President Rock.

SENATOR ROCK:

Thank you. I wonder if somebody on the other side can alert Senator Keats. This is the one we held over for two days awaiting his reappearance.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's alerted. Please proceed.

SENATOR ROCK:

All right. I have an amendment also, that is Amendment No. 5, that should meet with great favor, because it further limits the applicability of this proposed Statute of repose. It is an amendment to lines 18 and 19 that says very definitely that the term "harmful material" is only -- we're only dealing now with asbestos. And so, the disease is asbestosis, and we have eliminated dioxins or PCBs. It further narrows the scope of this bill. I know of no objection, and I would urge the adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Any discussion? Senator Rock moves the adoption of Amendment No. 5. All in favor, signify by saying Aye. Aye. Opposed. Amendment No. 5 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 6 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Keats. Any other amendments?

SECRETARY HAWKER:

Amendment No. 5 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

His was 5. So it would be 6 and 7.

SECRETARY HAWKER:

6, thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. -- Senator Jones seeks leave of the Body to return House Bill 1216 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Senator Jones. 1216. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. This is an agreed amendment. What it does is delete provisions concerning nurse advancement initiative and changes qualifications for the Director of the Department of Health and defines a "nurse" in terms of educational qualification. It also adds provisions

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

concerning a State Board of Health within the Department of Public Health. This has been worked out with the Medical Society, the nurses and the Department. And I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Who did you say was in support of this, please, one more time?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

The Medical Society, the Department of Public Health and the nurses. They all worked together and put in this together. If you'll recall in committee when we had this issue as relate to the board, this has been worked out. Yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Jones moves the adoption of Amendment No. 1 to House Bill 1216. All in favor, signify by saying Aye. Opposed. . Amendment No. 1 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. Located on Page 8 of the Calendar is House Bill 1685. Senator Brookins seeks leave of the Body to return House Bill 1685 to the Order of 2nd Reading for the purpose of an amendment. Okay. Senator Brookins, what -- Senator Brookins, please.

SENATOR BROOKINS:

Thank you, Mr. President. I seek leave of the Body to Table Amendment No. 2 to Senate -- to -- to

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

1685.

SENATOR BROOKINS:

1685. House Bill 1685.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman moves to Table Amendment No. 2. All in favor, signify by saying Aye. Aye. Opposed. Amendment No. 2 is Tabled. 3rd Reading. Located on Page 9 of your Calendar appears House Bill 1935. Senator Rock seeks leave of the Body to return House Bill 1935 to the Order of 2nd Reading for the purpose of amendments. Hearing no objection, leave is granted. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 -- Committee Amendment No. 2 was Tabled. It was -- it was adopted in committee, and when it arrived at the Senate, there was some technical problems with the amendment, and I -- and I moved to Table it. Senator Rock moved the bill to 3rd Reading with the understanding they would bring it back. What Floor Amendment No. 3 does is reinstitutes, basically, Amendment No. 2 in -- intact with respect to the three-hundred-and-fifty-million-dollar increase in the Build Illinois Fund to add two hundred and fifty million dollars for water projects for -- for Downstate Illinois, and also for a hundred million dollars for school district construction bond funds to be paid for out of the proceeds and the surplus out of the Purposes Fund by which the use tax that we created two years ago, under the Netsch reform bill, flows. And we've found that there is, in fact, a surplus, and we have a lot of competing

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

aspects, I guess, out there this year for that Fund, including the administration, McCormick Place and what have you. But originally, this money was for downstate water projects. That was the purpose of the -- of the Purposes Fund that we established at the time, and I would move its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Cook, President Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 3. And while I think it's fair to say I certainly don't have any problem with the concept of the amendment - as a matter of fact, I was one of more than 50 who voted affirmatively for that concept, that proposal, I think three years in a row now, and just recently, earlier this Session. I think it got out of here like 57 to nothing. So I don't have any problem with the concept. And in committee, it was discussed that we would try to put this on as long as it didn't do any damage to the underlying bill. Well, apparently now there is substantial damage, because the Governor of this State has said at least three times - as recently as last night - publicly, that he would not look with favor upon House Bill 1935 if, indeed, there were additional amendments reflecting proposed Build Illinois projects, and that's exactly what this is. Now, for some inexplicable reason, the House has chosen not to deal with this the last three times we sent it -- sent it to them. What they have sent us in return, as I understand it, is a Build Illinois alternative, dealing with the question of the construction of marinas. That's a House problem. It seems to me that -- that this amendment, as well as it is intended, does violence to House Bill 1935. And for that reason, as the sponsor of House Bill 1935, I would urge opposition or ask the Gentleman to withdraw it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Demuzio, to close.

SENATOR DEMUZIO:

Well, let me just point out that this McCormick Place bill would have never gotten out of committee had it not been for the adoption of Committee Amendment No. 2, which, in fact, is now Floor Amendment No. 3. You know, I find it amazing that the House now, in its inimical wisdom, has decided that somehow or other we ought to fund the downstate water projects out of legalizing video poker. Well, I find that idea to be repulsive. Let me remind you that two years ago -- that when we established this Use Tax Purposes Fund for the sewer and water projects for downstate, we gave Chicago every dime they wanted out of those proceeds that went directly to the municipality. We in downstate chose, in those counties that had less than three million, to put our money into a pot to develop the sewer and water projects. Now we've decide -- now we've discovered that there is a surplus in the Purposes Fund, and everybody now wants it. There was some discussion two years ago that perhaps we ought to give back to the municipalities the small amount of money to each one of those so that they could, in fact, get their use money to do whatever they wanted to. But we made the collective decision here to keep it and provide the additional bonding money that are necessary for water projects in downstate Illinois. And to suggest that now the video poker tax is going to develop the revenue that we need to -- for downstate water projects is just terrible. It's a terrible idea. This is -- this is money that we've put aside into this Use Fund. It is our revenue. I think it deservedly should be earmarked for sewer and water projects again, and I would move adoption of Floor Amendment No. 3.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio moves the adoption of Floor Amendment No. 3. All in favor, vote Aye. All opposed, vote Nay. The voting is

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 38 Ayes, 17 Noes, none recorded as Present. The amendment's adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from LaSalle, Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is increases the bonding authority by 42.9 million dollars to provide for additional funding from the same fund Senator Demuzio talked about - surpluses out of the Use Tax Fund - to provide for dredging and shoreline erosion projects and marina projects throughout the State of Illinois. Last June we had a list of projects that we were bandying about here throughout the House and Senate. They didn't end up being enacted into law, and most of them are backed with a few additional projects. Let me read some of the projects that we're talking about. They're in both Democratic and Republican districts. Dredging of Lake Galena, dredging of the SIU campus lake, dredging of Lake Decatur, dredging of the Illinois-Michigan Canal, a study of the feasibility of dredging and a site on the Illinois-Michigan Canal for a marina, a dredging of Hughes Lake, dredging and development of the Steamboat Basin Marina, dredging and development of the Alton Marina, dredging and shore development for the Joliet Marina, dredging at Lake De Pue, dredging and development of Lake De Pue Marina and dredging of Bruce Lake, along with a couple other projects that have been proposed but not yet put on paper. The idea behind this, number one, is that this is money that was meant for downstate water projects. All these projects deal with water. Secondly, the McCormick Place project is a project that is

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

a Chicago project. I think that the funding that is available should be made available for downstate projects as well. And for those reasons, I think that downstate is entitled to increase our tourism and our economic viability as well as the City of Chicago. If it's good enough for Chicago, I think it's good enough for downstate Illinois, and I would urge adoption of this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? President Rock.

SENATOR ROCK:

Thank you, Mr. President. Well, I rise in opposition to Amendment No. 4 and would point out that the Gentleman was reciting a list that will be before us, I guess, later this week. The House has already decided between the Demuzio version and the McPike version and they've chosen the McPike version, which is marinas around the world. That's the House's business. But that list is represented in an amendment to a Senate Bill that we will be dealing with shortly. I just think it's a mistake, if we're going to, you know, -- the logic doesn't compute. We are talking about a proposal that has people in Chicago paying additional taxes to support a Chicago project, period. And to somehow equivocate <sic> that with -- with this amendment simply doesn't compute. And I would urge opposition to Amendment No. 4.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch, to close.

SENATOR WELCH:

Well, I think, number one, there has been some question as to whether all the taxes will be raised in Chicago for the project. Certainly there will be additional taxes. However, the point that I think is the logical one is that when the tax was passed for the use tax and put into a Purposes Fund just a year or two ago, the idea was that these would be for downstate projects. Well, we didn't spend all that money, and the money is still available.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

When Senator Rock and some other Members up in the RTA district didn't get the money that they had dealt for on mass transit, certainly they made a compelling case here before the Senate and they got their way. Well, we made a deal for this money for downstate projects, and we would like to have it for downstate projects. That was a deal as sacred and as much to be honored as the deal for an RTA subsidy. So for that reason as well, I would urge an Aye vote on Floor Amendment No. 4.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Amendment No. 4 be adopted. All in favor, signify by saying Aye. Opposed. All those in favor, signify by saying Aye. Opposed. Noes have it. Amendment No. 4 is defeated. Any further amendments? Let's go. 5. You want a roll call? Question is, shall Amendment No. 4 be adopted. All in favor, signify by voting Aye. All opposed, by voting No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 27 Ayes, 26 Nays, none recorded as Present, and the amendment's adopted. Verification? Any further amendments?

SECRETARY HAWKER:

Amendment No. 5 offered by Senators Karpziel and Philip.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. This is the Schaumburg Convention Center amendment. Actually, it's really the International Convention Center, because it takes in -- Schaumburg, Hoffman Estates, Rolling Meadows, Elk Grove Village and Palatine are the municipalities that have been taxing themselves and contributing toward this convention center. They have now raised, with their own restaurant and hotel/motel taxes, sixty-percent of the cost of this project. They have been looking for the twenty million

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

dollars that was promised to them. I think they have been working on this for somewhat like seven years. They've worked at it. They've taxed themselves. They've put together a very good project. They've sold it to all these communities. The people there have been looking forward to it, and they were promised this money. They finally got their application approved. They were all set to go. They were told they were getting the twenty million dollars, and the last thing that the previous administration did as it was walking out the door was to give the money to someone else. The people in these communities feel very strongly that if a convention center can make a go anywhere, it can make a go in Schaumburg. And I certainly agree with that. I had some of the groups that came to lobby me for the McCormick Place expansion tell me they were disappointed that Schaumburg did not get their convention center money, because they would have used it for their more local and regional conventions and used the McCormick Place expansion for their national conventions. I think Schaumburg and those surrounding communities have -- should certainly get this monies. They worked for it. They were told they would get it. They deserve it. They can make a go of that, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Lady from Cook, Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I, too, rise in strong support of Senator Karpziel's amendment. As a matter of fact, I was one of the Legislators who talked to the previous administration the night before the appropriation was made to another convention center, having been assured that the International -- Woodfield International Convention Center would indeed receive money for the convention center. This is one of the most rapidly growing areas of Illinois - the whole northwest corridor. It could certainly

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

sustain a convention center and bring jobs and -- and improve the economy in the State of Illinois, and it is essential to have this convention center. And I would ask for your approval of this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? President Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in strong opposition and would ask the -- request -- if the sponsor would yield to a question.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates she will.

SENATOR ROCK:

Is this not the current law?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

SENATOR KARPIEL:

I -- I don't understand quite the question. You mean, is it not in -- it was approved and not funded - you mean, it's still there?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rock.

SENATOR ROCK:

It is, in fact, the current law, and this attempts, apparently, to appropriate money in -- in a substantive bill. I mean, even if I were sympathetic to Schaumburg's receiving this largess, which, in fact, I was, because I was one who voted for that purpose, this ought to be addressed to the 2nd Floor, not here. If you're attempting to appropriate twenty million dollars again, you can't do it in this bill. I mean, let's pick another bill. Have at it. This is the current law. This civic center has been authorized. All they're doing, I guess, is waiting for

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the State to fulfill its commitment. There's a lot of us waiting for the State to fill commitments on a whole host of things, but you can't appropriate twenty million dollars in a substantive bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator, I'm just -- I'm just trying to get this issue before, not only the Senate and the House, but before the second floor so that they perhaps remember. This was a different administration, of course, and so it's very difficult, but I'm trying to get the attention that these people were promised. And if this bill that we are now discussing, 1935, is a bill for economic development for the City of Chicago and the State of Illinois, I am just trying to put in here that the Schaumburg Convention Center is also a good economic tool. And -- it's late in the Session. There are a lot -- not a lot of other avenues or vehicles, and this is just my attempt to get what's due, frankly -- what's due Schaumburg.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Karpziel, to close. Question is, shall Amendment No. 5 be adopted. All in favor, signify by saying Aye. Opposed? Amendment No. 5 is lost. Any further amendments? Roll call. Question is, shall Amendment No. 5 be adopted. 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 26 Ayes, 29 Nays, 1 recorded as Present. Amendment fails. Any further amendments?

SECRETARY HAWKER:

Amendment No. 6 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Gentleman from Cook, Senator Cullerton.

SENATOR CULLERTON:

Withdraw Amendment No. 6, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He withdraws Amendment No. 6. Any further amendments?

SECRETARY HAWKER:

Amendment No. 6 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I'd like to first say that I am a supporter of the McCormick Place project. I do have a problem with the -- one of the taxes that's imposed, and these amendments are meant to address that problem. The problem is the so-called downtown restaurant tax. The problem is that it's not downtown and it's not just on restaurants. And this amendment that we have before us addresses the issue of the fact that the tax should apply -- or will apply to not only the restaurants that tourists go to, but also fast-food restaurants, hot dog stands, food that is ordered out, pizza deliveries that people get in their homes just because they happen to live within this district and -- as well as cafeteria food. So what this amendment does is simply to say that the restaurant tax should only apply to restaurants, where people serve food, not fast-food places and not take-out food. I think it makes the -- the tax a -- more of a so-called user fee, which is what is being proposed. The argument is that those who benefit from McCormick Place should pay for it. People who happen to live within this area who order food or who go down to the corner restaurant for -- a fast-food place for a lunch should not have to pay for McCormick Place. For that reason, I think it's a good amendment, and I urge its adoption.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise in opposition - strong opposition - to this amendment. And let me just say, as I'm sure everybody here is aware, that when the Fair and Exposition Authority Board was considering how to construct this proposal, it appeared to all of us then - and I think it's fair to say that they arrived at what they thought, given the proposals that they received for what they wanted to build - they arrived at a number. The number happens to be about nine hundred million dollars. And so it was thought, what -- what kind of debt service is necessary to support that kind of project. And so they literally went through, as we have done here many times, a proposed menu of taxes. And you'll recall that they were down here last year and there was some serious concern because a couple of the tax proposals to support this were thought to have been, at least by leakage, Statewide. And of course, the hue and cry went up loud and clear - "Oh, no you don't. Don't try to use State taxes to build something for the City of Chicago. My goodness, what a terrible thought." So we sent them literally back to the drawing board and said, "Oh, no, Chicago-only taxes, please. We want no State tax liability or risk in any proposal." And they came up with what they thought was a reasonable proposal, a proposal that is aimed at taxing the very industry that they are attempting to benefit - namely, the convention and tourism industry. This proposal deals, I am sorry to say, with -- with little shops like White Hen and Jewel Food and wherever you have a deli, and I don't know exactly how many conventioners wander into those stores, but I dare say there is no doubt that the restaurateurs in the City of Chicago benefit and benefit greatly. And so the restaurateurs have agreed - albeit somewhat

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

reluctantly, but nonetheless agreed - that, yes, they would be subject to a tax, and the -- the difference between the Cullerton amendment and what is proposed before you is that the projected revenue is firm. It is established. It is measured by the sales tax activity in that area, and we know that it's going to raise at a minimum eleven million dollars - probably more, but a minimum eleven million. There are no figures to support the Cullerton approach, except I have been told that there's roughly - you can count on about fourteen to fifteen million dollars Statewide -- Statewide. Those are the only numbers that are available. So the question is, do you go with what you know is a firm, projected number to literally underwrite this project, or do you strike out in a new direction, where you may wind up with a revenue stream against which you can't sell any bonds? I would urge, please, opposition to Amendment No. 6.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Rigney.

SENATOR RIGNEY:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR RIGNEY:

Do you agree with that eleven-million-dollar projection on lost revenue?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

I think we're getting a little confused between what amendment we're talking about here. This amendment does not have any deli tax or anything like that. This amendment deals with the restaurant tax, and it reduces its applicability to certain forms of restaurants. So the restaurant tax, I'm sure, will bring in

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

about eleven million dollars. This says it shall not apply to take-out food and to cafeterias and to fast-food places. It will probably reduce the revenues from eleven million down by about a third. So that's what this amendment does.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rigney.

SENATOR RIGNEY:

What is the guarantee in the bill as far as if revenues fall short? Is it the sales tax Statewide?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

I believe Senator Rock -- it doesn't have anything to do with the amendment, so go to the sponsor of the bill. Senator Rigney.

SENATOR RIGNEY:

Well, I think it does have something to do with the amendment, because if you fall short and this guarantee has to pick it up - that is assuming the guarantee is the sales tax Statewide - that puts an entirely different light on the issue.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

No, you're right. This amendment would reduce the amount of money that's raised, and the reason for the amendment, quite frankly, is I think it makes the tax more constitutional, if indeed it -- it's constitutional at all, because it's being sold as a user fee. Conventioneers don't go and order pizzas to take out; they don't go to McDonald's; they don't go to cafeterias. They go to the -- the fine dining restaurants, where there are servers. And that's what I'm trying to do - I'm trying to focus the tax on just those types of restaurants. If it reduces the income, my suggestion would be that they don't build quite such a large building. But that's up to them. I'm just trying to address this tax which is imposed on my district, Senator del Valle's

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

district and Senator D'Arco's district, exclusively.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Cullerton, to close.
Question is, shall Amendment No. 6 be adopted. All in favor,
signify by saying Aye. Opposed. Amendment No. 6 is defeated.
Any further amendments?

SECRETARY HAWKER:

Amendment No. 7 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Do we have Madam -- the same --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

No. 7. Give him the number.

SENATOR CULLERTON:

LRB number end with 04?

SECRETARY HAWKER:

This one ends with 05. The one you just -- was just defeated
was 04.

SENATOR CULLERTON:

Okay.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You withdrew the first amendment.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Okay.

SENATOR CULLERTON:

Now, Mr. President, Members of the Senate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

No. 7, Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

What this amendment does is to make the downtown restaurant taxing district truly a downtown district. As Senator Rock said, they started at -- they started with this district, and they needed a certain amount of money, so they just started going north and they stopped at Diversey which is 2800 North, and they went west to -- to Ashland, and they stopped there when they had enough money, and that's the size of the district. But the fact of the matter is, a true downtown restaurant district would be North Avenue on the north and Halsted on the west. And that's the area that the hotels are located; that's the area where people would -- who are conventioners would go to eat. And I think, to -- to make the district a true downtown district is -- also makes the bill -- the tax more constitutional. And so that's what the amendment does. It shrinks the area. When you have the large area up to Ashland, as you'll hear from Senator del Valle, it really picks up a lot of poorer areas, again, where people just go into a little corner restaurant and they're end up, inadvertently, paying for McCormick Place. I don't think it's fair, and I think the amendment would be fair.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The -- the Gentleman from Cook, Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I rise in strong support of this amendment that, as Senator Cullerton indicated, the district goes too far west. It's not truly a downtown restaurant tax district. It's a district that goes well beyond that. It captures a lot of small restaurants -- small restaurants that will not, in any way, directly benefit from the conventioners' business. And so I rise in strong, strong support of this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? President Rock. I'm sorry. Senator

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

DeAngelis. You just put your light on.

SENATOR DeANGELIS:

Does this take the Como Inn out of the taxing district?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

We just missed it, but Greektown is in.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? President Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in opposition to Amendment No. 7, which purports to reduce the geographic area that's subject to this tax. I think, again, as we learned last year, the Chicago Fine Dining Association and the restaurateurs got together and literally determined, as they can best determine, where the conventioners and the tourists dine. And I don't think it's fair for Senator Cullerton to suggest that the tourists and the conventioners don't tread north of North Avenue. Every time I've been up in that trendy yuppie area, there's been a lot of tourists around, and there's a lot of fancy restaurants. And I think the same is true with Senator del Valle's area. It is very trendy, and there's a number of restaurants right along Ashland Avenue that even I, myself, have been in, and it's a great thing for the tourists. The problem with this is, when you reduce the area, you reduce the potential available revenue. And so I could harken back to Senator Rigney's point - as soon as you reduce the significant revenue, the funding -- the financing is in trouble. This district has been well thought out. If you look at Chicago Magazine, for instance, and turn to the back and learn where all the trendy restaurants are where we're all supposed to eat, John's got an awful lot of them in his district, and I would urge opposition to Amendment No. 7.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Jeremiah Joyce.

SENATOR J.E. JOYCE:

Thank you, Mr. President. I would like to make a suggestion, if I could, and that would be that we end this little charade, put all these amendments on with voice vote, and let's get on with the business. This bill is now going nowhere. We all know that. It's going to conference. I mean, what are we playing patty-cake here for the next hour and a half to go through this drill? It's not going anywhere. It's going to a conference. It's -- you know -- let's get on.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton, to close.

SENATOR CULLERTON:

Well, I agree with Senator Joyce that perhaps this is going to conference, and the problem is that when it comes back from conference, we may not have an opportunity to discuss these issues, and that's why I'm doing it through these amendments. I -- I understand that a lot of people use -- come into my district to eat, but I suggest that the area that they've drafted includes, as Senator del Valle said, 18th Street. There's a lot of fine Mexican restaurants over on 18th Street, but the "touristos" are afraid to go over there, and they don't go there. And I think that as a result, we are really having an area which is way too large.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You just lost Miguel, I guess. No.

SENATOR CULLERTON:

It's a misconception. They're great restaurants, but --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

I would believe it, yeah. Question is, shall Amendment No. 7 be adopted. All in favor, signify by saying Aye. Opposed.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Amendment No. 7 is defeated. Any further amendments?

SECRETARY HAWKER:

Amendment No. 8 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton, Amendment No. 8.

SENATOR CULLERTON:

Yes, I think this is something that should be accepted. The -- the restaurant district, the way it was defined, did not cover the operation of boats and the cruise ships that go out from Navy Pier. And clearly, they -- they are taxed now. There's a sales tax. I think they intended to have the restaurant tax apply to them. And as a result, this is just clarifying that it does apply to those boats that -- that definitely serve tourists.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? President Rock.

SENATOR ROCK:

I agree and will accept the amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Question is, shall Amendment No. 8 be adopted. All in favor, signify by saying Aye. Aye. Opposed? Amendment No. 8 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 9 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Withdraw the amendment, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman asks leave to withdraw the amendment. Hearing no objection, Amendment No. 9 is withdrawn. Any further amendments?

SECRETARY HAWKER:

Amendment No. 9 offered by Senator Cullerton.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Withdraw the amendment, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Withdraw the amendment. Any further amendments?

SECRETARY HAWKER:

Amendment No. 9 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton. You want to give him the number? Read him the --

SECRETARY HAWKER:

It ends in 18.

SENATOR CULLERTON:

Yes. This is an amendment which I think Senator Rock was referring to earlier. What this does is to replace the one-percent restaurant district tax with another tax, and the other tax is the prepared food tax. And I would just simply indicate that when we eliminated the sales tax on food and medicine, we left a loophole - a gaping loophole - which is a growing one. There are a tremendous number of sales of food that is prepared in grocery stores, White Hen Pantries and 7-Elevens, which are not taxed. They're taxed by the City, by the way, a two-percent tax, but they're not taxed by the State. And yet, their food that's prepared for consumption -- and you go into a White Hen Pantry and you order a sandwich, you pick out the items that you want on the sandwich, they make it for you - you only pay a two-percent tax. If you went across the street to a restaurant and ordered the sandwich to go, you'd have to pay an eight percent tax in Chicago. So what this amendment does is simply to close that loophole. It creates the prepared food tax. It's sometimes called a deli tax, but it really doesn't apply to all items sold

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

in a deli - just items that are prepared. And as a result, this then could substitute for the so-called downtown restaurant district tax. This tax is citywide, does not apply to the entire State, and I think it's a loophole that should be closed and this is a good opportunity to do so.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Again, I rise in opposition to Amendment No. 9 and there are a couple of reasons. One, the question is, those who bear the tax should -- should have some benefit; that there should be some tie between the industry, the project and the ultimate tax. Again, I find it very difficult to say that conventioners and tourists are somehow going to be trafficking at the White Hen or the Jewel Foods or whatever. Secondly, I will repeat again - and I apologize for the repetition - that the restaurant tax as proposed, within the district as proposed, is virtually guaranteed by all who have examined it to raise eleven plus millions of dollars to support this project. This tax - nobody seems to have a clue. The only indication we've had when we discussed it in the past was that somewhere around seventeen/eighteen hundred -- eighteen million dollars Statewide -- Statewide. So you would apply it to virtually every -- every one of those little convenience stores across the State, and it's a tax that we may well keep in mind. Maybe we want to fund the marinas out of this kind of a tax. But let me reiterate that the proposed financing for McCormick Place has been put into place, and I would ask us not now to tinker with it at this late date. And so I would ask for the defeat of Amendment No. 9.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton, to close. Question is, shall Amendment No. 9 be adopted. All in favor, signify by saying Aye. Opposed.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Amendment No. 9 fails. Any further amendments?

SECRETARY HAWKER:

Amendment No. 10 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton - withdraws the amendment. Any further amendments?

SECRETARY HAWKER:

Amendment No. 10 offered by Senators Philip and Jacobs.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this amendment would do would be establish a partial freeze on assessed valuation for Arlington Race Track. As you know, before the race track burned down, the assessed valuation was 1.2 million. Before they rebuilt it, as you know, the owners were looking at other locations - Wisconsin was one of the locations - they had worked an agreement out with local taxing bodies that it would not have to pay the full new assessed valuation of the new race course. Well, I don't know what happened to the agreement. It just didn't come to pass. On that premise, they rebuilt the race track and ended up with a 4.5-million-dollar assessed valuation, up over 1.2 million. What this does over a twelve-year period, it would reduce that to 2.4 million dollars. It is a tax break. I've been led to believe that the Cook County Assessor is in agreement with this, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Like to make a statement concerning Arlington Race Track and the things that we did here in

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Springfield concerning them and how they repaid the minority community and the other community that, number one, supported them, and also the Senators here that supported Arlington Race Track in their hiring program, in their affirmative action program and et cetera. I would think that before Arlington Race Track get anything out of here that naturally they would want to help the citizens of Chicago and the citizens of the State of Illinois that allowed them to be in Arlington Race Track after it was burned down and et cetera. And therefore, I would rise in strong opposition to anything going to Arlington Race Track at this time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Philip, to close.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think it's only being fair, making those local taxing body owned up to their agreement with Arlington Race Track. We could have lost Arlington Race Track. It could have been up in Wisconsin and probably would -- wouldn't have been if they wouldn't have worked out this agreement. I think it's fair. There's a lot of jobs, a lot of tax money. And quite frankly, I've been out there a couple of times myself, and it's probably the nicest race track - and I'm not a race track goer - that I have ever seen anyplace. And we ought to do something to help them, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Amendment No. 10 be adopted. All in favor, signify by saying Aye. Opposed. Amendment No. 10 is adopted. Any further amendments? Let's go. Any further amendments?

SECRETARY HAWKER:

Amendment No. 11 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR LUFT:

Would you withdraw that amendment, please?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman withdraws the amendment. Any further amendments?

SECRETARY HAWKER:

Amendment No. 11 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. In offering this amendment, I'd like to state that I think McCormick Place, through an evolutionary process, will -- and has a good possibility of passing this Legislature, and one of the problems that was raised by Senator Rigney was if the revenue would be strong enough to satisfy debt service. And one of the points, and to emphasize that point, I'd like to do -- is to offer this amendment to simply say that if the restaurant tax is invalidated by a court because of geographic limitations, then that tax should be levied at a constitutional rate and/or geographic region, which I'm assuming would then be the City of Chicago. It's an eleven-million-dollar income based on the geographic region set forth within the bill, and it's our estimate that citywide it would generate around twenty-four million dollars.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion on the amendment? Senator Rock.

SENATOR ROCK:

Well, I'm not particularly happy with this one, because it's kind of a left-handed admission going in that there's some question about the constitutionality of our proposed financing, and my judgment is there is not. And if, indeed, at some future date some court decides that part or all of this proposal is -- is not in keeping with the law, you know where the board's coming -

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

they're coming right back here. And I suggest that this is not only unnecessary, it -- it lends an aura of skepticism to the whole proposal. And I think we've got a firm proposal with a geographic and constitutional tax, and we ought to just go with it. So I would urge opposition to 11.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The Gentleman from Knox, Senator Hawkinson.

SENATOR HAWKINSON:

A question of the Chair, Mr. President. What are the last two numbers of this amendment?

SECRETARY HAWKER:

1-7.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Seventeen. And while we have a lull, Channel 7 WLS-TV requests permission to tape the proceedings. Hearing no objections, permission is granted. Any further discussion? Senator Luft, to close. Luft, to close.

SENATOR LUFT:

Thank you, Mr. President. I would only ask for consideration.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Amendment No. 11 be adopted. All in favor, signify by saying Aye. Opposed? Amendment No. 11 is defeated. Any further amendments?

SECRETARY HAWKER:

Amendment No. 12 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You want to give us the last two numbers, please, on 12?

SECRETARY HAWKER:

2-5.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft. 2-5.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR LUFT:

Thank you, Mr. President. This amendment mandates, rather than allows, the Authority to impose the taxes. The bill, to the best of our knowledge, does not say that the Authority does -- has to levy the taxes. In that case, the State would be paying the full amount. It also requires any surplus taxes to be paid into a special fund for early redemption of the bonds, and upon the retirement of those bonds, the balance goes to the General Revenue Fund of the State of Illinois.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, President Rock.

SENATOR ROCK:

Thank you, Mr. President. I, too, will accept this amendment, and I'd like to point out that there was some early discussion when the proposal was first floated, and the question was correctly raised by Senator Luft: We're giving them the authority to raise these taxes; what if they don't? And this mandates that if you have the authority and if you're going to proceed with this project, you have to impose the taxes, and I think it's a good idea. I would urge adoption of Amendment 12.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Question is, shall Amendment No. 12 be adopted. All in favor, signify by saying Aye. Opposed? Amendment No. 12 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 13 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. There are many people in this Body who think the expansion of McCormick Place is -- has merit. However, there's also cause for concern on who's going to pay for

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

it. Now, the bill as constructed has certain taxes in place that are responsible for the debt service of the bonds that will fund that expansion. However, there is cause to believe, on the part of some people, those funds might be inadequate. And if that be the case, there is in the bill another source of revenue, and that is the State Sales Tax Fund. This amendment simply says what you will use to fund the McCormick Place expansion - and you will create a fund with that name - is the sources of taxes that are in the bill, thereby requiring that those sources be adequate enough to fund that debt, thereby removing the fear of those people who feel that by voting for this bill as it is, they would be voting against other interests in the community. This bill requires -- this amendment requires that McCormick Place be paid for in the manner in which it was designed. I urge the adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion on Amendment No. 13? The Gentleman from Tazewell, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I only have one question of the sponsor, if he would yield, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR LUFT:

I think -- I think we're trying to reach the same accommodation, but I'm not so sure this amendment does it. Do you escrow this money from the -- put the money into an escrow account from the first year collections?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

You're talking about the monies that are raised in advance of the building, yes. That part still stays in there.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

When the taxes are imposed, the first year's collection, which should be around thirty-three million dollars, based on a three-percent growth, you're putting that money -- you are prohibiting any expenditures out of that fund for this -- for one year, and escrowing that thirty-three million dollars, if -- if that figure is correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't believe that the amendment does that directly, but it's the intent. Based on the way the bill is written right now, it will do that anyhow, and we don't mess with that.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Only to point out that I think we'll be dealing with this in a later amendment, and if you don't escrow the money, my suspicions would be you'd never be able to sell a bond until that money was in a fund somewhere at a year later.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The Gentleman from Cook, President Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a legitimate attempt to address a fear, I guess is the word, that was expressed in committee and I've heard expressed over the past week or ten days here on the Floor and in my office, that somehow the State would -- is subjecting itself to massive exposure of liability. The facts are otherwise, based on

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the taxes that are proposed and the projections that they carry with them. But I think the concern is a legitimate one. My question, Senator DeAngelis, is -- is not unlike Senator Luft's - I wonder if you would be kind enough to -- I mean, I'm willing to accept the amendment, as long as it doesn't do substantial violence. I -- my judgment is reading this as it is, I think you impact dramatically on the marketability of these bonds. And Senators Carroll and Luft have been meeting with Mr. Schmidt and Mr. Reilly in an attempt - at my request, by the way - in an attempt to allay or obviate that fear which you obviously share. I wonder if you would be kind enough to pull this one, with the guarantee that this question will be addressed - there is no doubt about it. I just -- I read this as impairing the marketability of these funds, and I know you don't intend that.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Rock, I think your request is very much in order, and I don't intend this to be a killer amendment. The fact of the matter, however, I do believe during the course of the negotiations - and obviously there are going to be negotiations - that this ought to sit up front as a reminder of what the intent of the Body is. So therefore, I'd really appreciate leaving it in there, knowing full well that at the end, if we are convinced that those revenue sources are adequate enough and there are guarantees that take away the constitutional questions that have been raised, then -- and this amendment would stand in the way of doing the bonding, I would then, at that time, contemplate withdrawing it. But up to that point, I think we have to, in this Body, be convinced - and I think this bill really is designed to help the cause, rather than to destroy it - because I'm going to tell you right now there are a lot of people that are not going to vote for

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

this bill unless they're convinced that this is correct.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, President Rock.

SENATOR ROCK:

Well, with your assurance that you will walk the aisle and convince everybody that you're correct, I'll take the amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Would you indicate to the Chair what your position is, Senator DeAngelis? The question is, shall Amendment No. 13 be adopted. All in favor, signify by saying Aye. Opposed? Amendment No. 13 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 14 offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Aldo, start walking. Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Before presenting this amendment, I would like to say that your list of proposed amendments is incorrect, in which it states that we are trying to somehow create two new civic centers in Danville. Actually, we are not. And with that, I would like to preface my remarks that this is a very similar situation to what the Senator Karpziel amendment was. The letters from DCCA were on the Governor's desk in December. These projects didn't make the certification list that came out in January, and I know, President Rock, your same arguments will apply certainly as is on Senator Karpziel's amendment, but I would move for its adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, Senator Rock.

SENATOR ROCK:

Thank you. I rise again in opposition to Amendment No. 14, and would literally repeat what I suggested to Senator Karpziel.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

This is current law. And if, indeed, the funding is not available, the right place to address that is down on the 2nd Floor, who's holding those funds in his hot little hand, and this is an appropriation in a substantive bill. And so, I would urge defeat of Amendment No. 14.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Woodyard moves the adoption of Amendment No. 14. All in favor, signify by saying Aye. Opposed? Amendment No. 14 fails. Any further amendments?

SECRETARY HAWKER:

Amendment No. 15 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Tazewell, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This amendment mandates that the refunding bonds that are mentioned in the bill, or the potential of refunding bonds, neither have a rate nor a term higher than the original bonds. What I was fearful of here is, for example, starting off with approximately nine hundred and eighty-seven million dollars, at a date later having bought down maybe three hundred million dollars, reissuing another three hundred million dollars, and increase the size and expenditures for the project. I think this is an agreed amendment. I'm not certain, but it just belays a fear that those would have for extending more bonds and/or refunding for perhaps other projects within the territory.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, President Rock.

SENATOR ROCK:

Yeah, I don't have any particular problem with this, except to say again I -- I'm not convinced that this doesn't make the original bonds less marketable than they otherwise would be. But again, this is -- apparently there is some rampant fear and

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

paranoia around here that the City of Chicago and its residents are somehow making the greatest land grab since the Louisiana Purchase and so, yeah, I'll take the amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Question is, shall Amendment No. 15 be adopted. All in favor, signify by saying Aye. Opposed? Amendment No. 15 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 16 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This amendment deletes all reference to Navy Pier incorporated in the bill and prohibits the use of McCormick Place expansion funds to be used for Navy Pier rehabilitation or development.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, President Rock.

SENATOR ROCK:

I don't -- I have not heard that there was any intent to use any of this money for anything other than the stated purpose: namely, the expansion of McCormick Place, the rehabilitation of the existing facility, the building of the galleria and the change in Lake Shore Drive. Again, in response to fear and paranoia and to shed light for all concerned, the answer is, yes, I'll take the amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall Amendment No. 16 be adopted. All in favor, signify by saying Aye. Opposed? Amendment No. 16 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 17 offered by Senator Luft.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

This amendment relates to some degree the amendment that Senator DeAngelis was trying to offer, and since I'm not sure that it is not in some way endangering the legislation, I think we know what the intent is, and I'll withdraw it at this time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman withdraws Amendment No. 17. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Now, let me just point out that the -- leave of the Body -- I asked the Secretary if Amendment No. 2, which was adopted in the -- in the Committee, was Tabled, and there was a question whether it was Tabled or not. I'd like -- Senator Demuzio moves to Table Committee Amendment No. 2. Hearing no objections, Committee Amendment No. 2 has been Tabled. And there are no further amendments, Madam Secretary?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. Appearing -- on Page 21 of your Calendar appears House Bill 1968. Senator Cullerton seeks leave of the Body to return House Bill 1968 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Thank you, Mr. President and Members of the Senate. I'm very happy to inform you that we've reached an agreement on this bill, which is on Postponed Consideration. This is the bill that dealt with the university bookstores. The opposition had come from Northern Illinois University, and my understanding is they're in support of this amendment along with the Illinois Retail Merchants Association. It deletes the provisions that allowed the Auditor General to conduct a special audit of retail store operated by a State institution, and it clarified language that allows for the public institution's retail store to sell items on credit to students who are in need of financial assistance. So with that, I move for its adoption, and hopefully, then, we can pass the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Comment? Senator Welch? Okay. Question is, shall Amendment No. -- Floor Amendment No. 2 be adopted. All in favor, signify by saying Aye. Opposed. Amendment No. 2 is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

3rd Reading. Appearing on Page 9 of the Calendar - appears House Bill 1995. Senator Davidson seeks leave of the Body to return House Bill 1995 to the Order of 2nd Reading for the purpose of amendments. Hearing no objection, leave is granted. 1995, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Sangamon, Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is an amendment requested by the Secretary of State to allow the Secretary of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

State's Police to have an evidence fund to purchase evidence so they can use, as well as to also, when they receive money -- right now they have a number of stolen cars that participated and the Federal Government is ready to give them back a share of that, and they're unable to do it. All this does is give State Police -- excuse me, Secretary of State Police the same privilege that the State Police have now and investigators at the Department of Professional Regulations. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Question is, shall Amendment No. 1 be adopted. All in favor, signify by saying Aye. Opposed. Amendment No. 1 is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is a request from the Secretary of State's Office, and what it amounts to is that when you file for administrative hearing fee, a twenty-dollar fee is paid or scheduled with your schedule when you make application for a hearing. And the reason this is -- came about is they have approximately ten thousand hearings a year. Forty percent of the people don't show, and what this does is you pay the fee when you file for a hearing. If you show up for the hearing, then the money is returned to you, and all the forfeited fees will be deposited in the Road Fund. Move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, the Amendment No. 3 is a request from Secretary of State. As you know, we have four cabinet -- Federal Cabinet Members from Illinois today. And this is a request so that the official plates, which you and I, as legislators, and elected federal officials have today, would be increased by four for these Federal Cabinet Members. They would pay the fee, and this would not be an imprinted fee like you and I have for the raised numbers. It would be a silkscreen fee, approximately fifty-dollar cost. Move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Bond, Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR WATSON:

Senator, what do the Cabinet Members pay for these plates?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

According to the Secretary of State's information that I received this morning, they pay fifty dollars for the plates.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

That's over and above the normal cost then? They pay an additional fifty?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

No. Be two --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson.

SENATOR WATSON:

Well, I think he was finishing there and got cut off.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

No, I didn't cut him off. Senator Davidson. Leave him on.

SENATOR DAVIDSON:

It would be -- presently you and I pay forty-eight dollars - they'd pay -- excuse me. Secretary of State handler tells me they'll pay forty-eight rather than fifty. They told me fifty this morning. So they'd pay the same fee that you and I pay.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question - is there any extra fee? Senator Watson has been raising that question three times. Senator Watson, is that correct?

SENATOR WATSON:

I'm sorry, Mr. President, I didn't hear you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

I don't believe your question's been answered. Senator Watson.

SENATOR WATSON:

Yes, I think it has. I think he said they pay the same as we do - forty-eight dollars.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Okay.

SENATOR WATSON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

That's for a special plate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Correct.

SENATOR WATSON:

Don't -- doesn't the Federal Government give these people a plate of some type? They have nothing at all at the federal level which identifies them as a U.S. Department of Whatever?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

I can't speak what they may or may not do in -- in Washington, D.C. This pertains to the cars which apparently are here in Illinois. There's -- covers four people. As you know, there's four Cabinet Members, three former Members of the Illinois House of Representatives.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from St. Clair, Senator Hall. Excuse me, Kenny. Please, Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question? Senator, I missed some of this discussion. This is -- are these federal people that are getting license plates? This doesn't apply to our Congress people, right?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hall. I'm sorry. Senator Davidson.

SENATOR DAVIDSON:

This applies to the four Presidential Cabinet Members who are from Illinois. If you'd like, I can give you the four -- I can name the four people, but I think you know them as well as I do. Under the present Illinois law, you and I, as legislators, and elected federal officials get special license plates. What -- this is a request from the Secretary of State -- is that for those

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

four Presidential Cabinet Members be able to have a license plate for identifying as Secretary of Transportation, Secretary of Labor, Secretary of Agriculture, Secretary of Veterans' Affairs.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Leverenz.

SENATOR LEVERENZ:

The sponsor yield for a quick question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR LEVERENZ:

Which is, what will those license plates say on the -- would they have a special front plate like we do now?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The handler, please. Senator Davidson.

SENATOR LEVERENZ:

I just -- I just wondered what -- what it would say, because I know there have been a couple of veterans' bills go down about special plates, and maybe this one would say --

SENATOR DAVIDSON:

It will have the State Seal and say Secretary of Agriculture, Secretary of Transportation, Secretary of Labor, Secretary of Veterans' Affairs.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

I just wondered, because we've had a -- quite a controversy about special plates and downstaters getting tickets in Chicago, and this then would allow for four additional plates, and maybe one of them would say "Kitchen Cabinet" or "Wooden Cabinet." That's four extra plates. There's a hundred and seventy-six total plates now, and this would make it, I guess, a hundred and eighty, and then we would have tickets being sent out of Chicago to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

downstate. And I don't know that I could support that.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Macoupin, Senator Demuzio.

SENATOR DEMUZIO:

Well, let me ask the sponsor a question, if I might.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DEMUZIO:

We are doing this at the request of the Secretary of State to create four new special license plates for Federal Cabinet Officials. Do we currently give former Governors retired license plates and, if not, why don't we?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Well, to my knowledge, no, we don't give former Governors, because if we haven't allowed it in the -- in the -- by action of the Legislature. These are not special plates. They would be official plates, the same as -- that you and I have now and that elected Members to Federal Congress or elected federal officials -- which in our case is U.S. Senators and U.S. Congressmen -- have. These are four -- be official plates, not special plates.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well then, I would just make the point that the Secretary of State really doesn't care about giving former Governor Jim Thompson his retired license plate, and perhaps he ought to reconsider that.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from LaSalle, Senator Welch.

SENATOR WELCH:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

-- sponsor. Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He indicates he will yield.

SENATOR WELCH:

Senator Davidson, one of these plates, I think, goes to the Secretary of Transportation Skinner. What happens if he becomes Attorney General? Then do we have to come back with an emergency legislation to revoke that plate and issue an Attorney General plate?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

END OF TAPE

TAPE 3

SENATOR DAVIDSON:

Well, since it's the plain plate that's silkscreened on there, it won't cost but a few dollars if we have to do it. We're not increasing the number. If Skinner moves a Cabinet level from Transportation to Attorney General, it's still four people from Illinois in the Cabinet, so it wouldn't change anything. You don't have to do anything.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I'm just a little curious, because I know we had -- I had a bill in the Transportation Committee that would have made some plates for the University of Illinois and some of the other ones, and I think that at that time there was discussion of going to one -- one plate and one plate only for --

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

for all of the different groups that have special license plates. I like that idea a little bit, and I guess I'm just a little curious that you're -- you may be bringing this bill, Doc; 'cause, if my memory serves me right, I think you were quoted in the paper that -- warning us that we should not be giving out these special plates like we are and we should be cautioned against doing that. So I -- I think you should pull this out of the record.

PRESIDENT ROCK:

Further discussion? Senator Hall.

SENATOR HALL:

I'd just like to -- would the sponsor yield for a -- I'm curious to know - the plates - are they going to be on the same -- the color of the plates. That's what -- I'm saying that, because -- what happens on that? I tell you what, that the present Governor -- the Secretary of State is the person who use these plates, but you know, it's quite strange that the Governor who's the Governor now - he gave us -- one year he gave us the same plates and the same color as taxi cabs. And we'd come down the street and people would flag you down like you're a cab. Then another time is that he -- what he did was -- that also -- that every time you looked in a two-year or a four-year period, you had the same plate with the same color as the year -- than those. So what are these going to be -- the color on these plates that these four officials are going to have? The reason I ask that, because I see sheriffs have -- sheriffs -- on their plates now, and then -- in red numerals. What causes that? That's something that I think legislators should --

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

Senator, all -- they are official plates. They will have the same colored license plates that you and I or any elected U.S.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

official has.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

I call for the previous question.

PRESIDENT ROCK:

Senator Davidson, to close, on Amendment No. 3.

SENATOR DAVIDSON:

Mr. President, Members of the Senate, I urge the adoption of this amendment. This is a request from the Secretary of State. We're the only state in the nation that has four Cabinet Members in the Presidential's Cabinet and they are official plates, same as what you and I have. They're not a special license plate. They're official plates, same as you and I have or a member of the U.S. Congress, U.S. Senate. I urge the adoption of the amendment.

PRESIDENT ROCK:

Senator Davidson has moved the adoption of Amendment No. 3 to House Bill 1995. Those in favor of the amendment will vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 25 Nays, none voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2125. Senator Barkhausen. The bottom of Page 9. On the Order of House Bills 3rd Reading is House Bill 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

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Reading is House Bill 2125, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT ROCK:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, House Bill 2125 establishes an assessment on those convicted of or placed on conditional discharge or probation or supervision for violations of the Cannabis Control Act, Controlled Substance Act and the Steroid Control Act. Under this amendment, we give courts discretion to substitute, fully or in part, public service for the assessment that would otherwise be due. We also authorize the extensions of periods of probation and conditional discharge and supervision in circumstances where that might be necessary in order to give the defendants more time to pay the assessment or to fulfill the public service requirement. And I urge the adoption of the amendment.

PRESIDENT ROCK:

Senator Barkhausen has moved the adoption of Amendment No. 2 to House Bill 2125. 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. 2362. Senator Luft seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. We're on Page 10, Ladies and Gentlemen. On the Order of House Bills 2nd Reading is House Bill 2362, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Luft.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Department of Commerce and Community Affairs each year needs statutory authority to receive and expend federal funds. That statutory authority runs out September 30, 1991. These funds are usually housing funds or building or rent funds for the poor. This just extends that statutory authority one year.

PRESIDENT ROCK:

Senator Luft has moved the adoption of Amendment No. 2 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. Bottom of Page -- 2592. Senator Savickas. Bottom of Page 10. ...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. 3 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft is no longer with us.

SECRETARY HAWKER:

Excuse me, I'm sorry. Offered by Senator Savickas.

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, Members of the Senate, Amendment No. 3 was

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

in answer to a question on the mandated cost of developing the Chemical Dependency Program in House Bill 2592. This amendment would remove the mandated portion of it, remove the cost, and would just call for the development of the 12 Step Recovery Program in our schools, based on Alcoholic Anonymous programs which have been successful in treating chemical dependency, and it would make those programs available. I would move its adoption.
PRESIDENT ROCK:

Senator Savickas has moved the adoption of Amendment No. 3 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:

Amendment No. 4 offered by Senator Savickas.

PRESIDENT ROCK:

Senator Savickas, on Amendment No. 4.

SENATOR SAVICKAS:

Yes. Mr. President, Amendment No. 4 would make two technical corrections to the Senate Amendment No. 1 that this Body adopted yesterday. The first correction picks up a reference to the existing statutory term, quote, "local areas for health planning and health services." And the second clarifies the ability to continue to treat the City of Chicago as having, as it does now, multiple local planning areas within it. This technical amendment does not in any way expand the scope or application of what we adopted yesterday, and I would move its adoption.

PRESIDENT ROCK:

Senator Savickas has moved the adoption of Amendment No. 4 to House Bill 2592. Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

He indicates he will yield, Senator Fawell.

SENATOR FAWELL:

That amendment doesn't really take care of the problem that I asked you about yesterday, does it?

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

No, it doesn't, Senator Fawell. That will have to be addressed in our discussion on the bill.

PRESIDENT ROCK:

All right. Senator Savickas has moved the adoption of Amendment No. 4 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. All right: Ladies and Gentlemen, this will be the last time through the Calendar on House Bills 3rd Reading. I would ask the Members who have a House bill that the moment of truth has arrived. We'll start at the top on Page 6 and go immediately through the Calendar. Leave had earlier been given, I believe, for the bills that were on Recall to be brought back. So we will move through the Calendar, and I'd ask the Members to please be in their seats. Top of Page 6, House Bill 121. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 121.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Cullerton.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We discussed this earlier and I took it out of the record in an attempt to answer some of the questions that were raised by Senator Watson and others. And I -- I think that we're going to need to put this bill in a conference committee to try to address them. The -- one issue is whether or not this preempts home rule, and I think it's unclear the way the bill is drafted. Also, Senator Butler was concerned about whether or not it would repeal certain local ordinances dealing with parking restrictions, which it's not intended to do. And the bill, as you may recall, deals with, or attempts to deal with, the issue of allowing certain vehicles to drive on places such as Lake Shore Drive. These are the smaller pickup trucks that weigh less than eight thousand pounds. So I would ask you to please give me an Aye vote to pass the bill. I can assure you it's going to a conference committee, and we can try to resolve these issues in that conference committee.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall House Bill 121 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 51 Ayes, no Nays, none voting Present. House Bill 121, having received the required constitutional majority, is declared passed. 1-8-5. Senator Carroll. 3-8-6. Senator Carroll. 3-8-8. Senator Carroll. 5-6-2. Senator Jones. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 5-6-2.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, Members of the Senate. House Bill 562, as amended, deals with two things, and one thing it dealt with was the amendment that Senator Welch put on which he can address, and also it deals with the Chicago school system in removing that cap that's placed on this to give the School Board the authority to raise its taxes for education as -- as they see fit. It's -- it's an amendment that is -- is needed. We've talked about all various projects, but we have not talked about education. We, this Body, should not hamstring the local School Board in Chicago as it relate to education. They should have the power to, if they so desire, to raise the necessary revenue to meet the educational needs of those students. This is a very good amendment. And as I pointed out to you previously, the schools in Chicago do not have the taxing privileges that most districts have across the State of Illinois. They cannot levy a tax for special education as many schools do. They cannot levy a tax for safety as most schools around the State does. They cannot levy a tax for transportation, as most schools around that district does. So as a result, its educational fund is depleted in subsidizing those categories. So the Board would have the power, if it so desire, to raise that levy so that they can meet the educational needs of the people of the City of Chicago, the children which are -- should be our -- our utmost concern, and I ask for a favorable vote on House Bill 562, as amended.

PRESIDENT ROCK:

Further discussion? Senator del Valle. All right. We have eleven Members who have sought recognition on this subject. I'd ask your attention, please. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I rise in strong support of House

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Bill 562, as amended. We recognize that the Chicago public schools have a deficit. I think everyone is -- in agreement with that. We recognize that some steps need to be taken here before we adjourn to ensure that the Chicago public schools can operate this fall. And I think that by passing this bill, we are creating one more vehicle, one more option for the Chicago public schools to consider as they put together their plan to deal with the deficit and come up with a balanced budget. And so, therefore, I ask your support. Allow us this option so that we can develop our comprehensive plan and move forward to ensure that our kids can go to school in the fall.

PRESIDENT ROCK:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I, too, rise in support of this bill with its amendments. It gives the City of Chicago an opportunity to take care of their own. Many a time here in Springfield we hear, "Let the people that it serve bear the taxes." This is just such a bill that will do that. I ask for a favorable vote in this. Let's give the City of Chicago an opportunity to do it themselves. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I stand in opposition to this bill. And, Senator Brookins, you're incorrect; this does not authorize the City of Chicago to levy property taxes. This -- this authorizes the Board of Education just to levy another property tax. Just like to remind the Members that this is just another added burden on the property owners in Chicago, and I urge its defeat.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jones, it seems that year after year there comes to this General Assembly a Band-Aid approach to the continuing deficits of the Chicago Board of Education. I have, in most instances, supported that. But I am really affronted by the idea that there's a three-hundred-and-fifteen-million-dollar proposed deficit, and no information has come forward on the validity of that deficit, where the shortfall is, what caused it. You know, last year, they came up with a fifty-five million dollar - let's go to the Pension Fund. A few of us voted against this because we knew that you didn't take care of the problem; you just temporarily filled the little hole and the following year the hole would be twice as large. Frankly, if you want my support on this - and I have no problem with supporting education - I'd like to know what the hell I'm doing. And frankly, the Chicago Board of Education is totally unwilling to share any information with anybody on what those numbers are, except, "Here it is. Take it, believe it, and we don't have to tell you how it came to be." And frankly, I don't think we ought to do anything in return until some of those questions are answered.

PRESIDENT ROCK:

Further discussion? Senator Berman.

SENATOR BERMAN:

Well, thank you, Mr. President. In response to the last Senator's comments: the Board of Education -- I don't know what type of inquiry was made by the good Senator, but there has been information available from the Chicago Board of Education. There

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

have been several meetings by the Board, some requested by us, some requested by the Board. And I will tell you that the information - it was made public to the media and it's available to every -- any public official, including any Senator on this Floor, as to how the numbers are put together regarding the shortfall. Now, I'm not standing in support of the shortfall, but I think that it is less than responsive to say that you don't want to allow Chicagoans to pay for their own school system because you haven't seen information that I'm not even sure you've asked for. I'll be glad to give you a big stack of information - a big stack of information - that the Board of Education has proffered as to why they are short. As to the merits or demerits of that shortfall, that's something else that I will defer to the Board and to the Superintendent to justify. One of the reasons is because of the substantial new contract that was entered into last year. But that - and that's a big-ticket item - and yet, no one that I'm aware of - and I mean no one - denies the merit of providing reasonable increases for the teachers who have a tremendous task in the Chicago public schools. So part of what Senator Jones is proposing here is a self-help program, and let me just add - most of the extra effort to help Chicago schools is usually self-help. We get our share out of State money, but when it comes to something unusual, the State doesn't pick up the tab. And although the word bailout is used time and time again, it's a misnomer. The State never, never comes up with money to, quote, "bail out" Chicago. The State helps Chicago bail out Chicago. So I stand in support of this to decide to let Chicagoans address the needs of their children and schools.

PRESIDENT ROCK:

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Jones, in regards to the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

deficit of the Chicago school system, does that three -- what is it, about 3.5 -- three hundred and fifty million dollars?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

This is the -- that is the amount that has been given to us that is the deficit.

PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

Well, can you tell me, does that include the surcharge? Or if the surcharge is not extended, does that go higher?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

If the full amount of the surcharge is not extended to the extent that it currently exists, the deficit would be even higher than what we currently have.

PRESIDENT ROCK:

Senator Karpziel.

SENATOR KARPIEL:

Thank you.

PRESIDENT ROCK:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. Let me just echo the remarks made by Senator Berman, because I -- I don't think it has been said often enough. And often we go back home, and in the media it sounds as though the State of Illinois has, in fact, bailed out the Chicago school system, when in essence, most of what we do down here, just as this bill does, it provides an opportunity for the Chicago Board to, in fact, raise

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the necessary monies to meet whatever demands are necessary to keep that school open and afloat. And someone asked the question, why is it every year that we have to come back here year after year after year? We understand, and many of you were here when we imposed the restrictions on the Chicago Board that (a) unlike most other school districts in this State, they cannot borrow money. They have to have a balanced budget. In addition to that, when we enacted the 1985 School Reform Act, the money has not been there to back up the rhetoric that we put into that legislation. In addition to that, we passed the -- the Chicago Reform Act two years ago, and again, no money there. Those local school councils has been doing a tremendous job. And many of you who voted on the -- that reform indicated that you wanted to see some positive results before anything else is done in the State for that system. Well, they have demonstrated that they have, in fact, gotten blood out of a turnip, and they have made some progress. Those local school councils are alive and are well and -- and really doing a tremendous job. And what we need now is additional dollars in order to ensure that that school open in September and that we do not cut programs to the extent that it further jeopardize the quality of education of that system -- in a system which I think is recognizable across this country as being one of the poorer system in the country. And I think that all of you, if the State is not going to come up with any money to help that system, ought to most certainly not put the -- tie their hands to the point that we can't help ourselves. And I would just ask for a favorable roll call.

PRESIDENT ROCK:

Further discussion? Senator Jones, to close.

SENATOR JONES:

Yeah. Thank you, Mr. President. And in response to some of the comments as it relate to the shortfall - and Senator Berman

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

cleared up some points on that issue - but Senator DeAngelis, let me say one thing to you: if most school districts across this State could not borrow money for operation, over three hundred of them would not be able to open school this coming September. The only reason that they are able to keep operating is because they can borrow money for operations. Chicago cannot. If they had to have a balanced budget, they could not open schools this coming fall. So let's not kid ourselves. Why is the deficit there? The deficit occurred because you have about forty-five thousand employees who get what you call annual raises, and those annual raises come about automatically. It has nothing to do with administration. If your revenue growth do not keep up with that, it's a deficit. This State has not gave Chicago one additional dime. Every time you've helped, you helped them by taking away some of the restrictions that you placed on them. And that's what this bill does. It takes away from the restriction that's imposed by the State for Chicago to help itself. And we are talking about McCormick Place. I know all the deals that's been cut for all across this State that's tied together, but you are not going to -- I am not going to permit -- I'm not going to permit you to leave the children of the Chicago school system sitting at the dock while we talk about raising other taxes. It's wrong. It's immoral and it's not right. This bill doesn't take one dime from you. But if you want Chicago to do the job, give Chicago the same taxing powers that you have. Its rate for education is very low, one of the lowest in the State. I know what you pay in DuPage County. If Chicago paid that, then we could have the same type of educational system that everyone else is. I expect a favorable vote on this bill. I expect my side of the aisle to be unanimous on this bill, because this -- the children of Chicago is going to excel with every other project that we're entitled to, and give me a Yes vote.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDENT ROCK:

Question is, shall House Bill 562 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 16 Nays, 9 Present. House Bill 562, having received the required constitutional majority, is declared passed. 883. 801. Senator Joyce. 883. Senator Collins. We're in the middle of Page 7, for the last time. With a little luck, we'll never revisit Page 7. 8-8-6. Senator Maitland. All right. Read the bill, Madam Secretary. 8-8-3.

SECRETARY HAWKER:

House Bill 8-8-3.

(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 883 is an enterprise high school demonstration project for the East St. Louis area that has been introduced by Senator <sic> Wyvetter Younge several times, and she has been working with the State Community College Board and others in that area who has - it's my understanding - have an agreement now through which this program could be funded through proposal writing. It requires no money from the State at all, and I would be happy to answer any questions. If not, I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall House Bill 883 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

On that question, the Ayes are 33, the Nays are 15, none voting Present. House Bill -- House Bill 883, having received the constitutional majority, is declared passed. House Bill 9-6-9. Senator Jones. House Bill 1092. Senator Lechowicz. House Bill 1196. Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1196.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1196 is an amendment to the -- Code of Civil Procedure dealing with the Statute of repose in a product liability claim as a result of a harmful substance, and "harmful substance" has been amended down to relate only to asbestos. So the only disease we are literally talking about, to my knowledge, is asbestosis, and the fact of the matter is, there was testimony in committee that there are some seventy thousand people nationwide who suffer from some occupational disease as a result of asbestos and other toxic materials in the workplace. This would afford a longer Statute of Limitations, and would say that the suit can be filed two years after the latent disease is discovered. I think the bill has been amended to reflect the concerns that were expressed in committee, and that the concerns that were expressed were about the revival of -- of causes of action that have been subject to repose, and certainly the extent - the coverage - has been limited to now only asbestos. I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Mr. President and Members, I think clearly the bill in its amended form is less objectionable than that which we first saw in committee. However, I do question - I think we all should question - whether we should be taking this step at this time. The bill would extend -- for asbestos cases, it would extend what is, in effect, a twelve-year Statute of repose for this limited class of cases - limited though perhaps numerous - class of cases from twelve years and it would take it all the way -- all the way down to two years. And Senator Rock just said that a case could be brought within two years after -- after the disease is discovered. However, the reading of the bill is, "within two years after the disease and the disease's cause." So it's perfectly foreseeable that one might contend that whereas the disease was discovered, that the disease's cause was not discovered, and could not reasonably have been discovered, within that same time frame. I think we are therefore subjecting potential defendants - and probably more to the point, since many of the -- many of the manufacturers of these substances are today bankrupt - the insurers to potential liability on into the years well beyond what would now be -- the twelve-year period. And whereas there might be some justification for lengthening the period beyond the existing twelve years which otherwise governs in -- in product liability actions, I question whether we should be opening the -- opening this window up to this extent. And I further question whether we should be making this change in product liability laws while at the same time, because of the nature of influences that prevail upon on us in these two Bodies, we are virtually precluded from considering any other changes to our product liability laws. And for both of these reasons, I would urge opposition to this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Hawkinson.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR HAWKINSON:

Senator, we went through this yesterday at the amendment stage, but I'd just like to, for purposes of legislative intent, ask you again today on the record. You mentioned the revival of causes of action. It's my understanding that with the amendments that have gone on previously, that the language that would allow the revival of causes of actions heretofore barred by the Statute of repose would not be permitted under this bill, as amended.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Rock.

SENATOR ROCK:

That is absolutely correct, and that is the intent of the amendment as offered.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Rock, to close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would urge an Aye vote. And although I suppose we could indulge, as we have in the past, in a lengthy discussion about products liability, I think the concern for the insurance industry is almost overweening, if not overwhelming. Let's have some concern for the poor person in the workplace, seventy-one thousand of whom die annually from occupational disease. They're working in a place that has asbestos; they don't even know it. And all we're affording them the opportunity to do is -- is to remedy that wrong when they discover that they have indeed contracted this latent disease. This should go out of here unanimously, and I urge an

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall House Bill 1196 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 30, the Nays are 29. House Bill 1196, having received the constitutional majority, is declared passed. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

To request a verification of the affirmative vote, please.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Barkhausen has requested a verification. Will all the Senators be in the seats. Will the Secretary read the affirmative votes?

ACTING SECRETARY: (MR. HARRY)

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Barkhausen, do you question the presence of any Senator?

SENATOR BARKHAUSEN:

Senator Savickas.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Savickas on the Floor? Senator Savickas on the Floor? Strike his name, Mr. Secretary.

SENATOR BARKHAUSEN:

Senator Geo-Karis.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Geo-Karis on the Floor? Senator Geo-Karis on the Floor? Strike her name, Mr. Secretary.

SENATOR BARKHAUSEN:

That's enough.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Savickas is on the Floor. He's returned to the Floor. Would you place his name back on the -- any further? The roll call has been verified. The Ayes are 29, the Nays are 29, none voting Present. House Bill 1196, having not received the constitutional majority, is declared failed. Does the sponsor wish to place on Postponed -- House Bill -- House Bill 1216. Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1216.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. House Bill 1216, as amended, and agreed to between the Department and the Medical Society and the nurses -- it creates the Nursing Advancement Law. It assigns a county medical examiner the same functions as the coroner under the -- on the Cornea Transplant Act. The Department of Public Health shall undertake a public education program concerning breast cancer in Hispanic women, and make other changes, and is the bill that has been worked on and agreed to, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Madigan.

SENATOR MADIGAN:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

State your point.

SENATOR MADIGAN:

Visiting with us today up in the visitors' gallery to our rear is a group of Tazewell County Republicans, along with a couple from Woodford County as well, led by Rowland Poley Hoffman, and I would request that they be welcomed to the Chamber.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Would the people in the gallery rise and be recognized? All right. If there's no further discussion, the question is, shall House Bill 1216 pass. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that, the Ayes are 58, the Nays are none, and none voting Present. House Bill 1216, having received the constitutional majority, is declared passed. House Bill 1220. Senator Rea. House Bill 1288. Senator Friedland. House Bill 1297. Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1297.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1297, as now constituted, basically creates a State Travel Management Office, so that once and for all we can have some control over State travel, both in State and out of State, in all of its divisions, agencies, boards and commissions.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

While we may not have the same problem the White House has, we have come fairly close to that by having some people who we have said in the past are deserving of globetrotter awards. Often we have found that those who internally make decisions at second and third levels within agencies and departments are the ones actually doing the traveling and then just okaying their own travel. This would, I think, help the people of Illinois have a little better control over the over fifty-one million dollars of State employee travel, so that we are all assured that the travel is absolutely essential, particularly at times like this when there is a financial crisis looming for the State of Illinois. And clearly none of us want to be participants, and I don't think anyone else does - Executive Branch as well - in any unnecessary travel. Same is true in dealing with State bonds. Most other States have a multiple authority that helps determine what bonds should, in fact, be sold, and has to have the approval rights as well. In many states, in fact, the only signing authority is that of the State Treasurer. We are not suggesting that for Illinois. That would be a very radical departure from that which exists in Illinois today. But having discussed our bonding with various rating agencies, bond houses and so on, I've found that in most states of the country either the General Assembly is directly involved in that process or the Treasurer or the Comptroller, along with the Governor. This would suggest creating an agency that would be made up of the Governor, the Treasurer and the Comptroller, so that all would be assured that the best possible arrangements have been made for the people of Illinois. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, just want to, for the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

record -- when this bill was in committee, Senator Carroll was going to confer with me before the amendment he put on dealing with that State Bond Act, and that was not done. He apologized for it, but I just want to say on the record that he did not bring that -- show me the courtesy after promising in committee to do it. He apologized for that, and I accept that apology, but I do want to speak in opposition to this bill, Ladies and Gentlemen. Regardless of who's the Governor, you're going to have the State Treasurer and the Comptroller outvoting the Governor, whether he's of your party or my party, and I don't think this is a good idea. This is not a good idea. This lets two people, be of whatever party, if they're in opposition - or of the same party - in opposition to what the Governor proposed on a State Bond Act, be able to cut that person off at the pass. I don't think this is a good idea. We're interfering with what is the duties as Chief Executive. If we don't like what he does, we vote him out of office. But I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senator Carroll, what authority would this so-called Bond Board have? Can they override? Do they recommend -- ?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

They would be the authorizing agency that any bonds or leases or installment purchases over a quarter of a million dollars, or with terms in excess of five years, would have to have the approval of that board. That is similar to that which is done in varying forms in most of the other States of the Union.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator DeAngelis.

SENATOR DeANGELIS:

And what kind of vote would it require? Majority vote - all three?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR DeANGELIS:

None?

SENATOR CARROLL:

I'm just waiting for my mike to get on. I would assume it would be a majority vote. The -- specifically, the Act does not say; therefore, general law would apply, and general law would require a majority vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I have a little plaque -- not a plaque, a little saying above my office at home. It says - "Search the public parks and you never find a monument to a committee." Now we're going to designate probably the most significant financial responsible decisions to a committee. The problem here is that you have a committee that perhaps can make a decision, but basically has no responsibility, because if they do, in fact, choose wrong, somebody else has to take care of it. We elect a Governor to be the Chief Executive of this State, and we ought not to be eroding that power, because in the end, that person is responsible for the financial condition of the State. And to put such sensitive issues as this in the hands of a committee, I think is just not only taking away the power, but bad financial management.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Thank you, Mr. President. Will the sponsor yield to a question or two?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR LECHOWICZ:

I believe there are three amendments that were offered on this bill. The first one dealt with as far as creating the State Board Bond Act, a bill that we defeated in committee. Has there been any changes as far as the fiscal implication to the State on the State Board Bond Act, and what is the fiscal implication?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Senator Lechowicz, the -- my recall is that one of the amendments was technical in nature only on the Travel Board part, so that that's why we've been discussing it as two components rather than three. So the amendment has not changed as it relates to the State Bond Board. I'm not aware of any fiscal implications whatsoever. You have three elected constitutional officers. There is the permission of those three to agree to employ a staff, but there is no necessity that they automatically do so. As we've done in other cases of multi-jurisdictional groupings - since Senator DeAngelis doesn't like the word "committee" - they've often donated each of their own staffs so that there has been no cost. Lieutenant Governor, for example, heads a couple of those.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, let me point out to you then, as far as your amendment that was adopted here on the Floor, Page 1, line 19, Section 15, calls for an executive director and employees -- the Board may appoint exec director and other personnel that it needs to carry

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

out its duties. And if my memory serves me correctly, we talked approximately a five-hundred-thousand-dollar appropriation when this matter was before us in the committee. That's on the first Section of 1297, and I'd like to know what the fiscal impact is on your second Section as well.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Well, Senator Lechowicz, no one filed a fiscal note, so that none has been filed. I don't know where the half million dollars came from. No one has ever discussed that particular number with me that I know of. It does allow for an executive director and other personnel and needs. As I said before, these three elected constitutional officers can, however, designate one of their staff as the executive director at no fiscal impact whatsoever.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Very briefly, Mr. President and Ladies and Gentlemen of the Senate, I stand in opposition to House Bill 1297, as it has been amended. Basically, the cost for the State Board Bond Act is approximately five hundred thousand dollars. It's creation of a middle man -- middle -- level of bureaucracy which we really don't need. The second item that I'm concerned about is the cost to the Travel Board; and according to the figures that have been submitted to me, that's over a million dollars. This would be new General Revenue funds that we've never expended in the past. And I would strongly recommend that this item be defeated. Thank you.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. I should like to point out to the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Members a very cutesy little amendment that may have been overlooked, and that is the fact we're creating sort of a travel czar, as I read this bill. It requires that all persons working for the State Government, other than legislative - which is kind of cute - and the judicial -- Judicial Branches, must place their travel arrangements through this travel czar. It always seems to me that when you -- when you can't figure out anything else to do, you play around with travel expenses, which are rarely the cause of a State to be in problem -- have a problem. I would suggest this bill -- this portion of the bill at least -- you're shaking your head.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

In response to the rhetorical question, that was the amendment that was taken out. There is no travel czar.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. I, too, rise in support of House Bill 1297. In response to Senator Lechowicz's concern raised earlier on a fiscal note, that was on the original bill, SB 405, that passed out of this Chamber without any opposition. We have amended, as Senator Carroll has indicated, the portion that deals with the travel plan, and now the fiscal note has since been removed. There is no fiscal note on this, except -- if there was any fiscal paragraph added, it should talk about the dollars we're going to save. The reality is the State of Illinois has no travel plan, no travel management plan in effect, and this at least attempts to do that. Even the National Institute of Governmental Purchasing -- they have indicated that travel costs are the third largest controllable

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

expense that the private and public organizations face. Those states that have moved more aggressively with travel management plans in their state have reaped substantial savings through negotiated fares and -- and lodging fees and rebates on the commissions earned by travel agencies. The state of Mississippi, with a much lower travel budget than the State of Illinois, saved two million dollars with their plan. Louisiana estimates that their going to save five percent. In Illinois, with a travel budget of fifty-four million dollars, we could use that savings and it's unconscionable that we have no travel management plan in place with a fifty-four-million-dollar travel budget. This is -- this is a good bill. It attempts to address some serious problems. And at a time when we're trying to resolve some serious fiscal questions and challenges that face this State, this bill contains some measures that will help do that. I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll, to close.

SENATOR CARROLL:

Why, thank you, Mr. President and Ladies and Gentlemen of the Senate. Yes, let us just clarify the record. Senator Lechowicz, I believe you were looking at an earlier version. That is no longer the case. That's why that fiscal number is no longer operable, nor is the half million for the Bond Board. That is a minimal expense, if the three of them decide that any expense is necessary whatsoever. And as I keep pointing out, there are other areas of government where constitutional officers head similar type things where there are no independent expenses; they each offer their own people to serve in that capacity. Basically, what we're saying is, do we want to try and control spending? Do we want to try and control pinstripe patronage? Do we want to try and control the debts on the future generations of Illinois? Most

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

enlightened states have said that the Treasurer, constitutionally elected fiscal officer of Illinois, person responsible for all funds, is in fact, in some states, the lead person - in a few states, the only person - on things like bond issues. Comptroller, constitutionally elected fiscal officer of the State of Illinois, responsible for all of the spendings. What is improper to say that three constitutional officers shall decide the future debts of the citizens of Illinois? This is an appropriate constitutionally designated authorized work for each of those constitutional officers. Why, in fact, the Treasurer and the Comptroller are more closely related to the function than the Office of the Governor. I happen to think that's impractical for Illinois, but each of them, by Constitution, the people have said, "You're the ones with whom we entrust the holding of funds and the spending of funds." This merely says the three of them shall decide what bond issues, what long-term leases, what long-term commitments of principle and interest shall have to be borne by the people for future generations - a very wise and open-type discussion. Travel, too, is something that we know has gotten out of hand. We have a State employee with fifty-one thousand dollars of travel in a year. I happen to think that's an excessively high amount. We're spending over fifty million dollars on travel. Why would we not want to do what some of our more enlightened neighboring states - enlightened sister states like Mississippi - have done? Most people wouldn't think it an enlightened state, huh? But they have said they get a forty-two percent discount by buying in bulk on their travel - a logical, sensible governmental decision, and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Question is, shall House Bill 1297 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the record, Mr. Secretary. On that, the Ayes are 20, the Nays are 36, none voting Present. House Bill 1296 <sic>, having not received the constitutional majority, is declared failed. House Bill 1587. Senator Alexander. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1587.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. The Amendment 1 becomes the bill, and it's in response to a Statewide coalition regarding the placement of three commissioners in the Chicago area who must be residents of the Housing Authority to serve and to -- to plan their own destiny. The bill has been amended on Amendment 2 to take the rest of the State out, and this bill now only applies to Chicago, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, then the question is, shall House Bill 1587 pass. Those in favor will vote Aye. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that, the question is -- 38 Ayes, 19 Nays, and none voting Present. House Bill 1587, having received the constitutional majority, is declared passed. House Bill 1685. Senator Brookins. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1685.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. All the amendments have been stripped and we went back to the original intent of the bill, and it'll require private carriers that transport persons under an agreement with the CTA to request the Department of State Police to conduct a criminal background check of persons applying for driving positions. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall House Bill 1685 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that, the Ayes are 57, the Nays are none, 1 voting Present. House Bill 1685, having received the constitutional majority, is declared passed. House Bill 1692. Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1692.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill that Central Management Services intends to use as the vehicle for amending the State Employees' Group Insurance Plan, in conformance with the contract agreement with AFSCME. All that happened in the Senate was that we removed the immediate effective date so the bill could go to a conference, and I would urge approval of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, then the question is, shall

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

House Bill 1692 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, none Nay, none voting Present. House Bill 1692, having received the constitutional majority, is declared passed. At the top of Page 9, House Bill 1776. Senator Rea. Read the bill, Mr. Secretary.
ACTING SECRETARY: (MR. HARRY)

House Bill 1776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Rea.

SENATOR REA:

Thank you, Mr. President and Members of the Senate. House Bill 1776 prohibits a public employer or an educational employer from permanently hiring strikebreakers, and it's commonly known that in cases where strikebreakers prolong labor disputes and tie union hands at the bargaining table and face economic hardship when they are fired after the strike ends. Through the years, labor and management have survived strikes and have almost always been able to put those strikes behind and continue in the production of their products or services. But something different happens when striker replacements are hired. First of all, when a company isn't suffering, it takes away motivation to settle the strike, and the longer a strike continues, the deeper the scars are left and the worse the family suffers and the more money the company loses. The -- this would create the Illinois Labor Equity Act, and the right to strike is one of the most basic freedoms afforded workers under the laws of this country, and the right to strike helps promote a quality between the employer and the employee at the bargaining table. And when the employers replace

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

striking employees with permanent replacements, equity and labor relations is undermined. So we must, in some way, promote equality between employers and employees, and that's what this bill is all about and is exactly what it does. We had a full-scale hearing in Labor Committee, and I would ask for your support.

PRESIDENT ROCK:

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you -- thank you, Mr. President. This is a great bill for Wisconsin, Missouri, Indiana, Michigan, Iowa, maybe the Sun Belt states - I don't know. And I say that because that's where business is probably going to head if this bill passes. We've heard a lot of talk this spring about a level playing field. And I will submit that if we keep leveling the playing field the way we're doing it, we will have something we can use as a ski slope come this winter. That's about how level it'll be. This bill will truly tip the balance of management and labor rights. It will tilt the scales heavily toward labor, and I want to make this very clear here today, my friends, that this is not a question of the right to strike. The worker's right to strike is not questioned, but it can't happen in the industries in this State in a vacuum. There has to be a countervailing factor and that countervailing factor is the ability of a business, even though struck, to continue to stay in business somehow. And I will submit to you that the fact that that company is struck is punishment enough in itself, without this bill. The businessman has a right to continue his operations during an economic strike by using permanent replacements. This is the countervailing factor that I'm talking -- if he has to, if he is forced to. A lot of our businesses, Deere and Company and others in this State, do not have at hand temporary -- a supply of temporary

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

replacements to bring in. They have to, in some cases, hire permanent replacements, or they're simply out of business if they're struck. And do you realize that a few people, key people, in a smaller business could paralyze that business and put that -- put that business out of business, if they went on strike and the management could not hire anybody to replace them on a permanent basis? This also circumvents collective bargaining. We talk a great deal here about collective bargaining and how wonderful it is. Well, under this, we throw it out the window. We don't rely on collective bargaining under these circumstances, to let the management and the employer decide who should be hired, who shouldn't be hired under these circumstances. I will submit to you too that the Federal Government, under the federal laws, already protect those that leave, those that are fired, I should say, for unfair labor practices, lockouts and so forth - those workers are already protected. But it's the worker who freely chooses - who freely chooses - to declare war on his company that this bill seeks to protect also. And I don't think that's right. This is not a strikebreaker bill. It's a strike-maker bill, because if it's passed, I think we will be encouraging strikes. The length of these strikes will be prolonged. It's a sharp-edged, very effective tool in the hands of labor. Prolonged strikes cripple the ability of business to compete at home and abroad. In short, I think I've said enough to indicate to you that I feel it's a bad -- it's a bad bill. And I would simply close by submitting to you that 1776 was a great year in our American history and the history of this country. It was a great, great year, but 1776 is a lousy bill. And I would urge you to vote No.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Mr. President and Ladies and Gentlemen of the Senate. I think we have to decide here whether we want to keep business in Illinois and jobs in Illinois. Existing federal law places certain restrictions on an employer's right to permanently replace striking employees. Strikers may not be permanently replaced when their employer locks them out or when their employer commits unfair labor practices prompting or extending their strike action. Only when the employees freely elect to strike and shut down their employer's business may they be permanently replaced. And even then, there are numerous safeguards to protect striking employees from unfair or coercive conduct by employers, and to ensure that strikers have an enforceable claim to their old jobs when they become available. This measure will encourage more labor disputes, and I am committed to keeping jobs and obtaining jobs to stay in Illinois. And if we pass a bill like this now, what are we really doing? We're encouraging business to get out of Illinois and go into a climate, a state that will be far more tolerant than we are. I think we ought to observe the federal laws that already have been in place and do protect the workers, but don't go closing businesses out and taking the food out of people's mouths by the jobs being gone and the companies leaving. I don't think that's the way to do business at all, and I feel that we should defeat House Bill 1776 if we want to increase the economy value in this State and increase jobs in this State. I don't want to see jobs lost. And I think this is good bill to get jobs to go out of Illinois into other states. And I speak against the bill.

PRESIDENT ROCK:

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, may I give you a little personal observation? About ten years ago, I

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

was given the job of locating a plant. That plant would -- was not a huge plant. It was only about a hundred and twenty-five thousand square feet. Our projection for employees was somewhere around eighty people. And you know something? Every plant location specialist we went to told us to keep out of Illinois because there was a decided anti-business trend that was looming across the horizon. We took their recommendation and we located that plant in Iowa. Now what we're doing here is we're telling local government that you can't do business with certain kinds of companies. Now that leaves those -- those companies just three things: they can forget about doing any business with local government; they can -- they can bow down to the most outrageous demands placed on them; or perhaps as most of them are going to do, if they choose to -- that course, they're simply going to go out of business. We have lost a lot of small companies simply because they cannot and will not take all of the punishment that we inflict -- we inflict on them. This bill says you will either settle or not do business or go out of business, and I don't think that's the business of this State to dictate that. I think that surely and inevitably we're driving business out of this State. And Senator Hudson was right - this bill is called 1776. I think maybe a proper number, if we had five numerals in it would be -- would be 12-7-41, because that's the effect it could very well have on business. Let's not create a shadow government. We're being hypocritical here. We're talking about keeping business. We're not going to keep business - we're going to drive it out of this State.

PRESIDENT ROCK:

All right. The Chair would only admonish those who have sought recognition to try to keep their remarks brief. I don't think we're changing anybody's mind here. Further discussion? Senator Watson.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR WATSON:

Yes, thank you. Question of the sponsor, please.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Watson.

SENATOR WATSON:

Can you tell me, Senator, does this impact nonunion employers?

PRESIDENT ROCK:

Senator Rea. Senator Rea.

SENATOR REA:

Yes, it would -- would affect anybody that employ anybody, really.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Thank you. What is the definition of a "labor dispute"?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Well, it would be a -- strictly a strike. It would be whenever labor and management are at disagreement and have gone on strike.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Is "labor dispute" defined in your bill, or -- are we following the federal definition of a labor dispute?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

No, it's elsewhere in the State law.

PRESIDENT ROCK:

Senator Watson.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR WATSON:

Well, I understand that that occurs any time two or more workers walk off the job to protest terms or conditions of employment. Now, if that -- if that's the case, the small retail businessman who's nonunion - which this impacts nonunion shops - small retail businessman who has two clerks that for whatever reason decide to -- to walk off the job, this would then have an impact on -- on his ability to rehire and replace those two -- two workers. Am I correct in that statement?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

The prohibition of -- of strikers would only apply to the public employees, as I understand it.

PRESIDENT ROCK:

Further discussion? I'm sorry. Senator Watson.

SENATOR WATSON:

I'm sorry, but I don't believe that's correct. This is -- only involves public employees?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Replacements for employees lawfully striking under the Illinois Public Labor Relations Act of the Illinois Educational Laborers. In fact, on Page 6, lines 1 through 6.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

What happens, I guess, in this particular case, is that they can't do business then with that particular entity - the private sector. It has an impact on the private sector, and it has an impact on the small businessman - a negative -- major negative -

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

impact. This is a bill that -- I'm surprised it's even being called. A proper vote is a No vote on this one. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Rea, to close. I'm sorry. Senator Butler, for the second time.

SENATOR BUTLER:

I -- Mr. President, I apologize. Senator Rea, maybe I read this thing wrong, but as I read it, it said this proposal would create the Illinois Labor Equity Act, which would prohibit the State, local units of government and school districts from giving loans, grants or contracts to any employer that has hired permanent replacements for striking employees. That doesn't pertain to -- that doesn't pertain to the public employee.

PRESIDENT ROCK:

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

SENATOR REA:

Well, that statement you just made is -- as far as prohibiting the State of Illinois, units of local government and school districts from doing business or selling products and services receiving grants and tax credits with employers who hire permanent employees to replace workers who are engaging in a labor dispute -- that portion is correct. I'd simply close by saying that, you know, this is a -- certainly is a bill that will protect the worker that maybe have invested many years in a -- in a -- in working there and then all at once find that their livelihood is at jeopardy. It also provides continuity in terms of employment for the employer, and as a result, will give higher and better productivity. So I see it as a bill that is beneficial to both, and would ask for your support.

PRESIDENT ROCK:

Question is, shall House Bill 1776 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

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 11 Ayes, 29 Nays, none voting Present. House Bill 1776, having failed to receive the required constitutional majority, is declared lost. And the sponsor requests that further consideration be postponed. So ordered. 1910. Senator Kelly. All right. Senator Jacobs. 1918. No. All right. We're down to 1935, but Senator Davidson has some special guests who have been waiting in the wings. Madam Secretary, with leave of the Body, we will move to the Order of Senate Resolution -- Senate Resolutions 5-9-8. Senator Davidson and I would move to suspend the rules for the immediate consideration and adoption of Senate Resolution 5-9-8. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Davidson now moves the adoption of Senate Resolution 5-9-8. It is a congratulatory resolution in favor of three gentlemen that the Senator will introduce to us shortly. They are -- have been here in Illinois, are here in Illinois, and they have been well-received, and the Senator will explain that. The Chair will yield to Senator Davidson.

SENATOR DAVIDSON:

Thank you, Mr. President. I'd like to present to the Illinois Senate three gentlemen from Liaoning Province in China. As you know, Illinois is the only State in the United States who has a sister state relationship with the Province of China. Senator Philip was fortunate enough to have been in this Province with Governor Thompson a few years back. These gentlemen have been here working with IDOT to be more informed about road construction and computer expertise, and been here since last October and will be here till this October. And it's my pleasure to present to you Zhong Xiao Lu - or better know as Lu; Yong Kang Wang, better known

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

as Carl; and Song Pei, better known as Pat. My pleasure to present to you -- and if one of you gentlemen would like to be spokesman, please say hello to the Illinois Senate. Don't leave. On behalf of the Illinois Senate, I want to present to you three gentlemen a copy of the resolution which was just adopted - a surprise which, Lu, you almost got your hand slapped for - is on the outside of the envelope. So now you know what the surprise was. That's in Chinese, the resolution we just passed. I only speak Danish.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

House Bill -- House Bill 1935. Senator Rock. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1935.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1935, as amended, at least with Amendment No. 1, grants taxing, bonding and other powers to the Metropolitan Pier and Exposition Authority, the essence of which is to provide for the expansion of McCormick Place. The Metropolitan Fair and Exposition Authority is requesting a one-million-square-foot exhibition hall and glass-enclosed concourse, formally referred to as the gallery. They are requesting authorization and money, or authority to raise money, to retrofit or rehab the existing McCormick Place, one. Land and infrastructure costs are determined to be about a hundred and seventy million dollars, and then there is a proposal to reroute the northbound lanes of Lake Shore Drive from McCormick Place to the Field Museum, so that

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

there would be a park effect around those public institutions. The total cost of this proposal is some nine hundred and eighty-seven million dollars, nine hundred and ten million of which will be subject to bonds, and the revenue stream, the dedicated revenue stream to pay the debt service, consists of four new taxes - or increases in existing taxes - that pertain only to - and I underline and underscore "only to" - the City of Chicago and its two airports. This subject has been debated at great length, both publicly and privately. We this morning, earlier, added some amendments. I hope the amendment, for instance, that Senator DeAngelis added, with the assurance that there would not be any liability on the part of the State, any risk or any exposure on the part of the State - this project is attempted for the City of Chicago to benefit the entire State of Illinois, in that it will create jobs, certainly; it will generate an immense amount of sales tax, which will be used for the benefit of all; and we are proposing that it be paid for by certain taxes and fees that are imposed upon those who are in the convention and tourism industry and who benefit from it. I would be happy to respond to any questions, and I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Well, thank you, Mr. President. Senator Rock is to be commended for his efforts to pass the McCormick Place expansion, but due to the fact that a little while earlier we added I think nine or ten amendments, makes this more than a pork project. It's an entire pig project. I just have one question to the Senator.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he'll yield.

SENATOR DUDYCYZ:

Can you -- do you have any idea what the -- what the entire

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

'package will cost?

END OF TAPE

TAPE 4

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Rock.

SENATOR ROCK:

Well, I think it's fair to say - and I will let those who added the downstate project, speak for themselves - as I read it, it was about three hundred and fifty million dollars worth of Build Illinois projects, which obviously, as you well know, are subject to bonds. So you'd have to figure that it would be about ten percent available; as I understand, it is available in the fund to pay the debt service on that proposed bond increase. And as I said, the basic cost of -- of the McCormick Place Proposal is nine hundred-plus millions of dollars, which again will be subject to a bond issue, whose debt service is to be paid by these new and additional taxes.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Dudycz.

SENATOR DUDYCYZ:

Like I said earlier, Senator Rock, you are to be commended for -- for your efforts, but because of the added pork projects to this entire bill, I -- I think the more appropriate vote at this point would be a Present vote, because I don't think that this is something that should pass out of this Body, in this form.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Thank you. Will the sponsor yield for question?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Indicates he'll yield.

SENATOR GEO-KARIS:

Senator Rock, I understand that there's four sources of funding for the McCormick Place. Would you give us the four sources? I believe there was a tax on food...

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Rock.

SENATOR ROCK:

Yes, and I am delighted to see you back on the Floor. The last time I presented a bill, you absented yourself. There is an airport pick-up and departure fee - that is taxis and limos and buses to and from the airport. There is a six-percent auto rental tax in the County of Cook -- only in the County of Cook. There's a one-percent downtown restaurant tax, which we discussed at some length, within a given geographic area, which is roughly from Diversey on the north to and including McCormick Place on the south and over to Ashland on the west, and the lake on the east, plus the two airports, now plus the boats - that was added by amendment. And there is a 2.5 percent increase in the Chicago Hotel Tax. As I am sure you are painfully aware, we have roughly forty-five or fifty thousand first-class hotel rooms in Chicago, and even though our tax is one of the highest, we are still substantially below the City of New York, and so it's been proposed and agreed to by the Hotel Association that they would eat yet another two-and-a-half-percent increase in the Hotel Tax.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand that we also will have the expenditure of nine hundred and eighty-six million dollars in General Obligation

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Bonds. Is that correct?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Rock.

SENATOR ROCK:

In bonds that are issued by the Metropolitan Pier and Exposition Authority. The Act specifically -- specifically, without any shadow of equivocation, says that these bonds are not, and not intended to be, an obligation of the State of Illinois.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. First of all, maybe they're not intended to be an obligation of the State of Illinois, but they will be an obligation of the State of Illinois when the funds run dry. I think McCormick Place is quite adequate, and I can honestly tell you that it's not the size of it that we have to worry about. It's the high cost of perhaps having exhibits there, and also the labor costs - all of those things should be factored in. And at this time, when the State is so short of funds and we have to worry about the bonds that we have to pay our debt service on now, I don't think this is the time to go ahead and -- expenditure and approval of the project of McCormick Place. We have other greater needs for the State, and I rise to speak against it. And I'm glad that you notice when I'm not here, because I love you, too.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Collins. Senator Collins. Senator Rock, to close.

SENATOR ROCK:

All right. Thank you very much, Ladies and Gentlemen -- Mr. President and Ladies and Gentlemen of the Senate. Senator Geo-Karis, lest -- lest there be some misapprehension - and I

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

certainly don't want any misapprehensions around here - it was stated in committee very specifically that there is no intent to have the State of Illinois in any way liable for this project in any respect whatever. The revenue estimates from the taxes that are imposed on Chicago - on the Chicago business - literally can't be used for any other purpose. They are directly connected to the convention and tourism business in that they are food and transportation. We can't tax those for the purpose of the School Code or DCFS or Mental Health or anything else. It's to be utilized to -- for economic development that we are to maintain our premier place as the convention capital of the world. And I don't know how much clearer it can be, when at Page 51 of the amendment it says, and I quote, "The State shall not be liable on bonds of the Authority issued under this Section. Those bonds shall not be a debt of the State and this Act shall not be construed as a guarantee by the State of the debts of the Authority. And the bonds shall contain a statement to this effect on the face of the bonds." My goodness sake, how much clearer can it be? And what we are suggesting is that there is a dedicated revenue stream that is more than adequate to pay the debt service and for the operation of this facility, and we would be shortsighted -- we would be shortsighted were we not to allow the McCormick Place expansion to move forward, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall House Bill 1935 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 21 Ayes, 22 Nays, and 14 voting Present. House Bill 1935, having not received the constitutional majority, is declared failed. Senator Rock, for

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

what purpose do you rise?

SENATOR ROCK:

I was just wondering if I could reconsider some of those amendments.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Do you wish Postponed Consideration?

SENATOR ROCK:

No.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

House Bill 1995. Senator Davidson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1995.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is Secretary of State's bill which passed out of here as a Senate bill earlier, is back in here. We did amend it this morning to take care of creating a fund for the Secretary of State Police, to give them the same opportunity for evidence funds that we have in the State Police and the Department of -- Department of Professional Regulations. Also had the four official plates for the presidential cabinet members, and frankly I forgot what the other one was, and I don't have the file right in front of me. Oh -- for the hearing people there's ten thousand-plus hearings requested -- administrative hearings. This calls for a twenty-dollar fee to be paid when you file for that hearing, because out of the ten thousand last year, four thousand didn't show up and cost that kind of money and the -- forfeited it. If the person shows up for

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the hearing, the money is refunded to them and the appropriate money that is forfeited goes in General Revenue -- I mean the Road Fund. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President and Members of the Senate. Senator Davidson, I'm specifically looking at an amendment that you put on that deals with the issue of the Secretary of State's Evidence Fund. And it appears to me that on Page 7 of the amendment, what you're amending here is the -- the Vehicle Code, and you're saying for any conviction under the Vehicle Code - and the Vehicle Code, as you know, is volumes - any conviction in the Vehicle Code, you can have a -- a fine - this would be like for a typical traffic ticket - you can have a fine that goes directly to the Secretary of State that would be deposited in this new fund for the purposes of providing reimbursement or restitution for their efforts in -- in -- I don't even -- that's what my question is -- I don't know why. For their efforts in what? "Why" can the Secretary of State get some money from fines going into this special fund? Maybe you can help me with that.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson.

SENATOR DAVIDSON:

I want to yield to my expert -- legal expert on the right. This was brought about because the State -- Secretary of State participated with the federals in relation to a stolen car ring, and the Secretary of State Police is now in position to receive funds from whatever that portion is, and they're unable to do that. And what they're trying to do is get an evidence fund so they can purchase whatever is legal or illegal or not needed and what is needed in the way of prosecution, same as we do for the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

State Police and we do for the Department of Professional Regulations. I'll yield for your legal expertise question to Senator Hawkinson.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hawkinson. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I think you're right. I -- their intent is only to use forfeited -- their share of the forfeited property, and my advice is that they strip that language. I'm advised they were told to reference that Act by LRB, but -- but I'm told that their intent -- and we were told that their intent is only to use the current existing share of the forfeited property for this Evidence Fund. So I -- I would think that that reference ought to be corrected.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Cullerton, I'm sorry.

SENATOR CULLERTON:

Well, this is 3rd Reading and -- and I -- and this is 3rd Reading and we're not in an ability to amend this. Are you going to put it in a conference committee if it passes? That would be one...

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson.

SENATOR DAVIDSON:

I -- from the handler over here, I'm suggesting to him that the House sponsor not concur and we send this to conference and correct these -- this error which needs to be done.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

When you go to -- thank you, Mr. President -- when you go to conference, I would suggest you have your attorneys look at the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

twenty-dollar charge for the renewal hearing. I think you're going to spend more than eighty thousand dollars in the court cases to challenge that charge. When you suspend a license, we impose a requirement to give a hearing when -- when that one year, for example, is over, I'm entitled to a hearing. I don't think you can charge me for that, because you -- we've imposed that one year, and we've imposed the hearing. So I just invite you to take a second look at that in the conference committee. I think it ought to be out also.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Further discussion? Senator Carroll.

SENATOR CARROLL:

Should this bill get that far to get to conference committee, I suggest there are other problems with it, Senator Davidson, and -- and I -- I think some very serious concerns. For example, under the cannabis control forfeiture provisions, the money is supposed to be used to combat drugs - not to buy radios, or car phones, or things totally unrelated to drug enforcement. This would now allow them to buy paper clips for any part of the Secretary's office. I don't think that was ever his intent, but that is clearly what the language of this says; it's for general administrative costs totally unrelated to drug enforcement control. I think it's a very dangerous position for any of us to vote for, where we would say on the record that monies that were supposed to be used to fight drugs can now be used for paper clips, staplers, things like that. Some other problems, if I might, you also have in here - that if a person is stopped by a Secretary of State's Policeman, for any charge whatsoever, that the Secretary of State can have the court order a payment to the Secretary of State of all costs, as defined by the Secretary of State, for that arrest: the cost of gas for following them down the road; a portion of the cost of the squad car; a portion of the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

cost of overtime, if that officer happened to be on overtime; a portion of the cost of the uniform; a portion of the cost of any expert witnesses; any equipment in the car. You can end up with a person charged with going ten miles over speeding, that happened to be stopped by a Secretary of State's Police, and have a four-hundred-dollar charge on top of a fifty-dollar fine, because that's what they allocated that officer's court time, road time and equipment time for. This sounds to me like a repeat of one of the machine gun bills we once had years ago, and I think this would be better to not go very far at this point.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson.

SENATOR DAVIDSON:

Senator Carroll, in -- in response - and I got to say - I'm not well -- versed on this, but according to the information sheet given to me at the Secretary of State's Office, that these funds which you were alluding to this other use, which doesn't say so in the bill, says these funds could be used for investigative purposes only. With the understanding that this bill will go to conference so we can correct any of the bad parts of the bill, I would appreciate a favorable vote, so we can get it into conference and see if we can correct whatever is or is not perceived as may be wrong with this.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator del Valle.

SENATOR DEL VALLE:

Well, thank you, Mr. President. I also have problems with the acid forfeiture provision in this bill. We've been looking at what should be done with acid forfeiture dollars. Community organizations from all over the State are looking for assistance in their war against drugs at a community grassroots level, and the Judiciary Committee will be conducting a hearing in the month

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

of July to look at all the acid forfeiture legislation and to see if we can develop a comprehensive plan to make sure that those dollars are used to put back into the communities where they're needed to combat drugs - not to purchase uniforms for police departments; not to do -- purchase vehicles, but rather to combat drugs at a neighborhood level. So I would hope, Senator Davidson, that we wouldn't move on this bill and that we allow the time necessary to take a careful look at how we are using those acid forfeiture dollars in the State of Illinois.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

May the sponsor yield to a couple of quick questions?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR LEVERENZ:

Could you help -- hopefully help us understand what "investigative purposes only" encompasses? What would come under those total headings? That's the first question.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson.

SENATOR DAVIDSON:

My understanding is it would be used for sting operations, investigations under drug use or stolen car ring, et cetera, et cetera. Only in the prosecution of -- excuse me -- of gathering evidence for people who would be doing wrongdoing, which would be attributed or useful or necessary under the Secretary of State's Police for prosecution.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Leverenz.

SENATOR LEVERENZ:

And then -- as others, I guess, have indicated, on Page 7,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

starting with lines 26, "In all convictions of offenses in violation of this Act, the court may order restitution to the Secretary of any and all sums expended for the purchase of evidence" - I have no idea what the evidence might cost - "for the employment of persons to obtain evidence" - you could end up underwriting an entire task force - "and for the payment of any goods or services related to obtaining evidence." Is that not the first time that that has ever been put in a bill...

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson.

SENATOR LEVERENZ:

...or any agency of any police?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, my understanding is the restitution part is in many instances where they are setting up sting operations, et cetera, where they have to rent a facility, all or part of -- thereon it can amount to up to several hundreds to several thousands of dollars, and this is an attempt to recover that expenditure.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Any further discussion? Senator Davidson, to close.

SENATOR DAVIDSON:

Well, Mr. President and Members of the Senate, it's been already agreed to by the people from Secretary of State's Office. I'd like this bill to get out of here so we can get it to conference committee. We can address those problems which was raised by the individuals about the part -- a couple of questions which were raised. I got to say, the Legislative Reference Bureau is the ones who -- who used that language and said that's what had to be in there, when it has to be -- if it's wrong, or gives

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

misleading information, we'll take it out. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall House Bill 1995 pass. Those in favor, vote Aye. Opposed, vote No. 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 27 Ayes, 26 Nays, 4 voting Present. House Bill 1995, having not received the required constitutional majority, is declared failed. Senator Davidson.

SENATOR DAVIDSON:

Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Postponed Consideration. Senator Joyce, for what purpose do you arise?

SENATOR J.E. JOYCE:

Thank you, Mr. President. I rise on a point of parliamentary inquiry.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

State your point.

SENATOR J.E. JOYCE:

Would I be correct, Mr. Chairman -- Mr. President, in my belief that if a motion is filed on a bill and that bill resides in this Body, that that bill cannot leave this Body until that motion has been disposed of?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Yes. That is correct.

SENATOR J.E. JOYCE:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Purpose of an introduction, Mr. President. In the gallery, in back of me, to the left, are members of the Kendall County Farm Bureau who have come to Springfield to see us in action today.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Will our guests please stand and be recognized. All right. The bottom of Page 9, House Bill 2125. Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, this was a bill we discussed just a few moments ago on the Recall List. It would mandate an assessment on those convicted or placed on probation, supervision, and conditional discharge under the Cannabis Control Act, the Controlled Substances Act and the Steroid Control Act. Our amendment gives courts some additional discretion in imposing this assessment and also requiring public service work. I know of no opposition, would be happy to answer your questions, and would otherwise urge a favorable roll call.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, then the question is, shall House Bill 2125 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, none voting Nay, and none voting Present. House Bill 2125, having received the constitutional majority, is declared passed. House Bill 2134. Senator J.E. Joyce. Middle of Page 10. House Bill 2292. Senator Jones.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Jones. 2292. House Bill 2362. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2362.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2362 creates a Business Economic Support Act. It just simply sets up certain criteria, allowing public economic incentives for private enterprises. The Auditor General reported that it appeared that many agencies were not doing any cost-benefit analysis before providing those incentives to business. This does allow for -- and sets up certain criteria that have to be met. The bill also extends the statutory authority which allows DCCA to use federal funds.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, then the question is, shall House Bill 2362 pass. Those voting -- those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that, there are 59 Ayes, none voting Nay, none voting Present. House Bill 2362, having received the required constitutional majority, is declared passed. Senator Butler, for what purpose do you arise?

PRESIDENT ROCK:

2589. Senator Welch. 2592. Senator Savickas. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2592.

(Secretary reads title of bill)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President and Members of the Senate, House Bill 2592, as presently amended, does two things. First, the amendment has municipalities treated, for health planning and services, as they are in similar respects, as a single unified area. And it provides for appointment to the Illinois Health Facilities Planning Board, of representatives -- newer kinds of health care facilities not already represented on the State Board, which would include ambulatory surgery centers, renal dialysis centers and HMOs. The third item that House Bill 2592 does was ask that the State prepare and have available, for those school districts that wish to use it, a program dealing with chemical dependency for our children in the schools, and I would answer any questions that you may have.

PRESIDENT ROCK:

Discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Is this the bill that we had under discussion?

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Senator Fawell, this is the bill that would allow each municipality to be treated as one for the purposes of constructing a hospital. Yes.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Fawell.

SENATOR FAWELL:

Could you tell me, are you talking about a hospital in Cook County, or are you talking about a hospital in another county?

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Senator, not to beat around the bush and go kicking around -- years ago, when boundaries were decided on -- to be used for a health facility's planning, it was set up through the Federal Government's then planning system, which only incorporated county lines. What has happened since the Federal Government has gotten out of it -- and there are many municipalities -- I think there's about eight of them at this point that lie within the boundaries of two counties -- this caused a problem for those municipalities themselves to retain the ability to have a health -- a medical facility in their areas. Now those -- those counties probably -- or those municipalities include Naperville, Aurora, Hoffman Estates, Chicago, Hinsdale, and I think there is one other -- I think it would also include -- no that -- and Centralia. So it's not just for Cook or DuPage County.

PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

Well, to the bill: when these health facilities were originally set up -- when these health facility boards were originally set up, they were set up mainly with one purpose, and that was so that there would not be a duplication of services all of a sudden by some other hospital. One of the problems that we've got in this State right now is we've got too darn many hospitals beds. Many of our hospitals are going out of business because of the fact that health services have changed considerably

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

in the last few years. We no longer have times when women are allowed to stay in hospital beds for ten days after they have their children; they are dismissed a day and a half -- two days after they -- they have their babies and sent home. They no longer have long-term care after operations, because of the fact that operations are done quite often on an outpatient basis. And so we no longer need these beds. What Senator Savickas is talking about is allowing a hospital to come into one of these health facility districts, because they happen to overlap into another district and into another -- and -- because a municipality crosses a county line, and allow a hospital to be set up. Now I happen to know that one the hospitals obviously that we're talking about wants to come into my county within a few miles of two very large hospitals - two hospitals which have already recently expanded. One is Central DuPage Hospital in Winfield, and one is the Edwards Hospital in Naperville. For us to sit here and allow hospitals to continually build and then rebuild and then rebuild and then to come down here and ask us to support them in the manner that they would like to become accustomed to, is crazy. The hospital facility board was set up with a -- with a purpose. It was a good purpose. It was a purpose to make sure that this type of thing would not happen, and I strongly urge a No vote.

PRESIDENT ROCK:

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes. I think Senator Fawell hit it on the head - many of these things are antiquated and outdated, and to bring us update and out of the backdated areas of planning and programming, that we should start to recognize that problem. Treat municipal boundaries, which should be recognized -- the recognized standard for comprehensive planning activities. The Federal Government has withdrawn from dictating health planning areas. The treatment of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

a city or village, as within one health planning area, recognizes that municipality's responsibilities to its residents to provide the municipalwide comprehensive planning services. And we have another important item -- is that the municipal health departments operate throughout a city or a village, so to divide those smaller cities or villages that are divided by county line or lay within two counties is a wrong standard to hold them to, and I think that should be adjusted, and I would seek your favorable support.

PRESIDENT ROCK:

Question is, shall House Bill 2592 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? All voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 24 Ayes, 28 Nays, 1 voting Present. House Bill 2592, having failed to receive the required majority, is declared lost. The Gentleman requests that further consideration be postponed. So ordered. Ladies and Gentlemen, we are going to move, having now been through the Calendar on House Bills 3rd, we're going to the Order of Consideration Postponed, since again this is the deadline day. The Chair also informs me that there have been a couple of Motions to Reconsider that have been filed. So if you will turn to Page 20 on the Calendar. Page 20. Page 20 on the Calendar. Each of these thirteen bills has been heard before, so I would admonish the Membership to keep their remarks as brief as mercifully possible. Ladies and Gentlemen, we are going to go to the Order of Consideration Postponed. Then we will move to the Order of Motions in Writing to reconsider votes, then we will go to the Order of Concurrence. Page 20 on the Calendar, on the Order of Consideration Postponed. House Bill 5. Read the bill.

SECRETARY HAWKER:

House Bill 5.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. House Bill 5 is -- a Secretary of State Truck Safety Task Force proposed this legislation. The task force is made up of the following organizations: Illinois Commerce Commission, The Department of Transportation, Secretary of State's Office, State Police, Highway Safety and Traffic Safety Administration, Allstate Insurance Companies, State Farm Insurance Company, Chicago Association of -- of -- of Commerce and Industry, the Midwest Trucking Association, the Illinois Trucking Association, and the International Brotherhoods of Teamsters. This is a proconsumer bill. It means to save professional moving expenses, when rented trucks are offered -- offer the same services and reduce costs. Many people rent and drive these trucks, not knowing that sometimes they're illegal. In forty-nine other states allow consumers to rent trucks up to twenty-six thousand pounds, with no reported problem. Currently a citizen can drive a motor home that range between thirty-two and forty feet with the standard driver's license, but it is illegal for a consumer to rent a truck longer than thirty-two feet under this current law. This bill will benefit the consumers of the State. This -- also just one note, I passed out pictures of what we are talking about, giving you a description. These trucks are no larger than a two-and-a-half-ton truck. So I ask for a favorable vote.

PRESIDENT ROCK:

Discussion on House Bill 5? If not, the question is, shall House Bill 5 pass. Those in favor, vote Aye. All right. Ladies and Gentlemen, please. We're going to be on Consideration

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Postponed and then Motions in Writing to reconsider votes. I'd ask you, please, we have only a couple of hours of work remaining, if we could start paying attention. And when you wish to address the Body, please turn your light on. Senator Hawkinson.

SENATOR HAWKINSON:

Well, thank you, Mr. President. I apologize. I was a little late on the light. This is the bill, isn't it, Senator Brookins, where if Senator Demuzio's son or daughter wants to move from college, that they would have to go in and -- and take a test or have the safety video each time they do it?

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

That is correct.

PRESIDENT ROCK:

All right. Further discussion? Any further discussion on House Bill 5? If not, the question is, shall House Bill 5 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 30 Nays, 2 voting Present. House Bill 5 fails. House Bill 12. Senator Holmberg. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 12.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 12 is a major legislative initiative of the Council of Women Legislators this

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

year, COWL. It basically says that all appointed boards, commissions, committees and councils of this State shall be gender balanced to the extent possible and to the extent that appointees are qualified to serve on those boards. Initially, as introduced in the House last year - not this year - there was a mandate involved. This time it just says to the greatest extent possible. The reason for the bill really evolved from when COWL was very instrumental in putting in a day-care center on the Capitol complex. And as we tried to work with the Space Needs Commission, we realized there was not a single female representative on that Space Needs Commission. And the day-care center money kept getting moved around and delayed. We ran into the same thing when we built the State of Illinois building in Rockford, under CMS, which at that time was an all-male board. The building was built without a single closet, and we knew that had there been a female on that board, that kind of a plan would not have been approved. It just seems reasonable that in the year 1991, when over half of the population in Illinois is female, that we in Illinois should be moving towards female representation on our boards. Illinois has three hundred and two appointed boards, commissions and councils, with twenty-five hundred and eight appointees, of which nineteen hundred and sixty-four are men, five hundred and thirty-four are women - only twenty-one percent. Iowa has a gender balanced bill, as do Alaska, California, Delaware, Florida, Hawaii, Kansas, Minnesota, Montana, North Dakota, New Jersey, Ohio, Rhode Island and Wisconsin. It certainly is a reasonable approach. It is the right thing to do. This is 1991, not 1919. Let's do it. Let's support this bill.

PRESIDENT ROCK:

Discussion on House Bill 12? Any discussion? If not, the question is, shall House Bill 12 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish?

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 15 Nays, 1 voting Present. House Bill 12, having received the required constitutional majority, is declared passed. 143. Senator Brookins. Yes, no or maybe? Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1-4-3.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I think that we all know what this is. This is the Buy America Bill. We're asking that we use steel, that we buy products made in the United States. And the reason that we're asking that is that we want to provide jobs and work for people in Illinois and we want to hire the people that have laid off to work. I think that will help the economy of Illinois and probably wouldn't be in the position today that we're in, looking for where we're going to get money and -- and prevent the cuts and cutting off of other employees and sending them to the public aid facilities. I ask for a favorable vote. This is an Aye vote. We know the issues. We know what it's about. Just vote Aye.

PRESIDENT ROCK:

Discussion on House Bill 143? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Yes, we did debate this bill the other day. This bill did not procure enough votes for passage. It's no better today than it was the other day. It'll cost the State roughly ten percent more to comply with the provisions of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

this bill. It is estimated that it would cost us between six and seven - the State of Illinois - six and seven million dollars per year if it tried to comply with the provision of this bill. The bill, which specifies certain specific contents of products to be made in this country, et cetera, et cetera, would be very difficult to enforce. It would invite retaliation by other companies. If we begin to do this, they will say, "Okay, then we won't buy from you." And I will argue that this could -- this could hurt the very workers that it's intended to serve, because if we end up once again hurting business in Illinois, we are not serving the interests of the working men and women in this State, but we're hurting them. So that's -- and it lacks definitions in standards. You know, when you're talking about buying products and you're trying to determine exactly what percentage of materials come from where in those products, you've got to have some sophisticated devices set up in your company to be able to do this, or you -- or the State of Illinois would have to do this, to be able to determine with any precision and be able to comply with these provisions. And I submit that it would be a very difficult thing to do, and if the State did not do that, then it would be subject to -- or a company -- would be subject to -- to lawsuits and all the rest it, and the courts tell us that -- or we...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Will the Gentlemen bring his remarks to a close, please?

SENATOR HUDSON:

...courts are not prepared, are not equipped to handle these -- simply to handle these kind of cases. I would urge a No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator -- Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Just two quick comments. Number one, I don't know if anybody keeps track of how much additional

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

money we're authorizing here. But here's seven million bucks more than -- than we spent last year, just on this one item. Secondly, echoing Senator Hudson, this is a nightmare to keep track of. Who is going to take apart a piece of machinery to determine what its contents are? We can strap business in a number of ways. Let's not do it this way.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins, to close.

SENATOR BROOKINS:

Thank you, Mr. President. I'm not going to go into any long rhetoric and -- and -- and rhetoric, but I am going to say that this bill is about jobs and employment and preventing people from going on public aid. We'll save far more than seven million dollars if we can prevent them people from going on public aid, put them back to work, and make them productive, working, taxpaying citizens again. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall House Bill 143 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 26 Ayes, 29 -- 29 Nays, none recorded as Present. And House Bill 143, having failed to receive the constitutional majority, is hereby declared lost. 273. Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 273.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

House Bill 273 establishes a nutrition outreach and public education program, administered by DPH - Department of Public Health. The purpose of the program is to identify areas where persons eligible for food programs - and these are federally funded food programs - are not received, and to help enroll such people in these federally funded programs. Numerous groups representing women, children, seniors, veterans and the homeless are sponsoring this legislation. Numerous studies by the Department of Public Health and Citizens Assembly on Public Aid show that food assistance is increasingly needed by the unemployed, by veterans, by senior citizens, by the homeless and by children in our State. An Illinois survey conducted by the Salvation Army shows that approximately a third of those eligible for these federal food stamp programs are not participating, because they don't know about the programs, they don't know how to get in the programs. That's all this bill is about - to help our citizens - Illinois citizens who are going hungry today - get in these federally funded, federally subsidized programs. These are not State dollars. The Department of Public Aid says well, they are going to need some State dollars to fund it. We're talking about typists that they've already got in the Department. This program in reality would cost nothing and help many, many of our hungry people get federally funded programs that are available to them that they don't even know about, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I -- I admire what Senator Marovitz is trying to do, because he certainly tries very, very hard, you know, not only to represent his district, but the people of the State of Illinois. Our problem at this time is -- is fiscal. It's my standard story.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Even to get and access federal dollars, we have to put up-front dollars, and those up-front dollars are not available. The program costs, according to the Department of Public Aid, would be two hundred and eighty thousand two hundred dollars. Maybe in this year when we're making severe cutbacks, we still anticipate more, these moneys might be better channeled into current and existent food programs rather than going out to solicit to see how far further we can stretch these very, very slim dollars. So I think my objection would have to stay the same as it did originally.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. Well, what I'm saying to you, Ladies and Gentlemen, is this program will cost the State of Illinois zero dollars. Nothing. And yet, it will allow veterans, seniors and children who are going hungry to get on the federally funded programs. What does the Department of Public Health say it is going to cost, perhaps, if anything? Well, we are going to have to hire some typists, okay? A couple typists. We're going to have to buy some equipment for thirty - forty thousand dollars. The fact is those typists and that equipment are already in the Department of Public Health. They don't have to hire anybody. They don't have to buy any new computers or any new equipment to help the hungry people, children, seniors and veterans in our State get on these federally funded programs, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 273 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? Please take the record. On this question, there are 31 Ayes, 26

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Nays, none recorded as Present. House Bill 273, having received the constitutional majority, is hereby declared passed. Senator Topinka, -- requests verification. Very good. Would the Membership please be in your seats. 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, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Are there any questions of the affirmative vote?

SENATOR TOPINKA:

Yes, please. Senator Palmer.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Palmer. Is Senator Palmer on the Floor? Please remove her.

SENATOR TOPINKA:

Pardon me?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

She's removed.

SENATOR TOPINKA:

Oh, I'm sorry. Senator Berman.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Brookins is right there.

SENATOR TOPINKA:

Berman, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Oh, Berman.

SENATOR TOPINKA:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Yeah.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

I just seen him. Senator Berman on the Floor? He's on the Floor.

SENATOR TOPINKA:

Senator O'Daniel.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel on the Floor? Senator O'Daniel. Remove him.

SENATOR TOPINKA:

That will do, thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Are you through? Okay. On that question, there are 29 Ayes, 26 Nays. House Bill 273, having failed to receive the constitutional majority, is hereby declared lost. Please turn to Page 21 of the Calendar. Appears House Bill 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)

Gentleman from Cook, Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. This bill would call on the Department of Aging to develop and coordinate an informational program distributed to the senior organizations across the State, helping them get access to child care training. Answer any questions anyone might have. Ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Sangamon, Senator Davidson.

SENATOR DAVIDSON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DAVIDSON:

Is the criminal background check still in this bill on that senior care person? And even if it is, there's no way they can dismiss or cause for that person not to be hired or continue to be in the program for child care?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

Senator, I believe your question is answered, if I can refer you to Page 2. The demonstration module shall include dissemination of information on employment and volunteer work opportunities; on available training programs in the geographic area including institutions of higher education through professional organizations, DCFS provider training, and Resource Development -- Resource and Referral Systems. Additionally, information regarding license requirements, health and background checks, and a general introduction to child care shall be included in the demonstration module.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

I understand that part of it. The question I really want an answer to is can they be dismissed if they have a criminal background?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

I believe that they can.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Davidson.

SENATOR DAVIDSON:

Well, that may be your belief, but from what my understanding is, and the analysis of the bill is, sure, you do the background check - it comes up with a criminal background. There's nothing in there that says the person can be dismissed for it. So consequently, these children are not protected from someone who's a senior who's going to be in this program who has a criminal background. I think this was a good No vote the first time; it's a good No vote this time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, unfortunately, we continue, you know, to have opposition from Councils on Aging, who feel that this money, indeed, would now be diverted into this new pilot program from their area agencies, and therefore they would not be able to carry on with much-needed programs that they would like to fund currently and anticipate possibly having to cut because of lack of State support, as we go about our business trying to balance the budget. This, too, has a fiscal impact on the State of Illinois, which is thirty thousand dollars. That's probably minor in terms of the whole budget. But my concern is what this ultimately gets down to when it ripples to the Councils on Aging - who do have various and -- and needed programs - this is another new program. They -- our Councils on Aging also tell me that on a voluntary basis, should anyone want training in this, it can be done. But largely, they have found that the senior citizens who are members, indeed are really not interested in -- in baby-sitting or doing any kind of child care. So I think we continue with our opposition.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Leverenz, to close.

SENATOR LEVERENZ:

With all due respect to the prior speaker, I was told as a child that I better tell the truth or my nose would grow. The fact of the matter is that the local area Agencies on Aging have, I doubt, any direct -- a number of dollars that you could attribute to this program. It is simply a demonstration program. It is simply a dissemination of information program to the locals that may or may not want to participate in the demonstration program. And I'll call her attention to her vote on, I believe, Senate Bill 822, in which she voted in the affirmative, as well as another bill, in which she voted in the affirmative. But if we lose her vote on this, that's fine. I would ask for your support to provide a demonstration program for the active seniors that want to be productive members of society and earn some money at the same time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 329 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Ted, would you give us a profile shot? I got to check your nose. Oh, there you go. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 31 Ayes, 28 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senator Topinka, what purpose seek recognition?

SENATOR TOPINKA:

I'd like to do a verification, please. I'm trying to see over my nose, and I do happen to notice there are a few people missing.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

That's in order. I think they're all here, though. Madam Secretary, would you please verify the affirmative roll call? A verification has been requested. Please verify the affirmative

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

vote.

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Topinka, do you have any verification of the affirmative roll?

SENATOR TOPINKA:

Senator Berman, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Berman. Senator Berman is on the Floor.

SENATOR TOPINKA:

Senator Collins.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins is on the Floor.

SENATOR TOPINKA:

Senator Welch.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch is on the Floor.

SENATOR TOPINKA:

Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jerome Joyce. He's on -- he was just here.

SENATOR TOPINKA:

They're all here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On this question, there are 31 Ayes, 28 Nays, none recorded as Present. And House Bill 329, having received the constitutional

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

majority, is hereby declared passed. 495. Senator Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4-9-5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. House Bill 495, as amended, creates the Respiratory Care Practice Act for the regulation of the practice of respiratory care by the Department of Professional Regulations. It establish requirement for registrations and create a respiratory care examining committee. We've heard the debate on this bill. There are currently thirty-one states throughout the United States that regulate this very, very critical care. It would not raise the cost of hospital care, but what it will do is ensure all those persons -- it's very difficult to hear, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Your point is well taken.

SENATOR JONES:

What this legislation would do will ensure that those persons being in critical care, those persons who come in through the emergency room, those persons who need special care, would have a trained person qualified to do the job. And currently right now, those persons are being -- receive what you call, "on-the-job training." And on-the-job training can be one week, it can be one month and you may get in the hospital, or your friend, or relative or any citizen go in the hospital, they will not have a specialist taking care of them or the most critical thing as it relate to hospital care. And that's your -- respiratory therapy. This bill

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

will ensure that those persons receive the proper licensure and the proper educational training and background to give this very critical care, and I ask for a favorable vote on House Bill 495.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You know, the noise level is awful high. Could we have your attention please? Thank you. Senator Schuneman. Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I rise in opposition to this bill, as I have the several times it has been presented here. Senator Jones makes the point that somehow we're protecting health care here and -- and I take just the opposite point of view. There's nothing in the bill that would guarantee that people would get any better care than they're getting now. There was not a single shred of evidence presented to the committee to show that -- that good health care has -- has ever failed to be provided, under our current system. All the bill does is set up a special category of licensing people, which is going to cause another increase -- another mandated increase by this Legislature in the cost of health care in this State. I'm -- I'm really surprised to hear all the complaints on the Floor of this Senate about how health care is out of control, and then the next bill we vote upon causes health care costs to increase again. And it's simply a fact that if we continue to pass this kind of legislation, continue to set up special categories of people that our hospitals are going to have to deal with, that we are, in fact, raising the cost of health care in Illinois. As I remember this particular bill, at the present time it requires no particular Act to become certified other than to apply for it. If you've been doing this kind of thing in the past, you're automatically grandfathered, I believe, under this bill. And I simply ask you to call a halt to -- not only this, but all the other increases in health care costs that we're passing in this Senate.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Jones, to close.

SENATOR JONES:

Thank you, Mr. President. And in response to the previous speaker, hospital care costs would not go up, but one of the things that we do is we license everyone in that health care professions; we license nurses, we license LPNs, we license doctors, but the most critical care that one needs is the respiratory care, because if you're in the emergency room, it's that respiratory care person that see to it that you are breathing properly - that you receive the proper oxygen. And you cannot have those persons who are unqualified, untrained, doing that job on the OTB <sic> basis. So it's not going to rise -- raise the cost of hospital care, but it would ensure -- it would ensure that the entire medical team is licensed, qualified to give the best service care that we need, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 495 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? Please take the record. On this question, there are 31 Ayes, 26 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Senator Schuneman requests to verify the affirmative vote. Request is in order. Hope that everybody's here. Please verify the affirmative vote.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, D'Arco, Davidson, DeAngelis, del Valle, Donahue, Fawell, Geo-Karis, Hall, Hawkinson, Jones, J.E. Joyce, Kelly, Leverenz, Macdonald, Madigan, Mahar, Palmer, Raica, Rea, Savickas, Severns, Smith, Topinka, Weaver and

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman, do you have any question of the affirmative vote?

SENATOR SCHUNEMAN:

Senator Collins.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins is on the Floor.

SENATOR SCHUNEMAN:

Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton? He's on the Floor.

SENATOR SCHUNEMAN:

Pardon me?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's on the Floor.

SENATOR SCHUNEMAN:

Senator Brookins. There he is. There he is.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Brookins is on the Floor.

SENATOR SCHUNEMAN:

I withdraw that name. Senator Savickas.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Savickas? Senator Savickas on the Floor? Please remove him.

SENATOR SCHUNEMAN:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's on the Floor. He's right back there.

SENATOR SCHUNEMAN:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

D'Arco's on the Floor.

SENATOR SCHUNEMAN:

There he is, okay. That's all, Mr. President. Oh.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Yes, sir. Schuneman.

SENATOR SCHUNEMAN:

Yes. Thank you. Senator Donahue, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is Senator Donahue on the Floor? Donahue. Please remove her.

SENATOR SCHUNEMAN:

I think that is all, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On this question, there are 29 Ayes, 26 Nays, none recorded as Present. This bill, having failed to receive the constitutional majority -- House Bill 495 is declared lost. 589. Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 5-8-9.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This bill mandates DCFS to maintain reasonable workloads for child welfare specialists and child protective investigators. Even DCFS acknowledges that the workloads -- the caseload workers are extremely -- extremely excessive, and that the kids are not well-served. DCFS is the defendant in several lawsuits, charging that they don't have enough caseworkers to adequately protect children, and this bill attempts to deal with that problem. We have case -- we have workers in this State that take care of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

ninety kids. One caseworker takes care of ninety kids. The nationally accepted standard is twenty-one. This bill will take care of that problem, hopefully, and send a loud message where the priority of the General Assembly is in regards to -- to kids and their welfare.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate. Really and truly, Senator Marovitz does address a problem that DCFS has. It understands that. It's currently trying to work this out, both, you know, through various settlements that they're trying to make. You know, they would prefer that this bill not lock them in at this point. They also want the ability to be able to bring these sizes of -- of client to worker in -- in better perspective, which they could not do if this were locked in. And the bottom line to it is, it's thirty-one million dollars. We do not have thirty-one million dollars.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Marovitz, to close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. Well, the costs in Fiscal '92 are not thirty-one million dollars. The costs in Fiscal '92 are six million dollars. And this will all be part of the budget negotiations, so that we can help determine where these kids are, how they're being treated, how they're being mistreated, and if we can't put our priorities in terms of kids and their needs, in terms of these kinds of kids that need protection from DCFS, where are our priorities? They shouldn't be with bridges and roads; they ought to be with our kids. And that's what this bill is all about.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

The question is, shall House Bill 589 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? Please take the record. On this question, there are 30 Ayes, 28 Nays, none recorded as Present. This bill, having received the constitutional majority, is hereby declared passed. Gentleman from Cook, Mr. -- Senator Raica.

SENATOR RAICA:

Verification please, of the affirmative.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

This is getting to be rather taxing. But the request is in order. But from now on, why don't we just vote our own switches, and we'll do it that way. Madam Secretary, please verify the affirmative vote. Would the Membership please be in your seats. We are blessed with another verification. House Bill 589. 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, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Luft, Marovitz, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica, do you have any questions of the affirmative vote? The thirty-strong here?

SENATOR RAICA:

Senator Carroll.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Carroll. Senator Carroll, is he on the Floor? Yes, he is. That's it. On this question, there are 30 Ayes, 28 Noes, none Present, and House Bill 589 is hereby declared passed. 827.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Demuzio. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 8-2-7.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 827 passed the House 109 to 2. It provides the Statewide salary reimbursements equal to twenty-six percent of the previous year Statewide average special education teachers' salary for special education teachers, professional workers, directors, school psychologists and preschool teachers for the deaf. We have debated this bill rather extensively. I would ask for your support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from DuPage, Senator Karpriel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I rise in opposition to this bill. This bill at -- at -- will have a fiscal impact of nine million dollars in FY'93. I think while we are embarked or embroiled in this very tight money situation that we are this year with our budget, we should not be getting -- passing new programs that are going to cost money that we don't know if we will have. It'll be nine million dollars in '93 and a five-percent increase from thereon. Also I -- I think that the State Board of Education is opposed to this legislation at this time, because they are right now doing a study of this issue and plan on having their proposals ready by next year. So I would ask for a No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Demuzio, to close.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Karpziel is absolutely correct. The bill does not have any fiscal impact in 1992 or '93, but House Bill 827 is certainly reform, and now is the time to accomplish this very serious objective, and I would ask for your positive support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall House Bill 827 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 35 Ayes, 21 Nays, 1 recorded as Present. This bill, having received the constitutional majority, House Bill 827 is hereby declared passed. House Bill 1128. Senator Smith. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1128.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1128 provides a comprehensive and responsible approach to the problem of pregnant women who use drugs. It is crucial that substance-abusing pregnant women are linked to both prenatal care and substance abuse services as early as possible, and that their families are supported in safe, stable environments. The purpose of this bill is merely to protect substance-abused pregnant women from criminal prosecution...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me, Margaret. Excuse me, Senator. Would you please give the Lady your attention? Please. Please continue, Senator

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Smith.

SENATOR SMITH:

Thank you, sir. The purpose of this bill is to protect substance-abusing pregnant women from criminal prosecution and to insure coordination of services and referrals to case management services. I'd like to also make mention that this will be going to conference committee, where it will be further worked on, and I ask for your favorite <sic> vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. To the sponsor: I commend you for taking this to conference committee, because I think it needs a cleanup. One question I would like to ask you: at this time, does this bill still continue to prohibit the use of drug test results on newborns from being used as the basis for prosecuting the mother of the child?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Yes. This is still in there. That's what we're going to deal with.

SENATOR TOPINKA:

Oh.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion?

SENATOR SMITH:

May I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell. Senator Smith may close.

SENATOR SMITH:

Mr. President, may I defer to Senator D'Arco, please?

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. I don't think there is any disagreement on the bill. We want to get it to conference committee to try to get these pregnant women into rehabilitation within the Department itself, and I don't know of any opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1128 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 46, the Nays are 3, none voting Present. House Bill 1128, having received the required constitutional majority, is declared passed. House Bill 1470, Mr. Secretary, please.

END OF TAPE

TAPE 5

ACTING SECRETARY: (MR. HARRY)

House Bill 1470.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. We have debated this bill three times in the past. It has received, at any one time, sufficient votes to pass, and I hope if everybody's here who wants to vote for it does vote for it, we can pass it

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

now. This bill deals with the issue of infertility and insurance. I think we all know what the arguments are. It applies to companies for group policies only - companies that have twenty-five employees or more. It does not apply to individual policies. It does not apply to self-insurers. It -- it affects eighty-five thousand couples, potentially, in the State. I have indicated in the past, with regard to legislative intent addressing the concerns of the pro-life issues, that this bill does not provide any coverage for insurance for abortions. This only provides for insurance to treat infertility, which is sort of like the opposite of an abortion. The cost, as we've indicated, varies. We looked at other states. It varies anywhere from sixty cents in Delaware per family per month, to a dollar twenty in Minnesota. And once again, I -- I'd be happy to answer any questions, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. Once again, I rise to oppose House Bill 1470. I think it's obvious that the bill needs further work. The Senate Amendment No. 2 may not be in order. We've had two different versions on this bill. We've held the bill in committee. We've held the bill on the Floor before. And I should point out at this discussion with that eighty-five thousand that Senator Cullerton mentions, that as far as the potential insured people, this only applies to the twenty-six percent of the potential policyholders on this, and I would ask that -- and urge the Members to oppose House Bill 1470.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just two quick points - first of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

all, Senator Madigan was right on when he mentioned that although there may be eighty-five thousand couples in Illinois who are potentially infertile, this bill isn't going to help them all, because the great majority of people who are insured in Illinois are taken out of this bill or not included. The other thing I think is a perception that we ought to correct - and I think there are some Members who think the insurance companies are going to pay for this additional cost. Believe me, the insurance companies are not going to pay the cost. Individuals are going to pay the cost. Small business is going to pay the cost. And what we're doing here is deciding that the cost that might be borne on a voluntary basis by some people is now going to become a mandated coverage on about twenty-six percent of the insurance policies that are -- that are issued in this State. This bill needs a lot of work. We ought to delay it until we can come to a rational decision. I urge opposition to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, we are on Postponed Consideration. We've always limited ourselves to the sponsor making a -- an argument, and the opposing argument. And is there further discussion? And if not, Senator Cullerton may close.

SENATOR CULLERTON:

Thank you, Mr. President. Let me just respond to Senator Schuneman. I don't think I should be penalized by -- because this doesn't apply to all eighty-five thousand couples. It applies to maybe twenty thousand couples. Is that any less reason to pass it? The reason why it doesn't apply to everybody is because the Federal Government says you can't tell self-insurers what they have to offer, and we have, as a matter of public policy, exempted out the smaller companies, and at the request of people in committee, exempted out individual policies. That's why it applies to twenty-six percent. With regard to the cost - I never

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

said that it wasn't going to be paid for in premiums. Sure, it's going to be paid for in premiums. I even told you what the premiums are going to be. In Minnesota, a dollar nineteen per month per family. That's what the bill is about. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1470 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 25, 2 voting Present. House Bill 1470, having received the required constitutional majority, is declared passed. Senator Madigan, for what purpose do you rise?

SENATOR MADIGAN:

I apologize, Mr. President, for delaying, but I would request a verification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Madigan has requested a verification of those Members who voted in the affirmative. Mr. Secretary, read the -- read the Members who voted in the affirmative.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Berman, Butler, Carroll, Cullerton, Daley, D'Arco, DeAngelis, del Valle, Dudycz, Fawell, Geo-Karis, Hall, Hawkinson, Holmberg, Jacobs, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Macdonald, Mahar, Marovitz, Palmer, Raica, Savickas, Severns, Topinka, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Madigan, do you question the presence of any Member who voted in the affirmative? Senator Madigan.

SENATOR MADIGAN:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Rea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea on the Floor? Senator Rea is in the back of the Chamber.

SENATOR MADIGAN:

He voted negative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He voted in the negative. Senator Madigan, do you question the presence of any Member that voted --

SENATOR MADIGAN:

Well, I --

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On a verified roll, there are 30 Ayes, 25 Nays, 2 voting Present. House Bill 1470, having received the required constitutional majority, is declared passed. House Bill 1968. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1968.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill deals with the bookstores. We have adopted an amendment earlier today which reflects an agreement that was reached between Northern Illinois University and the Retail Merchants. As a result of that agreement, they're in support of the bill. I believe everybody is in support of the bill, and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

SENATOR WELCH:

I'd just like to say that I'm supporting the bill now, since an agreement was worked out, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1968 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, none voting Present. House Bill 1968, having received the required constitutional majority, is declared passed. House Bill 2228, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Yes, this bill we debated at length. This bill involves a moratorium on evictions and utility service disconnections because of delay in us appropriating the Public Aid appropriation. I would suggest that we -- I will commit to you that we put this bill in a conference committee. Hopefully, we won't need the bill because we will pass the Public Aid appropriation. I'd like to pass the bill. It has an amendment on it. I will instruct the House sponsor to non-concur, put it in the conference committee. It would then be available; and if we see that we're not going to pass their budget, then we can debate the issue at that time. So I would ask for an Aye vote with that understanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2228 pass. Those in favor will vote Aye. Those opposed, Nay. The

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

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 27, the Nays are 27, 1 voting Present. House Bill 2228, having failed to receive the required constitutional majority, is declared lost. House Bill -- I'm sorry, House Bill 2451, Madam -- Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2451.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I would hope that my fellow legislators have received and had the opportunity to read the communication sent to them on June 21st, relative to the Automotive Service Association of Illinois' representation that this bill is sorely needed in order to protect the environment and to eliminate those persons who would be backyard painters or whatever -- whatever -- you can put on a better name for a name they would be called. It is the sincere efforts of this Association to clean its own act up and not be held responsible for endangering the environment. I solicit your Aye vote on this situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, Mr. President and Members of the Senate, I, for one, continue to be concerned about the implication of that person that does do a little work in a neighborhood garage, maybe charges a little bit, and falls under the purview of this Act. One of the things I've discovered, and I note with interest that the industry

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

- the large industry who would probably dearly love to see all these backyard neighborhood operations put out of business - is very much for this bill. Well, that's fine. I won't question their motivation, but I've discovered down here that there are reasons and there are real reasons. And perhaps the real reason here is that if all the little guys are wiped out, you got to take your car to the big guys, and they make more money. I think this is still a burden on the little guy. And how often have we seen the big guy come down here and muscle the little guy?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Alexander may close. I will -- I will continue to point out to the Membership that on --

SENATOR ALEXANDER:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

This piece of legislation does not prohibit anyone from purchasing this toxic auto -- automotive paint, and rather, it requires the seller to ask the purchaser to -- to get an ID number so that the proper disposal of this toxic paint and what it could possibly be doing to our environment - which we all live in - can be made note of. And I will say to my other side of the aisle and to my own side, those persons who would encourage any person to continue to violate the environment to deal with this type of situation, I think you should -- rethink your position, because all of us needs to live in safe environmental conditions. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)...is, shall House Bill 2451 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

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 31, the Nays are 24, none voting Present. House Bill 2451, having received the required constitutional majority, is declared passed. All right. House Bill 1776. Senator Rea. House Bill 2592. Senator Savickas. All right. We have now completed Postponed Consideration. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. We have Motions in Writing to Reconsider the Vote by which certain bills were passed. In fairness, this is the last day for consideration of House Bills. If, indeed, these motions succeed, it is only appropriate then that the bills be called again. So I would ask that we go to that Order, and there are but three motions, and then we'll go to the Order of Concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Page -- Page 22. House Bill 1000. Senator Philip. Motions in Writing, Page 22, is House Bill 1000. Senator Philip. ...(machine cutoff)...the motion, Madam Secretary.

SECRETARY HAWKER:

Having voted on the prevailing side, I move to reconsider the vote by which House Bill 1000 was passed.

Filed by Senator Philip on June 19.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This -- this was -- the four leaders were meeting with the Governor, and quite frankly, we were trying to work out some kind of an agreement on the hospital situation in the State of Illinois. We agreed, quite frankly, the Governor, that we

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

wouldn't do anything till the so-called powers that be met and worked out some kind of a compromise. So I'd like to see this thing go down the drain, and hopefully we'll work something out right for all the hospitals in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would ask the Gentleman to withdraw the motion on the basis that we are still attempting to work this out. This, in fact, met with overwhelming majority approval. It is a -- at least a proposal that will at some point probably get to the Governor's desk, but I can assure you it will not get to -- as one who has to sign stuff before it goes there, it won't get there until next week. So I'd ask the Gentleman to withdraw the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip may close.

SENATOR PHILIP:

Yeah, I'd just ask for a roll call, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip, having voted on the prevailing side, moves to reconsider the vote by which House Bill 1000 was passed. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 30, none voting -- none voting Present. The motion fails. House Bill 1972. Senator Hawkinson. Madam Secretary, read the motion. House Bill 1972.

SECRETARY HAWKER:

Having voted -- voted on the prevailing side, I move to reconsider the vote by which House Bill 1972 was passed.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Filed by Senator Hawkinson on June 24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. During the limited debate on House Bill 1972, there were, I think, some misunderstanding and some incorrect information, and I would move that we reconsider the vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I would support Senator Hawkinson's motion. While the intent is clearly there, as far as what we were trying to do with the amendment on Senator Jones' bill, the bill -- the amendment does need some further clarifying language to make the intent perfectly clear. And I would support Senator Hawkinson's motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I spoke to Senator Hawkinson and Senator Madigan on this issue. And we checked with the Realtors' Association. We saw no problem, but if there is still concern - clarifying language - I have no problem in reconsidering the vote. We'll perhaps do it in conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hawkinson has moved to reconsider the vote by -- having voted on the prevailing side, moves to reconsider the vote by which House Bill 1972 was passed. 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? Have all voted who wish? Take

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 1972 -- the motion is adopted, and House Bill 1972 will be back on the Order of -- of 3rd Reading. House Bill 562. Senator Macdonald has filed a motion. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

Having voted on the prevailing side, I move to reconsider the vote by which House Bill 5-6-2 was passed.

Filed by Senator Macdonald on June 26th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When we passed House Bill 562, I was under the impression that there was a referendum provision in this bill. When we are imposing property tax increases, it was just my assumption that that was in the bill. Since it is not, I simply cannot support this bill, and I would move for reconsideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald, having voted on the prevailing side, has moved to reconsider the vote by which House Bill 562 was passed. Is there discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President, Members of the Senate. I thought it was made crystal clear during the debate that this was permissive legislation as such, Senator. And the -- the referendum that you refer to is always there. But this is permissive legislation; this is not a property tax increase. It leaves it up to the local school board to -- to levy, if they so desire. All -- all this does is take the handcuffs off them and allow them to deal with the educational situation. It is not a tax increase. It just takes the handcuffs off the board so it can

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

deal with its financial situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you. Let me suggest to those of you who are not from Chicago, that this is probably the best bill that you can vote for on behalf of State aid to your schools. If Chicago increases its levy, the amount of money that they get from State aid will probably go down. That means there's more money available to each of you. Those of us from Chicago who are voting for this -- we're going to draw the heat when we go home, because we are inviting the board -- or authorizing the board to raise the property taxes. Now I don't think - and I'm not sure why anybody from downstate would want to penalize us - those of us from Chicago - who are willing to take that kind of heat. Now, this is not a foregone conclusion. This is only June 26th. We've got a lot of problems yet to solve. Keep this bill alive and allow us to continue to discuss this. And I know that there are some Chicago legislators that are not happy with this. I invite them to vote No. But from those of you from outside of Chicago, a Yes vote will mean more money for your schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR J.E. JOYCE:

I rise in support of Senator Macdonald's motion. The fact of the matter is -- is that this board has not responded in a way that would warrant us to give them this type of authority. So I would ask that we support Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. Senator Berman, we're all going to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

draw the heat on this one. Not just those of us from Chicago, but all of us - the entire Senate. Senator Jones, this is permissive legislation, and it's not mandatory. But we all know what's going to happen as soon as it passes the -- the General Assembly, if the Governor signs it. The Chicago Board of Education is going to impose this tax. And it's just going to stick it to the taxpayer again - to the property owner - one more additional burden choking the people who are paying your bills - paying your salary, my salary. We're all going to draw heat from this one. And I suggest anybody who votes in favor of this bill and against this motion deserves the heat that they're going to get.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank -- thank you, Mr. President. I'm not standing either in favor of the bill or opposed to the bill, but I just want to comment on some of the previous speakers' comments. I see no way in the world that my school district is going to get more money - my school districts or any other downstate school district - is going to get more money if this bill is passed. All that's going to happen if this bill is passed is to raise the property taxes in the City of Chicago, and there'll be more money for the school system in Chicago. And you should vote on that basis, not because you think that any downstate district is going to get one penny more under the formula or in any other way out of this -- from this bill. So, I mean, I really think that that is misleading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, when you say permissive, it's going to be permissive upon them to raise taxes without a referendum, and I don't think that's a good idea.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

And I'd speak in favor of the Motion to Reconsider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. When I heard that this motion was going to be reconsidered, and one had been filed by one of my colleagues from the City of Chicago, I was really disturbed over that. But let -- let me first preface my remarks by saying as of this morning, we had not heard or seen anyone talking about a solution to the financial crisis in the City of Chicago -- as of yesterday, I'm sorry. And so the caucus met - the Senate Black Caucus met - and we made a decision that we had to do something, and had a responsibility to provide some leadership on bringing about a solution to the school crisis, because our primary objective is to make sure that the schools open -- and not only that they open, but that they open with -- with appropriate school curriculum that is not considered bare bones. And what I mean - without cutting out P.E., all of the other extracurricular activities that is essential to the overall growth and development of those students. Now maybe, in haste, we did not - as we should have, Senator - inform all of the Chicago delegation - and I apologize for that - about what arrived out of a meeting this morning starting at 7:00 a.m., of which all of you was, in fact, invited -- were invited. That consensus came from every major organization in the City of Chicago. They flew down last night. They drove in - starting at 3:00 a.m. this morning. And at 7:00 a.m. they were at that meeting - thirty-five groups - thirty-five groups - because what we said to those groups yesterday in a telegram, that "We have a problem. Because you have shown leadership in school reform before, we want you to tell us what you think we can do, and we need your support to bail out that system." We sent a telegram to the Mayor's Office. We sent

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

-- I mean a fax to the Mayor's Office. We sent one to the Superintendent's Office. We sent one to the -- the Chair of the School Board's Office. And of course, every other major group in the City of Chicago that have been in leadership for quality education in the City of Chicago. They were all there, with the exception -- there were not someone there representing the Mayor's Office. Why, I don't know. But I can tell you that if we reconsider this vote today - right now - on this situation in the absence of no other viable alternative, we might as well close up and go home, or this side and this side might as well get married, because, as far as I'm concerned, it is finished. You will not get another vote to get nothing out of here. This makes no sense at all - none at all. I say let's let this bill stay in the House. We still have time. If you got an alternative to that system, then let's come up with it. But, by George, don't stand here today talking about killing the only live option that we have to insuring that the school system open. It is divisive. It is counterproductive. And I just think we shouldn't do this. It's foolish.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right. Senator Berman, for a second time.

SENATOR BERMAN:

Thank you, Mr. President. I apologize for rising, but I want to clarify, I think, a misimpression that I gave. This is a Motion to Reconsider. I was urging a No vote on the Motion to Reconsider. From the point of view of persons outside of Chicago, this will not change the general State aid distribution. And persons asked me questions about that, and I -- I apologize if I gave that impression. I think the argument that has been made by others - and I won't go into debate - justifies Chicago doing something of it -- for its own children that doesn't affect the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

rest of the State. But I wanted to clarify those statements, so I don't mislead anyone. I was urging a No vote on the Motion to Reconsider. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Macdonald may close. I'm sorry.

SENATOR MACDONALD:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald may close.

SENATOR MACDONALD:

The -- the fundamental issue, certainly in this General Assembly, in this very serious Session - at least one of them is - not only school reform, not only school funding for all schools in the State of Illinois, my schools as well, but one of the overriding complaints and one of the overriding issues is property tax relief. This is absolutely fundamental. And I just think that without a referendum -- I -- I commend the Caucus for what they have tried to do - what they are doing - that they are trying to resolve their own problems; but, my own philosophy is that I do not like to impose property taxes without a referendum, and I would suggest to you that this Assembly consider very carefully what we are doing by allowing anyone to impose property taxes without a referendum. So I ask for your Aye vote on this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald, having voted on the prevailing side, moves to reconsider the vote by which House Bill 5-6-2 was passed. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 12, 1 voting Present. House Bill -- the motion carries, and House Bill 562 will be

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

placed back on the Order of 3rd Reading. Further motions? All right. There are two remaining matters then on the Order of House -- All right. There is a further motion with respect to 5-6-2. All right. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to discharge the Committee on Executive from further consider of Senate Resolution 361, and that it be placed on the Calendar on the Order of Secretary's Desk, Resolutions.

Filed by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, Resolution 361 was encouraged -- the Judiciary Committee encouraged me to draft my proposed legislation on Senate Bill 820 into a resolution, and this simply calls upon the Supreme Court to lay down rules of conduct on cases of sexual harassment by attorneys toward their clients. And I move for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis -- Senator Geo-Karis has moved to discharge the Committee on Executive. Is there discussion? Senator Smith.

SENATOR SMITH:

Yes, Mr. President, I want to make a correction on the vote of 562. My vote should have been No. I'm sorry. I registered Yes, but -- and I couldn't punch the -- the red.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so reflect.

SENATOR ALEXANDER:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion with respect to Senator Geo-Karis'

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

motion? All right. Senator Geo-Karis has moved to discharge the Committee on Executive from further consideration of Senate Resolution 361, and that it be placed on the Calendar. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Executive Committee is discharged from further consideration of Senate Resolution 361, and it will be, in fact, on the Calendar. Senator Topinka, for what purpose do you rise?

SENATOR TOPINKA:

Yes, I would ask at this time if I could have Senate Resolution 571 discharged from the Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute, wait a minute. Let's -- let's get down the rest of the Calendar here and we'll go from there. Okay. All right. On the Order of House Bills 3rd Reading -- 3rd Reading, there are -- Senator Joyce, for what purpose do you arise?

SENATOR J.E. JOYCE:

Thank you, Mr. President, Members of the Senate. I would move that we adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Joyce, we still have two remaining matters.

SENATOR J.E. JOYCE:

You need a roll call?

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 1972, on the Order of 3rd Reading. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1972.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson. Senator Jones.

SENATOR JONES:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Yeah. Thank you, Mr. President. I'd like to suspend the appropriate rule to move this bill back to 2nd Reading to have the amendment that was in discussion from Senator Hawkinson and Senator Madigan Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On -- on House Bill 1972? All right. Senator Jones has sought leave to take House Bill 1972 to the Order of 2nd Reading for the purpose of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1972. Senator -- Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move to reconsider the vote by which Amendment No. 2 was adopted to the bill, and this will solve the problem, and then we can pass the bill without this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved to reconsider the vote by which Amendment No. 2 was adopted. Is there discussion on the amendment? Senator Dudycz.

SENATOR DUDYCYZ:

Hello. Mr. President, Senator Joyce had a Motion to Adjourn. Under Rule 35, it's nondebatable, Mr. President --

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator, you're out of order. Is there any further -- is there --

SENATOR DUDYCYZ:

And I believe that he deserves a roll call on that motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any further discussion with respect to this amendment? Senator Jones has moved to reconsider the vote by which Amendment No. 2 was adopted to House Bill 1972. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

The Amendment No. 2 is reconsidered. Senator Jones now moves to Table Amendment No. 2. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 562. Senator Jones. All right. You do not wish to have that called, Senator Jones? 562. All right. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCYZ:

Mr. President, I move we adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz has -- Senator D'Arco, for what purpose do you arise? All right. Senator Dudycz, do you have any particular time? Senator Dudycz has moved that the Senate stand adjourned until tomorrow. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. There is a committee we recessed. We're going to reconvene tomorrow morning for Executive Appointments, Veterans Affairs at ten o'clock in Room 212. Appreciate it if the Members would be there. We've only got a few matters to address.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

I would ask the Chair to hold my motion in abeyance until we deal with 1972.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we have a number of Motions from the House that need to be read in today also, if anybody's -- if anybody's interested.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

I motion we adjourn till tomorrow morning, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All in favor of the Motion to Adjourn will indicate by saying Aye. Opposed, Nay. The Nays have it. Motion fails. Senator Dudycz has moved that the Senate stand adjourned till tomorrow at eleven o'clock. All in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 30, 1 voting Present. The motion fails. On the Order of House Bills 3rd Reading is House Bill 1470, Madam Secretary. Read the bill. I'm sorry. 1-9-7-2. I beg your pardon. 1-9-7-2.

SECRETARY HAWKER:

House Bill 1972.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. House Bill 1972, as amended, without the amendment that we just Tabled, would be the vehicle bill to deal with the issue that we discussed, and would be put in conference committee and try to clear up any difference in language. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1972 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 46, the Nays are 2, none voting

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

June 26, 1991

Present. House Bill 1972, having received the required constitutional majority, is declared passed.

PRESIDENT ROCK:

Senator Jones, do you wish to proceed? There is but one matter remaining before us, that's 562, if you wish to proceed. If you don't -- Senator Joyce. There's been again placed a Motion to Adjourn. Those in favor of the Motion to Adjourn, indicate by voting Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 21 Nays, none voting Present. The Senate stands adjourned till eleven o'clock tomorrow morning.

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

JUNE 26, 1991

HB-0005	POSTPONED CONSIDERATION	PAGE	156
HB-0012	POSTPONED CONSIDERATION	PAGE	158
HB-0121	THIRD READING	PAGE	102
HB-0121	OUT OF RECORD	PAGE	5
HB-0143	POSTPONED CONSIDERATION	PAGE	160
HB-0244	THIRD READING	PAGE	8
HB-0273	POSTPONED CONSIDERATION	PAGE	162
HB-0298	THIRD READING	PAGE	12
HB-0329	POSTPONED CONSIDERATION	PAGE	166
HB-0495	POSTPONED CONSIDERATION	PAGE	171
HB-0562	RECALLED	PAGE	49
HB-0562	THIRD READING	PAGE	103
HB-0562	MOTION	PAGE	192
HB-0580	THIRD READING	PAGE	13
HB-0589	POSTPONED CONSIDERATION	PAGE	175
HB-0827	POSTPONED CONSIDERATION	PAGE	177
HB-0841	THIRD READING	PAGE	14
HB-0883	THIRD READING	PAGE	111
HB-1000	MOTION	PAGE	189
HB-1128	POSTPONED CONSIDERATION	PAGE	179
HB-1196	RECALLED	PAGE	54
HB-1196	THIRD READING	PAGE	112
HB-1216	RECALLED	PAGE	55
HB-1216	THIRD READING	PAGE	116
HB-1297	THIRD READING	PAGE	117
HB-1312	THIRD READING	PAGE	20
HB-1352	THIRD READING	PAGE	20
HB-1449	THIRD READING	PAGE	21
HB-1470	POSTPONED CONSIDERATION	PAGE	181
HB-1478	THIRD READING	PAGE	22
HB-1514	THIRD READING	PAGE	24
HB-1587	THIRD READING	PAGE	126
HB-1632	THIRD READING	PAGE	25
HB-1685	RECALLED	PAGE	56
HB-1685	THIRD READING	PAGE	126
HB-1692	THIRD READING	PAGE	127
HB-1696	THIRD READING	PAGE	26
HB-1733	THIRD READING	PAGE	31
HB-1776	THIRD READING	PAGE	128
HB-1776	OUT OF RECORD	PAGE	32
HB-1838	THIRD READING	PAGE	33
HB-1935	RECALLED	PAGE	57
HB-1935	THIRD READING	PAGE	137
HB-1960	THIRD READING	PAGE	34
HB-1968	RECALLED	PAGE	88
HB-1968	POSTPONED CONSIDERATION	PAGE	185
HB-1971	THIRD READING	PAGE	34
HB-1972	RECALLED	PAGE	199
HB-1972	THIRD READING	PAGE	202
HB-1972	MOTION	PAGE	190
HB-1995	RECALLED	PAGE	89
HB-1995	THIRD READING	PAGE	143
HB-2022	THIRD READING	PAGE	35
HB-2118	THIRD READING	PAGE	36
HB-2125	RECALLED	PAGE	98
HB-2125	THIRD READING	PAGE	151
HB-2149	THIRD READING	PAGE	37
HB-2169	THIRD READING	PAGE	37
HB-2227	THIRD READING	PAGE	38
HB-2228	POSTPONED CONSIDERATION	PAGE	186
HB-2282	DISCUSSED	PAGE	39
HB-2295	THIRD READING	PAGE	39
HB-2362	RECALLED	PAGE	99
HB-2362	THIRD READING	PAGE	152

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

JUNE 26, 1991

HB-2451 POSTPONED CONSIDERATION	PAGE	187
HB-2465 THIRD READING	PAGE	44
HB-2491 THIRD READING	PAGE	45
HB-2592 RECALLED	PAGE	100
HB-2592 THIRD READING	PAGE	152
HB-2611 DISCUSSED	PAGE	46
SR-0361 MOTION	PAGE	198
SR-0591 RESOLUTION OFFERED	PAGE	4
SR-0592 RESOLUTION OFFERED	PAGE	4
SR-0593 RESOLUTION OFFERED	PAGE	47
SR-0594 RESOLUTION OFFERED	PAGE	47
SR-0595 RESOLUTION OFFERED	PAGE	47
SR-0596 RESOLUTION OFFERED	PAGE	47
SR-0597 ADOPTED	PAGE	47
SR-0597 RESOLUTION OFFERED	PAGE	47
SR-0598 ADOPTED	PAGE	136
HJR-0067 RESOLUTION OFFERED	PAGE	3
SJR-0078 RESOLUTION OFFERED	PAGE	47

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - FATHER JAMES LYONS	PAGE	1
JOURNALS - APPROVED	PAGE	1
JOURNALS - POSTPONED	PAGE	1
MESSAGE FROM THE TREASURER	PAGE	2
MESSAGES FROM THE HOUSE	PAGE	2
INTRODUCTION OF GUESTS - SENATOR LUFT	PAGE	4
REMARKS BY COACH WIERZBA	PAGE	5
ADJOURNMENT	PAGE	203