

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

July 2, 1991

PRESIDENT ROCK:

The hour of ten 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 Reverend Marilyn Brewer, Laurel United Methodist Church, Springfield, Illinois. Reverend.

THE REVEREND MARILYN BREWER:

(Prayer by the Reverend Marilyn Brewer)

PRESIDENT ROCK:

Thank you, Reverend. Reading of the Journal, Madam Secretary.

SECRETARY HAWKER:

Senate Journal of Monday, June 24, 1991.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that reading and approval of the Journals on Monday, June 24th; Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th; Friday, June 28th; Saturday, June 29th; and Sunday, June the 30th, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. All right. Ladies and Gentlemen, WAND-TV, WCIA-TV, WIC-TV <sic>, WLS-TV, WGN-TV and WMAQ-TV have requested permission to shoot some videotape. It is obviously a slow news day. Leave is granted. If I can turn your attention, Ladies and Gentlemen, to Page 9 on the Calendar. Page 9 and Page 10. We will begin this morning on the Order of Secretary's Desk, Resolutions, and then we will turn to Page 17 on the Calendar and begin on Conference

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Committee Reports. Conference Committee Reports are Senators Friedland, Marovitz, Joyce, Joyce, Cullerton, Dunn, Mahar and Luft. So we begin on Page 9 on the Calendar, on the Order of Secretary's Desk, Resolutions, and go through that Order, and then we will move to Page 17 on the Calendar and call the Conference Committee Reports in numerical order as the sponsor wishes. Pages 17 through 20. The Chair would like to announce, in case anybody was unaware, that the Illinois Senate will remain in Session until the budget has been delivered to the Governor. So if anybody has a Fourth of July speech or parade, you better make other arrangements - we're going to be here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions. Page 9. Senator Raica. Senate Resolution 100. Senator Raica on the Floor? Senate Resolution 177. Senator Savickas. Senate Resolution 177, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 177.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and Members of the Senate. Senate Resolution 177 does exactly what the synopsis says. It urges President Bush and Congress to establish diplomatic ties with the Baltic States. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Savickas move -- has moved the adoption of Senate Resolution 177. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries and -- I'm sorry, Senator -- Senator Keats.

SENATOR KEATS:

Request of the sponsor that he add the names of all the Senators, so they realize we're dead serious that they really

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ought to do that. Please put on all the Senators' names. Unless someone objects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Be glad to have all the Senators added as co-sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion -- Resolution is adopted, and the Secretary will add all Members to the -- as co-sponsors. Senate Resolution 361. Senator Geo-Karis. Madam Secretary, Senate Resolution 361.

SECRETARY HAWKER:

Senate Resolution 361.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Resolution 361 is co-sponsored by Senator Macdonald, Senator Berman, Senator Tom Dunn, Senator Barkhausen, Senator Fawell. It simply urges the Illinois Supreme Court to adopt a Rule of Professional Conduct prohibiting attorney-client sexual relationships, unless the client is the spouse of the attorney, or the sexual relationship predates the commencement of the attorney-client relationship as -- or some other situation exists in which the Court deems the prohibition would not detract from the attorney's representation of the client. The Illinois Task Force on Gender Bias in the Courts in 1990 has come over in favor of this resolution, and all we're asking is that lawyers, whether they are male or female, treat their clients professionally and not sexually, and I urge the passage of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Is there discussion? If not, Senator Geo-Karis has moved the adoption of Senate Resolution 361. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the resolution is adopted. Senate Resolution 458, Madam Secretary, please.

SECRETARY HAWKER:

Senate Resolution 458.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. All right. Take it out of the record. 518. Jones. Senator Jones on the Floor? 571. Topinka. All right. Bottom of Page 9. Senate Resolution 571, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 571.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes. This does exactly what it says on the Calendar. It urges the Illinois Health Facilities Planning Board, in consultation with the Department of Public Health, to be directed and to conduct a study of existing health care facility standards of which there are many - often contradictory - kind of missing the mark and having all these difficulties. It's a desire to standardize. It does come to us from the Illinois Health Facilities Planning Board, and I would seek your favorable response.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Resolution 571 pass. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and Resolution -- Senate Resolution 571 is adopted. Senate Resolution 618. Madam Secretary, please.

SECRETARY HAWKER:

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Senate Resolution 618.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This resolution basically is having the Citizens' Council on Economic Development, of which I am a member, to recommend to the State Board of Education, the Board of Higher Education, to work together to promote international studies, international exchange of students, and particularly in the sphere of economic development. Part of this came out of a trip I made to China, in which I visited our Sister University in Xian Province, to Eastern Illinois University, and out of that we have been exchanging students with that university. And this would certainly bring economic development into that sphere of interest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Woodyard, Parliamentarian indicates that there may be some money. Question is, shall Senate Resolution 618 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, Nays are none, none voting Present. Senate Resolution 618 is adopted. Page 10. House Joint Resolution 1. Senator Geo-Karis. Madam Secretary, please.

SECRETARY HAWKER:

Senate Joint Resolution No. 1 -- House Joint Resolution No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House -- Joint Resolution No. 1 asks that the workers that -- the -- the Social Security earning limits be repealed by some measure, such

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as the Older American Freedom to Work Act, which is designed to encourage older Americans to be a vital part of our nation's workforce. At the present time, we are discriminating against older Americans between the ages of sixty-two and sixty-nine, because we're limiting their earnings. And I move the passage of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Geo-Karis has moved the adoption of House Joint Resolution 1. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Joint -- motion carries. Senate <sic> Joint Resolution 1 is adopted. House Joint Resolution 6. Madam Secretary, please.

SECRETARY HAWKER:

House Joint Resolution No. 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. House Joint Resolution 6 merely urges the IDOT to redesignate certain parts of I-80 at the Quad-Cities Interchange to reduce traffic confusion and accidents and hopefully save us about twenty-some million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Jacobs has moved the adoption of House Joint Resolution 6. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and House Joint Resolution 6 is adopted. House Joint Resolution 18. Senator Karpel. Senator Karpel. Madam Secretary, House Joint Resolution 18.

SECRETARY HAWKER:

House Joint Resolution 18.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Could you -- Senator Geo-Karis, could you ask your Page to

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please -- Senator Karpiel.

SENATOR KARPIEL:

...(machine cutoff)...President. House Joint Resolution 18 urges the Department of Commerce and Community Affairs to perform the duties imposed upon it by the State Mandates Act. There are several items listed that they have been required to do since 1981 that -- that they have not been doing. One is that they have never published the mandates catalog or the yearly listing of newly enacted mandates, which it was required to do since 1981. And this resolution simply urges them to perform all the duties that are required of it. I think this is a Maalox moment -- .

PRESIDING OFFICER: (SENATOR DEMUZIO)

I -- I am -- I'm speechless. I don't really know what to say. Senator Karpiel -- is there discussion? Senator Karpiel has moved the adoption of House Joint Resolution 18. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and House Joint Resolution 18 is adopted. Senator Karpiel, does Senator Watson have his tie on? Oh, okay. House Joint Resolution 19. Senator Macdonald. Madam Secretary, please.

SECRETARY HAWKER:

House Joint Resolution 19.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This resolution urges the Governor to introduce, at the National Governors' Association meeting on August 18th and -- through the 21st, the -- in the State of Washington, a proposal for a system of coordination and cooperation between the fifty states in matters relating to incentives to foreign firms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Macdonald has moved the adoption

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of House Joint Resolution 19. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and House Joint Resolution 19 is adopted. House Joint Resolution 20, Madam Secretary, please.

SECRETARY HAWKER:

House Joint Resolution 20.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This is the identical resolution, except it is directed to Congress. So I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Macdonald has moved the adoption of House Joint Resolution 20. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and House Joint Resolution 20 is adopted. House Joint Resolution 36. Senator -- Senator Smith. Madam Secretary, House Joint Resolution 36.

SECRETARY HAWKER:

House Joint Resolution 36.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Resolution No. 36 merely directs the Citizens' Council on Children to study certain issues regarding work preparedness of children. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Smith has moved the adoption of House Joint Resolution 36. 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

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all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Joint Resolution 36 is adopted. House Joint Resolution 49. Madam Secretary, please.

SECRETARY HAWKER:

House Joint Resolution 49.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. This -- House Joint Resolution 49 urges colleges and universities in Illinois to celebrate Columbus Day. I'm sure that my colleagues, Senator Tom Dunn and Senator Schaffer and myself, who'll celebrate our birthday on Columbus Day, would be especially supportive of this resolution -- joint resolution. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Kelly, is there leave to add the Italian Members of the Senate to the Resolution? Leave -- leave is granted. Senator Kelly has moved the adoption of House Joint Resolution 49. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motions carries, and House Joint Resolution 49 is adopted. House Joint Resolution 50. Senator Jacobs. Madam Secretary, House Joint Resolution 50, please.

SECRETARY HAWKER:

House Joint Resolution 50.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This House Joint Resolution expresses support for the dual banking system that we currently have in Illinois, and we just want to send it on to the Federal Government and let them know that we still like the system we

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have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jacobs has moved the adoption of House Joint Resolution 50. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motions carries, and House Joint Resolution 50 is adopted. House Joint Resolution 52, Madam Secretary.

SECRETARY HAWKER:

House Joint Resolution 52.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

No. 52, here, merely asks the Commissioner of Baseball to review the record of Shoeless Joe Jackson with the thought that eventually Shoeless Joe Jackson should end up in Baseball's Hall of Fame. After all, he was the third greatest hitter in the history of baseball. Move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Rigney has moved the adoption of House Joint Resolution 52. All in favor will indicate by saying Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. There were some that I heard that were negative. House Joint Resolution 52 is adopted. Senate Joint Resolution 73. Senator O'Daniel. Madam Secretary, please.

SECRETARY HAWKER:

Senate Joint Resolution 73.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President. What all -- about all this resolution does -- it asks the Governor to declare the wheat producing counties in Southern Illinois a disaster area as a

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result of all the rain and the high humidity in the spring that pretty well destroyed the wheat crops all through the wheat-producing area of Southern Illinois. And this would ask him to declare it a disaster area, and that way they might qualify for some federal help.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator O'Daniel has moved the adoption of House -- I'm sorry, Senate Joint Resolution 73. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Senate Joint Resolution 73 is adopted. Senate Joint Resolution 75, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 75.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is a resolution of the Illinois Department of Veterans' Affairs, sponsored by Senator Vadalabene and myself. It just urges that preference be given to veterans in consideration for jobs, training referrals, et cetera. Move the adoption of the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Davidson has moved the adoption of Senate Joint Resolution 75. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Senate Joint Resolution 75 is adopted. Okay, now that we are appropriately warmed up, turn to Page 17. Page 17 of your Calendar, Conference Committee Reports. With leave of the Body, we'll go to that Order of Business - Conference Committee Reports. House -- House Bill 38, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 38.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd urge that we adopt the Conference Committee Report for House Bill 38. This bill annexes four parcels in -- in my Legislative District to the Metropolitan Water Reclamation District. Two of the parcels total about twenty acres in the Village of Inverness, and will enable the service to continue to land in a -- continue on land in the possession of Holy Family Catholic Church. A -- a third three-acre parcel will allow service to the Willow Creek Community Church in Hoffman Estates, and a fourth parcel of a hundred and ten acres will, by annexation to Metro -- be in a position to be annexed for development. The local governments and the water -- Metropolitan Water Reclamation District are all in agreement with these annexations, and I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Members of the Senate. I'd just like to remind everybody that Senator Friedland has definitely carried out in the tradition which he has since he's been in the General Assembly. Of all the conference committee reports that are fifty and seventy pages long, he has the only one-page conference committee report, and should be commended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 38. Those in favor will vote Aye. Those opposed, Nay. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none. The Senate

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does adopt the First Conference Committee Report on House Bill 38, and the bill, having received the required constitutional majority, is declared passed. House Bill 57. Senator Marovitz. Senator Marovitz on the Floor? House Bill 70. Senator J.J. Joyce. Madam Secretary, House Bill 7-0.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 70.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. House Bill 70, now in the conference committee, makes many changes - not very substantive changes, however. In the Department of Conservation it permits DOC to penalize people who commit certain violations without a license or permit. Permits rather than requires DOC to authorize the Department of Personnel or volunteer instructors to conduct courses in firearms and hunter safety. Makes various changes in the Voter Registration Safety Act. And it repeals a requirement that the Department of Conservation would license pigeon shoots. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

Due to the obvious monumental consequences of this Act, the only question is - does this cost us anything?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

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No, other than a little time right here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on House Bill 57. Those -- I'm sorry, on House Bill 70. House Bill 70, the First Conference Committee Report. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 70, and the bill, having received the required constitutional majority, is declared passed. House Bill 114. Senator Joyce. Senator Joyce. 114. House Bill 121. Cullerton. House Bill 434. Senator Tom Dunn. House Bill 516. Mahar. Madam Secretary, House Bill 5-1-6.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 516.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I would like to dump this First Conference Committee Report and request a Second. So I would request No votes on a positive motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar is requesting that the First Conference Committee Report, in effect, not be adopted, but the motion has to be placed in the affirmative, so keep that in mind. Question is, shall the Senate adopt the First Conference Committee Report on House Bill 516. 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 13, the Nays are 27, 1 voting Present. The Senate does not -- Conference Committee Report is

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not adopted, and the Secretary shall so inform the House. Senator -- House Bill 673. Luft. Bottom of Page 17. On the bottom of Page 17 is House Bill 673, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 673.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate adopt Conference Committee Report No. 1 to House Bill 673. What we did in the conference committee is recede from the Senate Amendment 1, which required that local governments hold a hearing and publish any effort on debt issuance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 673. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 4, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 673, and the bill, having received the required constitutional majority, is declared passed. Page 18. House Bill 679. Senator Jacobs. Madam Secretary, House Bill 679.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 679.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 679 amends the Pawnbroker Regulation Act to delete prohibitions against charges for storage and insurance.

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Establishes a monthly fee. This was concurred upon in the House 116 to nothing. Just ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is -- discussion? Senator Keats.

SENATOR KEATS:

I don't want to argue too strenuously, but I thought we had reached an agreement with the pawnbrokers, and this is not the agreement we reached. Some of them had talked to me on the phone and they were to get back to me, and they have not gotten back to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

I apologize for that. I'm not in control of them, but I -- I wouldn't disagree with your contention, but this is what was presented to us from the House. I'm presenting it to this Body and I -- I think it's a fair settlement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Until they get back to us and I -- I -- I regretfully would have to oppose it. Let me explain one or two of the provisions. A pawnbroker now can charge...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry, Senator Jacobs.

SENATOR JACOBS:

If you would like -- to get back to -- to this piece of business, I would take it out of the record and try to ensure that the people get to you and make sure that your needs are satisfied, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. With leave of the Body, we'll take it out of the record and get back to it at a later date. All right. Take it out of the record. House Bill 799. Senator O'Daniel. 945. Senator Lechowicz. Senator Lechowicz on the Floor? House Bill 968. Senator Jones. Madam Secretary, is House Bill 9-6-8.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 968.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES.

Thank you, Mr. President and Members of the Senate. House Bill 968 Conference Committee Report is the early retirement for State employees. This is the early retirement plan for all State employees. It allows all members of State Employment Retirement System to buy - at half price - five years of age and five years of creditable service so that they may retire at age 50. The Illinois Economic and Fiscal Commission has calculated fifty million dollars of savings to the State from the early retirement plan. Many other states in financial distress such as Illinois have found that early retirement is a way to save money. The plan calls for an employee to notify the Retirement System of plans to retire by December 1st, 1991, for retirement that will take place on January the 1, 1992. The only exception to the January retirement date is that for correctional officers, State policemen, court reporters may be extended until May 1st, 1992, at the discretion of the Directors of the Departments of Corrections, State Police, or the Chief Justice of the Supreme Court. An employee is expected to buy every month under age fifty-five at two and a half -- two percent of salary. Payment of -- of this buy-out is made over a two-year or in twenty-four equal installments. If an employee receive a lump sum payment for sick or vacation time, those funds are credited to reduce the amount

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owed by the employee for early retirement. Savings from the Statewide early retirement are calculated in December by each department. The savings are reported to the Comptroller and Leaders of the General Assembly by February the 15th, 1992. The savings are then held in reserve and are used to balance the budget overall. This piece of legislation is a very important piece of legislation, because it was negotiated with the Governor, the AFSCME Union, and the -- the -- the employees in the State of Illinois. It gives them the option. If they decide to retire early, it's estimated that it would be a cost savings of about fifty million dollars annually if we adopt this program. And I ask for a favorable vote on the First Conference Committee Report on House Bill 968.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. I rise in strong support of this bill. I think it is a responsible approach. I think it's been welcomed from -- from both sides of the aisle, and certainly welcomed by people across this State. It's a good thing for employees. It's a good thing for the State. I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I've got a number of questions about this, if the sponsor would yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, which State employees will be eligible for this early retirement plan and which will not?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I'm quite sure your analysis have it, but just in case it's not, all employees under the -- under the Governor, the Lieutenant Governor, the Secretary of State, the Treasurer, the -- the Auditor General, Comptroller, President and Minority -- Minority Leader of the Senate, Speaker and Minority Leader of the House, the Chief Justice of Illinois Supreme Court. So all the employees under their jurisdiction will qualify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

You mentioned some exception, Senator. Could you repeat those again? Like, I think, State Police, and others?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The exception for the State Police and Corrections and the -- and the court reporters have until May 1, I believe it is. They have until May 1 before they have to file for the intentions to retire early. And that -- that's the exception for those employees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

And the -- the retirement -- the decision to retire can be exercised -- what's the earliest date that that decision can be exercised, and when does this window close?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

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Well, the effective date of the bill upon signature. They would have to -- the earliest date that they would be able to retire would be January 1, 1992.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah, I think you meant to say that they must retire by January 1, 1992, and that thereafter this does not apply. Is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, you mentioned that this would save the State about fifty million dollars. Whose estimate is that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The Bureau of the Budget under the Governor, and also Economic and Fiscal gave us this estimate figure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, to what -- to what extent do -- does that estimate include the expenses for the pension benefit that's going to be paid to these people and the benefit for sick and vacation time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

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Well in -- in each department of -- or agency that is contained in this bill, the department is not going to deal with the pension pickup -- pay the pension pickup, but it's contained in the overall budget for the -- that particular agency.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you. Mr. President, to the bill: Ladies and Gentlemen of the Senate, I think we've all been told by people that are involved in this negotiation that this proposal will save fifty million dollars. The number that I'm looking at, that was prepared by Economic and Fiscal Commission, would indicate that there is a fifty-million-dollar saving if you don't consider the additional costs to the pension system. Apparently the plan is to pay about six million dollars a year into the pension system to repay the accrued costs that will fall on the pension system because of this plan. Now if you really believe that State Government is going to pay that six million dollars, God bless you. But we haven't been paying what we owe to the pension system now. So to believe that somehow we're going to pay an additional six million dollars for this, I think requires a great leap of faith. If, in fact, you consider the -- the pension cost, I submit that the -- if the pension cost were paid this year, I submit that there would be no saving to the State if we do this. And secondly, there would be an additional cost when we pay the vacation and sick leave that we owe those employees. According to Economic and Fiscal report that was done some time ago, the plan - and I think this is under Representative Curran's original plan - the idea was to defer the sick and vacation time for three years, at a cost of about thirteen million dollars a year. So, it looks to me like this is really about a forty-million-dollar cost to the State, when you factor in the pension cost and the vacation time

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and sick time. Now this may be something we ought to do anyway. I'm not sure to what extent we get people to retire that we want to retire; but as I understand it, this is going to be offered to every State employee. And some of these agencies are going to lose people that they think are vital to them, and they are going to have to go out and replace them, in which case there will be, perhaps, no saving. And so, you know, I -- I think we ought to know a lot about this before we approve it. I'm not sure we do know a lot about it, today, and so I simply raise that word of caution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Question of the sponsor, if he'll yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Carroll.

SENATOR CARROLL:

Senator Jones, several Members here have asked me whether Members of the General Assembly would be entitled to early out -- early retirement with the bonuses?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

No, we are not included, even though we are Members of this Body and the -- only the employees. We are not employees of the Leadership. We just serve together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I understand there is leadership on both side of the aisles who'd like to pick certain Members for early retirement. Has that

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been discussed with you at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I'm certain it has been discussed, and I'm quite certain in the very near future that will be dealt with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Weaver.

SENATOR WEAVER:

Senator Jones, I was curious to note that only university employees and judges are not included in this. What was the thinking there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The university employees are included -- are not included. No, they are not included; the university employees are not included.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I just ask, what was the thinking behind exclusion there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, university employees are not considered State employees. Now they have their own contract. If they decide that they wanted to do this, then they have the option on their own to do this, but

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they are not considered State employees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, I realize they are not considered State employees. They don't get paid as much as State employees for job classification -- the same job classification, but I'm just wondering what discussion you had with the system that excluded them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, this -- this matter was an agreement worked out with the Office of the Governor, Jim Edgar. And as far as the university being involved, I could not say whether or not they were involved in the discussion. But we -- the pension hearings that we've had, they have not come forth and indicated to me - now I don't know if they have to the Governor - if they would like this similar provision in their retirement system. They have their own separate retirement system, which they govern. So if they want something similar to this nature, I'm quite certain that they can come forth, and I'm quite certain it would be given due consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I rise in support of this bill. This -- as the one Member of this Body probably has more State employees that are going to be affected by this bill than anyone in this Chamber, this gives an opportunity for those who want to take -- advantage of it -- an opportunity to say yes or no. They can do this on their own. This will save money in the long run for the State of Illinois, and I urge all of you to

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vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Maitland.

SENATOR MAITLAND:

Senator, I'm -- I'm a little bit confused as to whether or not
the Downstate Teachers Retirement System is included.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Only those teachers who work for the Department of
Corrections, Rehabilitation Service and Mental Health. Those are
the only ones that are included in this -- in this plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator, my only -- my only concern - and I -- I know that was
the way you explained it - and I -- I'm a little bit -- bit
confused with respect to the language in the -- in the bill,
because it definitely -- there's a comma and then it says, "the
Teachers' Retirement System of the State of Illinois," comma, "the
State Board of Education," and then goes on. And I -- I -- I
think the language perhaps is a little bit misleading and maybe
I'm not reading it correctly, but it seems to me as though they
are covered under the draft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

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The employees of the Teachers' Retirement System that are contained in -- in this provision I believe that you are talking about, are those employees -- they belong to the Teacher Retirement System, but they work for those respective agencies. Am I correct? So that is why that particular reference is made in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I think, Senator, what you are telling me is that teachers that are under the system who are teaching within those various agencies are covered. Would you -- would you -- do you agree that maybe it is a little bit misleading in the draft? I -- I think it could be interpreted another way, and that -- that's -- this -- that changes the aspect of this bill a great deal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

This particular draft, which was drafted in the Governor's Office through negotiations and it -- it is the intent for only - to make the record crystal clear - it is the intent for only those teachers who are employed in those institutions as referenced in this bill to be included for the benefits. Not the Downstate Teachers' Retirement System, as such.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

So then you have stated for the record that -- that no other teachers outside of these agencies under the Downstate Teachers' Retirement System are covered under this Conference Committee Report for House Bill 968.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Jones.

SENATOR JONES:

That is the understanding that I have received on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Madigan.

SENATOR MADIGAN:

Senator Jones, you indicated previously that the -- effective -- or this concept would become effective upon the approval and signature by the Governor. Is that correct, as far as the effective date?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Follow-up question then. The -- there's about fourteen hundred employees or at least fourteen hundred employees -- there's about fourteen-hundred-and-some-odd employees or whatever that have just been laid off, effective the first of July, as far as these budget cuts. Is there any way that these employees can take advantage of this early retirement, and how so?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Those employees who are laid off have the right to -- to -- to participate if they have the provision where they are on what you

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call re-employment. So therefore, those persons who are laid off, who have the provisions in their contract that if employees are to be hired they have first choice, those employees will automatically qualify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Are there any employees other than AFSCME who have recall rights? Or do -- or do all employees have recall rights that are laid off? Do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I believe that all employees under the AFSCME contract has this provision, and I'm not real certain on the other aspect as it relate to those employees. I can't say for sure. Perhaps someone from the Governor's Office who worked on this could give us better clarification on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland. I'm sorry. Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. What about mandatory layoffs of those positions - those craft positions - that may belong to different labor organizations other than AFSCME?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

If their contracts call for such, then they have recall rights. Only they -- only those particular unions that you're speaking of in those crafts, if that contract call for a recall list, such that they have those rights in that contract, then they automatically qualify under this bill.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Madigan.

SENATOR MADIGAN:

Thank -- thank you, Mr. President. I'm -- you know, I have been a supporter and I am committed to this early retirement plan. However, I think we've got some uncertainty at this point, as far as these employees being terminated effective July the 1st who have received their letters. And I'm just a little bit unclear on this, Senator Jones, and we are going to be here awhile, apparently, according to the message from Senator Rock this morning. So I wonder if we could get this further clarified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Let me read you the language in the bill as it relate to the point that you are speaking of. You'll find it on Page 5. It says it "must be a member of a system who, on or after May 31st, 1991...in an active payroll status..." So that would automatically cover all those employees whom you speak of who -- who have that provision. If they are laid off July 1, they automatically qualify. That's already written into the bill, Senator Madigan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Madigan. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I hope someone actually takes a moment to look at this Conference Committee Report, because I appreciate the comments made thus far, and I think we all know when there is a political deal these bills fly out. But if you actually look at what's in this Conference Committee Report, if you talk about the technical issues that

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Senator Schuneman brought up - and I won't reiterate, because he beautifully explained - this bill may save money in 1991, but it doesn't save much. And it does it save -- move the costs from now to the pension funds. If there is one thing you can say about the ten years Jim Thompson, Phil Rock and Mike Madigan have been the leaders of this State together, they have raped and pillaged every pension fund that they could find. Now this is just a small rape and pillage. This isn't the hundreds of millions of rape and pillage that's normal. But if you look at this Conference Committee Report, we are continuing the Thompson - Rock - Madigan tradition of, "Let's worry about today and stick it to tomorrow." Right now the State, under its new AFSCME contract, says we're going to pick up the obligations to pay in these pension fund payments. All that's kept the pension funds solvent in the past have been two issues: what the people paid in, and investment income. But we all know the investment income is not going up as quickly. Now we are going to pull out the part that says the people pay in. Now that may not be in this bill, but that's what happening. It's a different bill, and you add the two together -- and I just want to remind everyone, vote for the bill if you choose - it does save a few bucks this year - but you are just guaranteeing long-term crisis. Illinois is singled out by Financial World and the other national magazines as a State that is screwing up its pension funds at a rate that is unequalled by other states in the country. If you want to continue doing that, go right ahead, and I am sure - because this is an agreement - it's going out. But if anyone is concerned about tomorrow rather than just the deal today, it is unconscionable to vote for a bill that continues the pillage of Illinois' pension funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Ralph Dunn.

SENATOR R. DUNN

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Thank you -- thank you, Mr. President, Members of the Senate.
Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Ralph Dunn.

SENATOR R. DUNN:

Senator -- Senator Jones, I heard you say earlier something about correctional officers and State troopers. They have a different age pension system. I think they have twenty years and out, don't they? Or twenty-five. They don't have the fifty-year. Does this apply to them also, the fifty-year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

State troopers and correctional officers are in here. But they still have that age fifty, but in the event they do not have the required -- yes -- because it's fifty or thirty years in this bill. But the State troopers do have what that twenty-year provision. So, therefore -- but they are included.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you. I -- I -- I had a call this morning from one of the correctional institutions in my district wondering about this. They said they don't last till they're age fifty in correctional officer positions very often. I just wonder if they could use -- they could use their ordinary pension out. They'd just probably be better off with that than they would with this. That's right, isn't it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I -- I really didn't understand the question, Senator Dunn.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR R. DUNN:

Thank you. Their twenty years will still be a good -- it won't take thirty years. They will still have the twenty years and out. So they wouldn't have to be fifty years to get their full retirement. They just couldn't get the early retirement, is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I believe their current is fifty and -- and twenty, Senator Dunn, so I don't know where the confusion is as it relate to this legislation. I would assume -- I would have assumed that with all the staff of the Governor - this is the Governor's proposal; this is the Governor's recommendation - I would assume that the Office of the Governor who entered into negotiation and put this forward, would have -- would have discussed it with the Members on your side of the aisle - in particular, the Members that signed the Conference Committee Report: the Minority Spokesperson, Senator Madigan; the -- Senator Schuneman. Schuneman, your signature is on the Conference Committee Report, and if there's some problems with the Governor on this piece of legislation, I wish you would let me know, because it is his provision. It is not mine, it is his -- it is -- this is an agreement that worked out with the Governor's Office and the unions on the early retirement. Now, it saves the State money because you have many employees -- you have many employees who are at the max in salary, and when those persons retire, the persons coming in will not receive that same high salary. It is a savings that I feel that is justified for those persons who want to get out of State Government earlier. Now if there is some problems with you and the Governor I don't

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know about, I wish you would clear up this matter, because this bill is -- is a request of his to place it on this bill. I would assume that the Majority Members on your side of the aisle would be in strong support of your Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator -- all right. Senator Madigan.
SENATOR MADIGAN:

Thank you, Mr. President. I -- I -- I apologize for rising for the second time. Senator Jones, I -- as I said previously, I agree with the concept and support the concept. Again, I think that we've got some questions on this that need to be clarified. And I would -- we've got plenty of time here, and, Senator, if you'd just -- I would appreciate it if you would take it out of the record for the time being until we can get it resolved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, and I call upon your Governor to get up here and deal with this issue that he put before the people and the agreement that he made, but it is very regrettable that he sit down and negotiate -- I would assume that his legislative leaders on this Floor would have dealt with you properly on this issue. So, therefore, I'll take it out of the record and -- and if the -- Governor, if you're listening, I wish you would come up here and deal with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. I sure hope he is listening. House Bill 970. Senator Jones. Is that a yes or no? All right. House Bill 970, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 970.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. President, Members of the -- of the Senate. The First Conference Committee Report on House Bill 970 is the IMRF Legislation. And what it does is, it includes the Illinois Municipal League electric agency under the provision of this Article. It allows the elected officials to revoke an election to participate in the Fund. It allows elected officials to receive an annuity from the Fund, if they have elected not to participate or have revoked their election. It clarifies the definitions of earnings, allows employees to name any trust or spouse or -- or children to be the primary beneficiary, and it makes many other administrative changes. This is a non-cost bill, more or less, and I ask for a favorable vote on the omnibus bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 970. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 970, and the bill, having received the required constitutional majority, is declared passed. House Bill 1007. House Bill 1415. Senator Hawkinson. Senator Hawkinson. 1415. 1431. Hawkinson. Middle of Page 18. Senator Hawkinson, there's another one - 1431. House Bill 1431, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1431.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

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Thank you, Mr. President. First Conference Committee on House Bill 1431 is exactly the same bill that we passed out of here 58 to nothing. It has the conservation portions and it has Senate Amendments 1 and 2. I'd be happy to answer any questions, otherwise I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1431. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1431, and the bill, having received the required constitutional majority, is declared passed. House Bill 1466, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1466.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The intent of the Conference Committee Report on House Bill 1466 is to clarify certain things with regard to our Comprehensive Insurance Plan, to make it clearly more effective and beneficial for the people we want to be on it. First, it makes sure that if someone is under a self-insurance plan that they cannot use CHIP as if it were a reinsurer. This has happened in a couple instances where, instead of the person not being able to get insurance, they were working for a company that was self-insured but used State funds and to act as a reinsurer. This would stop that from happening. Secondly, it allows the CHIP board to

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recover any monies that might have been erroneously or improperly paid out by CHIP. Thirdly, it requires that a person who is complaining about a CHIP payment or other process must first avail itself with the grievance process that now exists with the CHIP Board before they can file suit. And finally, it makes some technical non-substantive changes. I would ask for adoption of Conference Committee Report No. 1 to House Bill 1466.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1466. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1466, and the bill, having received the required constitutional majority, is declared passed. House Bill 1498, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1498.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. President and Members of the Senate. First Conference Committee Report on House Bill 1498 contains the original bill which had the provisions as it relate to a full-time investigators for a licensed attorney for three out of five years immediately after proceeding application for licensure under the Private Detective Alarm and Security and Fire Investigators. And a person who has provided evidence of a Master's Degree in Industrial Technology who is a certified -- who is certified by the Board a certified safety professional, or certified safety person, may take the exam and be eligible for required licensure.

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Also that portion as it relate to the private detective, which was Senate Amendment No. 1, and the purpose of the Conference Committee Report is to clear up a technical error -- a draft in there which it allows a private detective, private alarm and contractor and private security contractor to -- to be a -- be a detective alarm contractor and a security contractor in charge of one or more agency. And this is to clear up a problem we had as it relates to the grandfathering, and I ask for a favorable vote on House Bill -- Conference Committee on House Bill 1498.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1498. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1498, and the bill, having received the required constitutional majority, is declared passed. House Bill 1564, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1564.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This is the agreed rewrite of the Charitable Trust Act. Provides that all professional fund raisers register with the Attorney General and file their contracts. Allows for the Attorney General to publish an annual report of the information on charitable trusts. Requires that a fund raiser disclose the amount of contributions spent on education if requested. I urge a favorable roll call for the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, does this apply to charitable groups who do not have paid fund raisers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

It -- it applies to them, but I would -- I would give you the caution that an organization that raises less than a hundred thousand does not have to file an audited report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Is it a hundred thousand or ten thousand?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

One hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

So a private charitable group that is a group of unpaid volunteers is going to have to hire an auditor? What -- what requirements are we putting on groups like this? I don't have any problem with what you're doing with the professional fund raisers and the big solicitations, but if you've got a local group trying to raise money to build something or something and they're not

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religious and don't -- or veteran and they're not exempt, what are we making them do under this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

I -- I think you're incorrect. Those that raise less than a hundred thousand, you stated they had to file a report, and they do not have to file a report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

But if -- if the group is trying to build a local senior citizen center or something and they are going to try and raise -- it's an ambitious project. They are not paid; they're local volunteers; they don't have any administrative expenses other than maybe their telephone bill and their mailing costs. What would -- if, say, they're trying to raise a million dollars or five hundred thousand - what is it they have to do under this bill that they don't have to do now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

They would have to fully comply with all the provisions of the Act, if they are raising more than one hundred thousand dollars. Whether or not they have a professional fund raiser would have nothing to do with it. It's the monetary amount that determines what they must do. They must file with the Attorney General any contracts that are entered into. They must file with the Attorney General. I'm informed -- I'm informed that they must file how much of the money is going to educational purposes and how much is actually going to the project. That would be the difference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Hawkinson.

SENATOR HAWKINSON:

Are -- are they required to hire some outside auditor on an annual basis?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Not if it is under a hundred thousand, they do not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

But you're telling me that if it is a big project, they -- what things are they going to have to do that they don't do now? And what costs are they going to have to incur? And is there going to be any help or advice for these -- for these groups? How much paperwork are we -- are we going to require them to do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

They are then required to file a report that shows what money went to the administration costs, what portion went to education. And yes, they have to have an audit if it's over a hundred thousand dollars. Of course, that -- there's no reason that couldn't be a -- a -- a volunteer act as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Will -- will this apply to a not-for-profit national

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charitable group that does raise money by mail to all fifty states? Will they now have to register with the Attorney General, and what ramifications will it mean to them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Yes, if they're raising over a hundred thousand dollars in the State of Illinois, all the things that I said to Carl Hawkinson would apply.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Only if they're going to raise a hundred thousand -- more than a hundred thousand dollars in Illinois. The fact that they may raise more than a hundred thousand dollars nationally doesn't apply unless the hundred thousand dollars is within Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR DAVIDSON:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I apologize for rising a second time, but I understand from the Attorney General's representative that -- that some of the information may be inaccurate; that -- that if it's strictly a -- private group -- charitable group without a professional fund raiser, that all they have to do is file the report. Now is that or is that not the case?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

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He makes a representation to me that's the case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Dunn may close.

SENATOR T. DUNN:

Urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1564. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? This takes three-fifths. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26, 2 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. House Bill 1609. Marovitz. Madam Secretary, House Bill 1609.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1609.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. I would move that we adopt Conference Committee Report No. 1. The report corrects something that Senator Hawkinson wanted removed, which is provisions which prohibited a court from nullifying an order of protection if the victim invited the offender back into their home. Senator Hawkinson asked that this was to be clarified and -- and we did so for -- for Senator Hawkinson, and the bill says that you don't need signs of physical abuse, necessarily, to exhibit the fact that there has, in fact, been abuse. This is part of the Violent Crime Victim Assistance Program, and I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Just to clarify. I didn't object to that provision, and -- and it was offered to take it out and I didn't object to that either. My only concern was that if we were going to have that provision in, that there should be something in the order that notified people that that was the law. So it could have been done in one of two ways. Maybe you want to revisit that subject next year. So I did not insist that come out; that was the solution offered at this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

I rise just on a technical point for the sponsor. We're about to tube the bill because we are saying you don't have Republican signatures on the Conference Committee Report. Now, Senator Hawkinson's got up and explained, and so I can vote yes. But what killed the last bill was no Republican signatures. A tactful hint to whoever is the sponsor of these bills: I asked one of the people that didn't sign the last bill, and he says, "Nobody ever asked me to sign it." We're sitting here looking at conference committee reports with no Republican signatures, and you kind of guess what most Republicans are going to do when we see no Republicans signing a conference committee report. Had Carl Hawkinson not gotten up, truthfully I'd have voted No on this one, too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. And I think that probably is a problem. In -- in this case, it didn't indicate nonsupport, because I think you did it on June 30th, and you just didn't have

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time to get around to us, but I think that is a problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Chris Young and Carol Lolus <sic>(Close) from the State Journal-Register have requested permission to take photographs. Is leave granted? Leave is granted. Senator Marovitz.

SENATOR MAROVITZ:

I think Senator Keats makes a very valid point, and I think it's something in the closing days of the Session - hopefully closing days - that we ought to keep in mind. I don't -- there was nothing -- you know, I don't even know, I sent -- they get circulated by staff people, and certainly I'm -- I'm glad you pointed that out, and that's something we ought to take into consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That's a -- one of the Harry Truman speeches.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1609. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1609, and the bill, having received the required constitutional majority, is declared passed. House Bill -- Page 19, is House Bill 1891. Senator del Valle. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1891.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

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Thank you, Mr. President. Conference Committee Report No. 1 for House Bill 1891 has the Senate receding from Senate Amendment No. 2, and that's all it does. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1891. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1891, and the bill, having received the required constitutional majority, is declared passed. House Bill 1929. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1929.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. This bill -- this Conference Committee Report deals with condominiums. The bill -- condominium bill sponsored by Representative White and myself in the -- in the Senate had passed the House, was in committee in -- some elements of it where objected to by the Illinois State Bar Association. So what we did was to take this bill and to take out the objectionable portions at the -- that the Bar Association objected to, and the common denominator is left and that's the -- this Conference Committee Report. It makes changes to various sections of the Condominium Property Act, including allowing the condominium association to waive the reserve requirement by a two-thirds vote of the total votes of the association. It also has a provision that allows the board to

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disseminate to local owners biographical and background information about candidates for election to the board, if no preference is expressed and reasonable efforts to identify all candidates are made and all the candidates are given an opportunity to present information. That is a particularly important provision with regard to some of my constituents. I have many condominium associations in my district and they are particularly interested in that provision. Be happy to answer any questions. And this Conference Committee Report does have bipartisan support, and I would urge your adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield to a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Cullerton, I've got some problems with this bill. And the reason -- I will tell you what my problems were. Can you assure me that this bill protects the rights of the condominium owners, not the -- I mean the actual rights of the condominium owners?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Well Senator, there are about ten provisions in the bill. And the bill that passed the House originally, came to our committee, was -- I did not call it, when the Illinois State Bar Association and the Chicago Bar Association said they objected to provisions of the bill. So I didn't call the bill. We found this vehicle, and I met with the bar associations - both of them - and said, "You draft what you agree to," and that's, in effect, what they've

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done. So if you have a specific section of this bill that you want me to address, I'd be happy to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

According to our analysis, the Illinois State Bar Association was opposed to this bill for two reasons. One, it is -- that it is more special interest, micro-management of boards of directors; and two, the changes to master associations is yet another attempt to incorporate condominium law on non-condominium properties. Is that true? What about those two objections?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Well, I believe that you are referring to sections that were in the first bill that have been taken out in this Conference Committee, because I literally gave the House Bill to the lobbyist for the Bar Association, and I said, "You draft the bill and take out the parts that you object to." So, I don't think the second part -- I don't recognize either one of those elements as being in this -- in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The reason I call it to your attention is it happens to be in our analysis. Can you tell me who the lobbyist was for the State Bar?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

For the Chicago Bar it was Joan Coogan and the State Bar - it was a person who is a head of the condominium committee, and I

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communicated with Marylou Lowder-Kent from the Illinois State Bar. So if -- if you want me to, I'd be happy to take this out of the record to assure you and the staff over there that those provisions are not in here. I'd be happy to do that right now. Take it out of the record, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. House Bill 1971. Jones. Madam Secretary, House Bill 1-9-7-1.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1971.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. The First Conference Committee Report on House Bill 1971 is really some cleanup language worked out with the profession and the -- those persons who had some problems with certain aspects of it. And what it does, it exempt from practice those persons who -- who work for a hospital, clinic, home health care agency, hospice or other entities that provide health care to employees or contract with a -- persons licensed to provide professional counseling services, except that they may not hold themselves out as -- representing themselves as licensed counselors. This was worked out with the hospitals. As it relate to the clinical social workers, it exempt them from -- and a licensed social worker, it exempt them from this Act, as well as those persons who are licensed clinical social workers, as well as -- as psychologists. Upon paying their fee, they will automatically, without examination, be granted a license as a licensed counselor, and this what the -- the agreement has been worked out on the bill that has been passed, and I ask for a favorable vote on this Conference Committee Report.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Raica.

SENATOR RAICA:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR RAICA:

Senator Jones, the analysis says it allows the Department of Professional Regulation a license without examination -- clinical psychologists. My question is, are they going to use anything to -- or other than a fee? I mean, are they going to use clinical hours or credits, or they're just going to pay their fee and get licensed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The professions are somewhat similar. They are already licensed in their given field of practice. And -- and their training is somewhat similar, so this the reason why all they would have to do is pay their fee as such.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Jones, currently are these people given examination now, and then why are we taking that out? If they're -- I mean, obviously, that -- that doesn't seem like it's too positive. Why are we taking it out now, that they don't have to be -- have an exam?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

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A clinical social worker -- or social worker or clinical psychologist have been given the examination under their licensing Act already. So, therefore -- and the training is similar to that of a counselor. They've had the similar clinical training. So, therefore, all they would have to do is pay a fee and they would be automatically granted a license as a licensed clinical -- licensed counselor. So, therefore what -- it is not taking the exam away; they've already had the exam. Do you follow me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR JONES:

I just ask for a favorable vote on the Conference Committee Report on House Bill 1971.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on House Bill 1971. 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 41, the Nays are 12, 2 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1971, and the bill, having received the required constitutional majority, is declared passed. House Bill 2139. Senator Jones. 2139, Madam Secretary.

END OF TAPE

TAPE 2

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2139.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. The Conference Committee Report on House Bill 2139 is a -- an agreed bill worked out between the cemeteries and the undertakers, and as well as the Township Officials. And it clarifies that with respect to a cemetery property maintained for -- for cemetery care funds, the cemetery shall be responsible for the performance of the care and maintenance of the cemetery property, the opening and closing of graves and -- and so forth. There was a provision in here as it relate to the crypts and who would actually dig -- dig those graves and install the vaults, but this -- this language has been taken out. An agreement has been worked out. Senator Weaver worked on it, and I ask for a favorable vote on the Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. All the parties to this bill have agreed, and I think it's a good bill and we should support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 2139. Those in favor will vote Aye. Those opposed, Nay. The voting is open. ...(machine cutoff)... Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2139, and the bill, having received the required constitutional majority, is declared passed. House Bill 2148. Madam Secretary, please.

SECRETARY HAWKER:

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First Conference Committee Report on House Bill 2148.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President, Members of the Senate. The First Conference Committee Report on House Bill 2148 -- and for the record, Senator Keats, I would like -- you brought up a good -- a great point. The only reason, I believe, the Members of your side of the aisle did not sign -- sign this report is that it was not given to them, and I would just like to bring that up. But what Conference Committee Report on 2148 does is -- on the first provision is an amendment that Senator Butler put in, would -- would permit the municipal clerk in downstate municipalities to appoint one deputy clerk when authorized by the city council, who need not be a resident of the municipality. It clarifies language concerning removal or discharge of a Chicago police officer that is a declarative of existing law and does not constitute any addition to or change in the existing law. In case of a conflict between the municipal and county ordinance concerning control or jurisdiction of a municipal pre-annexation, the municipality shall have control. The gross receipts of a business transmitting message using mobile equipment shall be deemed to originate within the corporate limits of that municipality only if the address to which the bills for the service are sent is within those limits. It adds contractors to certain provisions of local government in the State Prompt Payment Act. I understand there is a bill by Senator DeAngelis that has already passed this -- both Chambers, and it would also require contractors to pay subcontractors within fifteen days of payment from public entity. After expiration of the fifteen-day period it would provide two percent per month interest. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Daley, according to the analysis, saying that if there is a conflict in the mile and a half territory, that the municipal ordinance shall overpower or overrule the zoning ordinance of the county in an unincorporated area?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

That -- that is correct, Senator. This language was requested at -- at the request of the Municipal League.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, it may be by the request of the Illinois Municipal League, but this is allowing a municipality to take away the zoning control of the mile and a half from the county zoning board, under the county board. And we gave the zoning power to the county board for the very reason for them to control the unincorporated area. And now, by this, you're wanting to give the municipality back jurisdiction over that mile and a half?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Senator, my understanding is that this deals with only pre-annexation. It deals with only pre-annexation agreements.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

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SENATOR DAVIDSON:

Has any -- any communications been done with any of the county representations, the large urban counties or the Illinois Township people, so that we know whether this is an agreement between the competing governmental units?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Senator, my understanding -- Cook County has signed off on this. That is my understanding, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

That may be fine for Cook County, but there is a hundred and one other counties; and that being a past chairman of the county board who wrote the zoning ordinance to give the unincorporated area protection, I have some concern that you're going to now give the city back over control of that mile and a half, whether its pre-annexation or otherwise. I would like for you, if you would, remove this at the moment and get hold of the county office representation or large county urban council, and see whether they agree to this amendment or not. I don't want to be giving municipalities jurisdiction when we passed legislation to give it to the counties in the first place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley.

SENATOR DALEY:

Yes, sir. I request that you take it out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. House Bill 2446. 2446. Senator Kelly. Madam Secretary, House Bill 2446.

SECRETARY HAWKER:

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First Conference Committee Report on House Bill 2446.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. Conference Committee Report No. 1 deletes the contents of the legislation and it adds provisional new language which provides for the membership of the Illinois Coordinating Committee on Transportation, and it makes several other technical changes. This is at the request of the Department. It also allows the Department to fund community providers so that they can have direct deposit transmittals. And I believe everyone is on board, and I move for the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Just to note, Mr. President and Ladies and Gentlemen of the Senate, it's a very fine bill. I think Senator Kelly has modified this whole issue, used his original bill very, very well, and everybody is certainly signed off and delighted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm sorry. I'm just trying to get my light off.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That's the first reasonable request we've had today. Further discussion? Senator Kelly, do you wish to close? Senator Kelly.

SENATOR KELLY:

I would move for the adoption of this conference committee report and solicit your support - Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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The question is, shall the Senate adopt the First Conference Committee Report on House Bill 2446. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2446, and the bill, having received the required constitutional majority, is declared passed. House Bill 2491. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2491.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This Conference Committee Report does become the bill. It has to do with infectious hospital waste. It defines potentially infectious medical waste; establishes requirements for the storage, disposal and treatment of such wastes; establishes permit requirements, including a fee of a thousand dollars on infectious waste hauling companies; exempts small generators of infectious waste from certain requirements. This amendment incorporates the recommendation of the Medical Waste Tracking Study Group, which was formed by Governor Thompson in 1989. The Task Force was formed to develop recommendations on medical waste, in light of the heightened public concern resulting in the discovery of medical waste on beaches in several areas of the country. The study group consisted of legislators, representatives of the State and local governments, health, community waste organizations and academia. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Macdonald.

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SENATOR MACDONALD:

Thank you, Mr. President. I rise in support of this Conference Committee Report of -- Senator Joyce explained very well. A number of us were members of the Medical Waste Task Force, which has indeed been meeting for eighteen months, and the Conference Committee Report contains the language in the bill to implement the recommendations of the Task Force. There were some accommodations made yesterday within that bill that satisfy objections. All of the waste haulers and -- and Browning-Ferris and Waste Management all are signed off on this bill, and I would ask for your concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce may close.

SENATOR J.J. JOYCE:

Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on House Bill 2491. Those in favor will vote -- vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2491, and the bill, having received the required constitutional majority, is declared passed. House Bill 2557. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2557.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the single-source bid-rigging bill -- with it passed out

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of here 55 to nothing. There was some questions by -- by the City of Chicago raised. We attempted to work those out, weren't able to, so we just went back to the original bill, which asked that this type of thing be established by ordinance. And I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 2557. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 6, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2557, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 37. Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 37.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This amends the veterans' benefits, and results in an agreement with -- meeting with numerous people last week. We have agreed to all of the changes that are in there. One of the things that is in there that is new is an aspect of the bill that deals with the mistreatment of animals, specifically dogs, and defines the terms of guard dog service, and provides that they come under the protection of the Department of Professional Regulation. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this is the bill that provides for a hundred-dollar bonus to veterans of Desert Storm, as I recall. Isn't that correct? Whatever happened to the proposal that was put on Senator Daley's bill that would provide for a pension -- or a bonus to these people resulting from a checkoff? Is that a part of this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

It's my understanding that passed, and it's in another bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So if this bill passes, then we're going to have two bonus plans in Illinois; this one, which would pay a flat hundred dollars to every veteran, and whatever results from the revenue checkoff under Senator Daley's bill. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

If the Governor signed them both, that would be correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Woodyard.

SENATOR WOODYARD:

Senator, on the dog trainer portion of that - does this create

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a new licensure of some kind for dog trainers or anything? And the second part of that question, if -- if not, can you tell me whether -- like the Field Trial Association and -- and the various bird dog associations - are they for this provision, or do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

I have not talked to them. But I -- I would presume they are, because what it specifically regulates is the mistreatment of dogs in training and the abuse of dogs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

But you don't think it creates a -- a category of licensure for dog trainers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

No, it does not, definitely.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jerome Joyce.

SENATOR J.J. JOYCE:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Joyce.

SENATOR J.J. JOYCE:

Does this mean when we go home from here, I can't kick my dog?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

You're already prohibited from that doing that, Senator.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

Well, if you're a veteran you can kick your dog, is that the...?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Well, some days veterans feel like dogs that have been kicked.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

...(machine cutoff)...home you can't kick your dog, sometimes your daughter's around, and then, you know -- yeah -- all right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Mr. President, in a friendly thing - I don't see any problem with the bill, but I'm noticing, again, lack of Republican signatures, based on the fact that the two Senators are here and not the House. It looks to me as if El Duce over there does not offer the courtesy to some Republican Members. The merits of the bill -- we ought to pass it, I agree. But you might tactfully say to El Duce across the way that either they start showing a little courtesy or they need 36 and he can shove it. But that just -- your bill's fine, and that's not said to you. It's a hint that I ask you give a few of his staff, who are almost as arrogant as he is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, you -- you might furnish the Secretary with the correct spelling of El Duce for the -- for the transcript. Further discussion? Senator Dudycz.

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SENATOR DUDYCZ:

Yes. Thank you, Mr. President. If Senator Keats would read the Conference Committee Report, he would notice that both Senator Butler and I signed it, and it's a good compromise. I think everybody should vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn may close.

SENATOR T. DUNN:

Let's let this sleeping dog lie. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 37. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 37, and the bill, having received the required constitutional majority, is declared passed. Senator Dunn, for what purpose do you arise?

SENATOR T. DUNN:

Thank -- thank you, Mr. President. I move that a Second Conference Committee Report be appointed on House Bill 1564.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn, back on Page -- 1564 -- House Bill 1564 failed to receive the three-fifths majority and it is...(machine cut-off)...and -- and House Bill 1564, Senator Dunn has requested a Second Conference Committee. Is there -- those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it; so ordered. Senate Bill 136. Jones. Senate Bill 136, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 136.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. The First Conference Committee Report on Senate Bill 136 contains the amendments for the Downstate Teachers' Retirement System and also the State Employees Article, and what it does for the State employees is remove the six-month qualification period for those persons who would otherwise become subject to mandatory Social Security coverage. And for downstate teachers, for them to be also in compliance with the Federal -- Budget Reconciliation Act, it calls for regulation for implementing -- implementing the Omnibus -- Reconciliation Act of 1990, with a cost of about five million dollars unfunded liability. This is to bring both of those systems into compliance with the new federal law. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, the -- the board refers to military credit. Is this -- does this bill include the military credit that the downstate teachers have been trying to get adopted for a number of years?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

That is not in this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

That answered by question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jacobs. Jacobs.

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Jacobs.

SENATOR JACOBS:

Thank -- thank you, Mr. President. As a follow-up, is it in any bill, number one, and -- is it in any bill? The question is a follow-up to -- to the good Senator Schuneman: Is it in any bill? It may not be in this bill, but is that all downstate teachers get this year is a compliance with federal law? And if so, what are the other teachers getting elsewhere?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Those provisions that you allude to will be in another pension bill, which has not yet been completed, and hopefully we will be dealing with that very shortly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you very much. I appreciate that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones may close.

SENATOR JONES:

Yes. Yes, I just ask for a favorable vote on the Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 136. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House -- Senate Bill 136, and the bill, having received the required constitutional majority, is declared passed.

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Bottom of Page 19. Senate Bill 201, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 201.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. Senate Bill 201 was the low-level radioactive exchange - the BRC part. It was a technical change, and the -- so I would move that we adopt the Conference Committee Report. This bans the disposal of low-level radioactive waste in any site other than the one authorized by the Central Midwest Compact.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 201. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. I'm sorry, 2 voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 201, and the bill, having -- received the required constitutional majority, is declared passed. Page 20. Senate Bill 446. Cullerton. 616. Joyce. 631. Luft. Senate Bill 631, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 631.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate do adopt Conference Committee Report No. 1 to Senate Bill 631. Presently, Medicaid providers are able to use as an asset the

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accounts receivable as a pledge to a commercial bank for loans. What this bill does is allow that entity to simply pledge those assets not only to a commercial bank, but to the Illinois Health Facilities Authority. I'd try to answer any questions; otherwise, renew my motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rigney.

SENATOR RIGNEY:

I'd like to have a couple questions of the sponsor. Let's just say that I were the owner of a nursing home and you owed me a hundred thousand dollars. Now what is this law going to do, step by step, to help me get my money?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I would use the accounts receivable of one hundred thousand dollars and pledge that as an asset to the Illinois Health Facility Authority. At the same time, I would assign my rights to that one hundred thousand dollars to a trust set up within that Authority, and the State then would pay the accounts receivable directly to the facility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Now, is there interest involved in getting this money? Because, obviously, the State doesn't have it - that's why you're going that way. What happens there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

There is interest involved, and the interest involved, depending on the term of the commercial paper or note - whatever

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you wish to call it - interest rate fees and whatever on about a hundred and eighty to a three-month, four-month note would be in the neighborhood of around six to six and a half percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

It's the State that would be paying that then. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That's assuming that the State enters into this program. This program does not dictate or demand that the State enter into this program. The only thing that we're doing with this bill is just simply allowing the accounts receivable asset to be pledged to a bank. And if, in fact, the State did do that, there would be a possibility that the State could pay the interest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, I think this is a rather significant piece of legislation. Maybe I'm just having a little difficulty following that last explanation. You talk about commercial paper. Does this assume any bonds? Or what -- what's the -- the situation there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

The conference committee report does not refer to commercial paper nor any other instrument. I would suspect that bonds are of a nature that you could not use them because they're usually at a specified amount over long term. And bonds cannot be used for

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accounts receivable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, in other words, we're assuming here that this is going to be a relatively short-term -- something less than a year in length. Is that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Law provides that commercial paper cannot be issued past one year - usually less -- always less than one year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor. Under Illinois Health Facilities Act, we bear no -- the State does not bear the long-term liability. Is there any change in here that would shift liability for this -- what we're not calling commercial paper, but probably looks an awful lot like it? Do we bear any liability? Is this now a State obligation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Question of the sponsor. It's my understanding that the State -- that if the State buys into this, then, in effect, the State's payable to these people becomes the security for the loan and that, in fact, they can roll the paper,

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under this provision, for up to three years so that the pay-back can be over a three-year period. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That's correct. Or new paper - commercial paper - could be issued if more money was required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. As the co-sponsor of this, I rise in support of it. Let me point out to you that this is, in fact, something that was worked out of the Governor's Office with a lot of people. And last night I had cause to do several radio programs, and I was absolutely shocked when several people called in that live in nursing homes who were very, very much concerned that they would not be able to stay there because they had been told by the people who own them that they were suffering a significant cash crunch. In fact, one lady called and said that the nursing home was requesting that they pay their bill quicker in order to help them out of that situation. This is an opportunity with -- without the full faith and credit of the State involved, to help those people who might have that kind of cash crunch get out of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. Only to echo the remarks that this is a significant piece of legislation. I think it's a very positive piece of legislation and could benefit the entire State, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 631. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 631, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 750. Senator Joyce. On the order, Mr. Secretary, 750.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 750.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. This amends the State -- Illinois State Agency on Historic Resources Preservation. And this report reflects an agreement between the Capital Development Board and the Historic Preservation Agency, which makes the Agency consider economic feasibility in its review process. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Did we retain in there, Senator, the provision of economic impact?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

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Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Senator, I had the Home Builders that came to me and -- about this bill. I notice in our analysis that it says that there is a -- a compromise between the Capital Development Board and the Historical Preservation Agency. My question is, the Home Builders were saying that there are eight hundred projects that are being held up because we are looking for whatever happens to be in the cornfield, whether it's arrowheads or something of greater significance. Has the Home Builders signed off on this now too?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

Yes, the Home Builders are satisfied.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Joyce may close.

SENATOR J.J. JOYCE:

Just for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 750. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 750, and the bill, having received

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the required constitutional majority, is declared passed. Senate Bill 872, Mr. Secretary. Senate Bill 872.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 872.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate adopt the First Conference Committee Report on Senate Bill 872. Basically, the report does three or four items. One, allows Cook County to use unexpended highway bond funds for highway construction, reconstruction and maintenance purposes. It also stipulates that delinquent unpaid property tax installments for interest at a specified monthly interest rates on any portion thereof. And it rewrites Section 253 of the Revenue Act, which governs redemption of tax delinquent property. It increases your accrued penalty for redemption between thirty and thirty-six months. It expands the eligibility for a two and a half year redemption period. Deletes a partial redemption of separate undivided interest in delinquent tax sale property, and it adds a fee to be paid by a person redeeming his or her property sold at a tax sale, a thirty-five dollar fee payable to the tax purchaser, if a tax deed has been filed and a four-dollar fee if notice has been served, and all costs the taxpayer incurs in -- in filing a lis pendens notice. For counties other than Cook, it specifies a new form of -- of assessment notice, and it repeals an abatement language for Eagle Creek at the request of the Department of Conservation. I know of no objection. This matter has been discussed with both sides of the aisle, and I ask for your concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

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SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, on these significant new changes on the redemption period and process, my question goes to how it will affect tax sales and tax purchases that have maybe just occurred this past fall. What's the effective date of this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

1/1/92.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I did not sign the report, Senator Lechowicz, as a sign of protest - the protest being that the person who is the financial advisor to Cook County has a long and illustrious history in Springfield - one who knows the process real well. And my objection was that something this substantial to be brought in at the last minute, with virtually no explanation, other than to say, "Well, we didn't have time to do it." I just want to tell you, it's a good concept, but please advise some of those people back home that they ought to at least give us a little notice ahead of time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Woodyard.

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SENATOR WOODYARD:

Senator Lechowicz, maybe you can't answer this. Maybe Senator Severns could, but on -- on the portion dealing with Eagle Creek, is our analysis correct when it says that it repeals the language that was worked out last year, in the agreement on the -- on the local property tax abatement surrounding that, and we are repealing that, and are those folks down in that area for this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. My information is that; one, it was the recommendation of the Department of Conservation that that abatement language be put into the conference committee report. Secondly, the people of that area have also concurred with the language. Let me also respond to Senator DeAngelis, if I may, Mr. President. Rest assured that I raised the question of why it took them so long to find eleven million dollars, and the money was basically in a special account in Cook County under the term of a super highway bond account, Aldo. And the super highway bond account has been inactive now for approximately eight years. And we thought that one, we could bring this matter before the General Assembly and everyone realizes how tight finances are in every county of this State - and secondly, I specifically requested that if and when this conference committee is -- is adopted, that we get a letter from Chapman & Cutler stating that the County can use this money specifically for highway purposes only. And this is the only account to my knowledge that has been in this type of inactive status for that period of time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I say to the sponsor, if the

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Department of Conservation is signed off, yours truly - he's been very active on one of these points - hasn't heard it, and they know how interested I am. I would say gently to my Republican colleagues, - noticing that not all Republicans have signed it - unless the Department of Conservation has changed their position by a hundred and eighty degrees, the administration is opposed to this bill. And I would just mention that to my Republican colleagues. We might want to pull it out of the record long enough till DOC gets back to us, because they were opposed to this bill just yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Point of order, Mr. President. You know, I take very seriously the type of work that's been done on any conference committee report, and especially the one that I sit on. And when I tell you that the Department of Conservation signed off on it, they signed off on it. Number two, if you take a look at the report, Senator Keats, Harlan Rigney did sign this report. Okay? So the Membership was contacted. So get your facts straight once and for all. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns. Oh, I'm sorry. Senator Keats.

SENATOR KEATS:

Three of the four Republicans are not signed off, and, Senator Lechowicz, I appreciate what you're saying, but DOC knows I'm very interested. We've discussed this point many times, and they said, "We're signed off on nothing, unless you hear from me." And their position, as of yesterday, was no. So all I can say is, I don't know what they've said to you, but I know what they've said to me, and they are against these provisions, and three of the four

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Republicans have not signed the Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. Senator Keats, you're wrong on this one. Representative Noland and I, that represent this area, had this language misrepresented to us last year - language that you offered for your friend, Mr. Forester; language that went beyond the local agreements. And now we're back with the absolute concurrence of Director Brent Manning, the liaison who is involved, Rick Tate, because this language needs to be repealed. It has been resolved at the local level. You know and I know that your friend went beyond what had been agreed to at the local table. We're now repealing it. DOC is absolutely on board. That's why Republican Representative Duane Noland and I have sought this language to repeal. They are on board. Senator Watson knows they're on board. I believe you should know they're on board as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson. We'll be glad to come back to you on a second time. Senator Watson.

SENATOR WATSON:

Thank you. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor...

SENATOR WATSON:

Eagle Creek language. How does that impact any other proposed resort in this State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It does not. In fact, if you just listened to what Penny

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Severns just stated - that the language was provided for them last year above and beyond what was agreed to by the local community. It's her work, the Representative from the House, as well as Department of Conservation, that wants this language abated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay. Well -- the -- Senator Severns and I and Representative Noland met with the Department of Conservation a couple of days ago about this issue. And the agreement was, quite frankly, to change the year, not to repeal the Act, as what we are doing here today. I've been not a party of the actual repealing of the Act, as Senator Severns said. That was never anything that I was in agreement to, and I don't know that Department of Conservation was in agreement to. What we were in agreement to was to change the year so that the impact would be felt only in the Eagle Creek area and would not possibly have an -- an impact on other resorts throughout this State, such as the one at Carlyle Lake, which is close to being beginning. So, you know, I don't -- I think Senator Severns misrepresented my position on this -- this issue, and I don't know how she -- or if, in fact, she did misrepresent the Department of Conservation. But in my dealings with them, they did not sign off on the language that we have here. They signed off on changing the year. And she knows that.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I'm not rising on that part of the bill but, rather, on the redemption part of the bill, Senator. I asked earlier - and I apologize for rising a second time - when this would go into effect, and I believe you indicated 1/1/92; however, staff points out to me that it says this Act takes effect

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upon becoming a law, which would be an immediate effective date, if -- and I have some follow-up questions, but perhaps we can clarify the -- the effective date.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. You're absolutely correct. The original bill called for 1/1/92. The Conference Committee Report calls for an immediate effective date. I stand corrected. I'm sorry.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Given the immediate effective date, these are rather substantial changes in a very complicated area of the law, and I'd like to ask a few questions about the -- the changes. Would this law apply to any tax sales that occurred prior to the date of it becoming a law?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No, it would not.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

On Page 5, under the definition of "right of redemption," it talks about a person, quote, "interested in the property who can redeem," - and I know that there has been case law and there's some disputes over who is interested and who has a right to redeem and who doesn't have a right to redeem. And now under this new language, we're saying that a person may have a right to redeem even though they don't have any recorded interest in the property.

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Who are we in -- who, under your definition, would be an interested party, and what kinds of persons would not be interested parties?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Basically, it's -- it's -- what we're trying to do is make sure that who's ever trying to buy this property is not a hidden owner. And that was the purpose of the -- of that provision.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

I'm in complete agreement with -- with that intent, but -- but my question is, by -- by saying that they don't have a -- don't have to have a recorded interest, are we saying that anyone who has a potential lien against the property of any kind, whether it's for an unpaid water bill or sewer bill or -- or perhaps a -- as yet unrecorded mechanic's lien, that -- that those persons would now be able to be interested parties who perhaps were not under prior existing law?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I've been advised that it is consistent with current law.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

So for legislative intent, there's no -- you're not intending to expand the definition of interested persons, but rather you're -- you're simply attempting to preclude a hidden owner or a partial owner from doing a tax sale?

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Lechowicz.

SENATOR LECHOWICZ:

That is correct.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Rigney.

SENATOR RIGNEY:

Couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

He -- he indicates he'll yield.

SENATOR RIGNEY:

Yeah. Apparently this money was collected and deposited in a so-called super highway fund. When was that -- is that not correct, Mr. Lechowicz?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It was a bond program adopted for a super highway fund in the County of Cook. The money has been laying dormant now for approximately eight to ten years. It was brought to our attention just currently, when we went to a new county board system, and we reviewed all the current financing and what's left in the respective accounts. This is money that, unfortunately, I -- to my knowledge, there's no federal matching funds available for any new super highways. I've asked that the County check with Chapman & Cutler to, one, make sure that we can use this money for additional highway purposes - I've been assured that that will happen. And I am sure before the Governor signs this Conference Committee Report, his attorneys will request the same type of information.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Rigney.

SENATOR RIGNEY:

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How much money are we talking about in this fund?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Eleven million dollars.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

We -- are we collecting it at all? Is Chicago collecting that money any more, or is this something now that's in the past?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It has absolutely nothing to do with the City of Chicago. It's the County of Cook only.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

Okay. I've misspoke myself. County of Cook. Are they still collecting anything under -- you know, bonds run on for many years. Are they collecting anything under it today?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'm sorry, Mr. President, I didn't hear the last portion of the Gentleman's question.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

Are the people of Cook County still paying on these bonds, or is this something that has now expired?

PRESIDING OFFICER: (SENATOR D'ARCO)

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Senator Lechowicz.

SENATOR LECHOWICZ:

It's expired, Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

So we collected for a certain number of years. Was that like over a twenty-year period or ... I guess I'm wondering how did we accumulate -- or how did Cook County accumulate this much money that they apparently had no way to spend?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Because the Statute prohibited them spending that money any other -- for any other purpose. The purpose of this Conference Committee Report is seeking approval to have that money that was originally designed for super highways to be spent for the highways in Cook County.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney. Senator ...

SENATOR RIGNEY:

Okay. You no longer could fulfill the purpose of the bonds, but were they collected over a long period of time or not?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No, they were not.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

Well, your provision in the -- in the Statute says that you stop collecting if you no longer have the purpose for it. I was

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just trying to establish, you know, how that was handled and why -- why Cook County accumulated that kind of a surplus for a reason that they couldn't spend?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

You know, for the third time, they originally passed the bonds. The Statute was very stringent that they could only use it for super highways. There are no super highway funds coming from the Federal Government. We've retired the bonds. We've got eleven million dollars that we can use for highway purposes if we adopt this.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Keats, for the third time.

SENATOR KEATS:

I stand up only to rise to correct something Senator Severns said, although virtually all of what she said is true. I have been very actively involved in this. Last year, under a different administration, the Department of Conservation brought in language that technically was an amendment - if my memory is -- Senator Severns, you and I and several others were technically sponsor of - and they said to us the agreement is X, Y and Z. Well, gang, the agreement was not X, Y and Z, and we passed it out of here under the good faith of the Legislature that an attorney at the Department of Conservation -- what they had said to us was true. Well, just between us, it was not true. Therefore, we, as a Legislature, acted inappropriately, but trusting the word of someone working in one of the departments of a previous administration. What happened -- now, we said "Look, you guys goofed it up, now come back with the original agreement from about five years ago, that everyone signed off on." And the Department hasn't done that. They now come back -- because they've done

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nothing, Senator Severns in her frustration - and it is a reasonable frustration with the Department - says, "Okay, we repeal it." We can't repeal it like this. We have to go back to the wording; there was a signed off agreement a couple years ago. And let me tell you what the kicker is - that wording is the exact wording that we used on things like the Chrysler-Mitsubishi Plant. And if that is declared no good, all those tax abatements on little things like Chrysler-Mitsubishi are no good. Does anyone want to argue that stuff in court? That's why we said to DOC, "Come back to us with the original language. We're happy with that. Not everyone in that area's happy, but we should be happy, because they signed that agreement." DOC did not do that. Now, again, in what Senator Severns said, I can't fault her. We're as irritated with DOC as she is, but the simple fact is this does not do what we've agreed to do. And her frustration is reasonable, but I would say, at the moment, let us not take it out on Eagle Creek. Let us redo this and come back with the correct wording and at that point I would then ask the Republicans to support it. But in the meantime, I would say to our Republican colleagues, there are reasons why there are not signatures on this Conference Committee Report, and one of which deals with the whole principle of tax abatement at things the size of Chrysler-Mitsubishi or at the size of Eagle Creek Resort.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I, too, apologize for rising a second time. I want to clarify something that Senator Lechowicz said in regard to a question I had. Senator, this does impact the -- Carlyle Lake and other possible resort areas throughout this State. It certainly does, and the Department of Conservation has -- has verified that. The agreement was that we were going to

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change the year. And that was agreed to, I thought -- to by Senator Severns after our conversation with the Department of Conservation - we came back and -- this fall, possibly change some language. And that was the agreement, Senator. And I think if she would acknowledge that -- that was actually the case. And I did talk to her, and she knows that. So I would also appreciate a No vote, or a Present vote or just simply do not support this particular Conference Committee Report. Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I, too, apologize for rising for a second time, but I just want the record to be straight here. Rick Tate, the Legislative Liaison for the Department of Conservation is here and has acknowledged that DOC is very much in agreement with this. Senator Watson, to your point. The reality is maybe you haven't had time to check your messages in your office, but Dave Oskandy, from our side of the aisle, talked to Nancy Couter of your side of the aisle, who brought your side of the aisle up to date to say Representative Duane Noland and I are keeping our word to repeal this language. If you need language for your part of the State, or somebody needs language for their part of the State, you're more than free to offer it. As I told you on this Floor, Senator Watson, I'll support it. But that's not our duty. We're taking care of our area. And frankly, Representative Noland and I'd be more than pleased if Senator Keats would let us take care of our area, where the local agreement between Eagle Creek and Findlay School District has been arrived at in a local way. That's why this is being repealed. Mr. Forester, the local representatives, Representative Noland and I -- and I sat in the Senate President's Office in December. This agreement was agreed to. That's why

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this is being repealed. So I think that Mr. -- Senator Keats is not totally up to date on this measure. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Topinka.

SENATOR TOPINKA:

Yes. If I may have a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR TOPINKA:

Having kind of an interest in where highway monies would go in Cook County, it is my understanding, apparently, if we were talking about motor fuel tax monies, the use for highway purposes is defined there. Apparently this falls under the County Code, where it is not defined. Could you address where you think these monies indeed would be used, if indeed the authority now were opened up to use them for, quote, "highway purposes"?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I raised the same question to the County. I was told it would be used for highway maintenance repair work for the County highway system. And let me just respond...

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Lechowicz, to close.

SENATOR LECHOWICZ:

Let me just respond very briefly to Senator Watson. The abatement does not affect any other projects, because these -- and there are no other projects currently in the process. It's all conjecture. So we specifically requested Mr. Tate from the Department of Conservation to come here on the Floor and clear up this Eagle Ridge <sic> project. Rest assured, when I sit down with the Department and they tell me that they would like to have

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this matter included in this Conference Committee Report, as far as Cook County, I'm -- did this strictly as a matter of accommodation to the Department of Conservation and to Senator Severns, because that's from her district. If they wouldn't have signed off on it, it wouldn't have never been in this Conference Committee Report. And I would hope that the other matters in this Conference Committee Report merit your support as well. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 872. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 30 Ayes, 8 Nays, 19 voting Present. And the Conference Committee Report is not adopted, and the Secretary shall so inform the House. Senate Bill 907. Senator Lechowicz. Yes, Senator Lechowicz? Postponed Consideration? Yes. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you. I'd like to ask for a Second Conference Committee Report on 872.

PRESIDING OFFICER: (SENATOR D'ARCO)

That request is in order. Senate Bill 907. Senator Lechowicz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 907.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I move that the Senate do not concur in the Conference Committee Report, and ask for a Second Conference Committee.

PRESIDING OFFICER: (SENATOR D'ARCO)

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All right. Senator Lechowicz has moved to nonconcur in the Conference Committee Report on 907, and he asks for a Second Conference Committee. All right. Senator Lechowicz has moved to not adopt the First Conference Committee Report on Senate Bill -- no -- all right. The motion is to adopt the First Conference Committee Report on Senate Bill 907, and the Senator is requesting a negative vote. All right. All right. All the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 2 Ayes, 47 Nays, and none voting Present, and the Conference Committee Report is not adopted, and the Secretary shall so inform the House. And Senator Lechowicz has requested a Second Conference Committee Report. Senate Bill 923. Senator Welch. Senate Bill 930. Senator Marovitz. Read the bill, Mr. Secretary.
ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 930.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much. Oops -- thank you very much, Mr. President and Members of the Senate. I would move that the Senate adopt Conference Committee Report No. 1 on Senate Bill 930. This clarifies that child support for educational expenses of the child is allowed and would allow action for parentage to be brought within two years of the death of a natural parent, where there is no other parentage declaration. Ask for adoption.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Marovitz. The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 930. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are

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58 Ayes, no Nays, none voting Present, and the Senate does adopt the Conference Committee Report on Senate Bill 930. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 992. Senator Dunn. Senator Dunn. Senate Bill 1009. Senator Brookins. Read the bill -- read the Conference Committee Report, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 1009.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This bill is now in the shape that we originally passed it out of here. It amends and adds provisions that require that DOA to provide sixty days notice of termination of service. The Department of Aging is in agreement with it. All providers are in agreement with it, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1009. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And the Senate does adopt the Conference Committee Report on Senate Bill 1009, and having received the required constitutional majority, is hereby declared passed. Senate Bill 1030. Senator Daley. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on Senate Bill 1030.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Daley.

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SENATOR DALEY:

Mr. President, I move that we nonconcur with the First Conference Committee Report on -- on Senate Bill 1030.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Oh, all right. Senator Fawell. Senator Fawell.

SENATOR FAWELL:

You are moving to nonconcur? I'm sorry, I had about sixteen people around my desk.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Daley.

SENATOR DALEY:

That is correct, Senator, and I'm asking for a Second Conference.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Geo-Karis. All right. The question is -- Senator Daley has moved to adopt the Conference Committee Report, and he is asking for a negative vote. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 3 Ayes, 52 Nays, and none voting Present, and the Conference Committee Report is not adopted, and the Secretary shall so inform the House. Can we -- with leave of the House, we'll return to Page 17.

PRESIDENT ROCK:

Senator Marovitz, has there been a request to go backwards? Senator Marovitz.

SENATOR MAROVITZ:

Mr. President, when the bill came up, I spoke to the -- Senator Demuzio, at the time. We are conferring with those on the other side of the aisle, and I said could I get back to it.

PRESIDENT ROCK:

All right. On Page 17 on the Order of Conference Committee

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Reports is a report with respect to House Bill 57, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Conference Committee Report on House Bill 57.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Sometimes it takes a while for a good idea to catch on, and that's what is embodied in House Bill 57. This is the creation of a Statewide hotline instant-check dial-up system. The measure proposes to utilize available technology to establish a dial-up hotline telephone instant-check system, to be used by the seller to confirm the validity of a gun buyer's Firearm Owner's Identification Card at the time of purchase of a firearm. I want to make it very clear that this bill does not change the existing twenty-four-hour waiting period for long guns nor does it change the existing seventy-two-hour waiting period for handguns. The new dial-up system would focus upon the retail sales of firearms, and is proposed to exist for a two-year period, at the end of which a special nine-member blue-ribbon committee, appointed by the Governor, would recommend its continuation or abolition -- the continuation or abolition of any changes in our dial-up system, whether there needs to be any changes in the FOID Card system, or any combination. This bill is effective January 1st of '92. It sunsets September 1 of '94. Once again, it does not change the waiting period at all. The nine-member commission is the Director of the Illinois State Police - the Director would be the chairman; the Mayor of the City of Chicago or his designee; a state's attorney; a representative of an organization which opposes gun control legislation; a representative of an organization which supports gun control legislation; and one member appointed each by the Leaders in both the House and the Senate. This bill - the

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idea of a hotline, the idea of a instant check - has been around for several years. It's very important for us to know who's getting guns and what their background is. That's what this bill is about. This is just another piece of the puzzle that we've been proposing to deal with the proliferation of guns and to try and check who's getting those guns. This is not a -- offered as a panacea or a solution to the problem. I applaud the Governor in bringing all parties together to make this a reality, and I also thank Senator Davidson for his cooperation in this. I think it's a very good idea and will make -- will be a model legislation for the -- for the country.

PRESIDENT ROCK:

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I rise in support of this proposed Conference Committee or this proposed legislation of this Conference Committee. As one who has spoke to you many times in the past against gun control, this does three things which we want to get at. This does have the support of the National Rifle Association - for those who are interested - and such affiliated organizations. But the most important thing, as you know, under the present FOID Card law, the wait period has been there, but the store owner or gun dealer did not have to call in to find out whether the FOID Card was valid, and they had no way -- if you had a FOID Card - as I do, and most of you in here do - it's good for the five years. If you are convicted of a crime or become mentally unstable during that five years, there is no way that is on the record. So, therefore, that was a loophole. This instant check means the State Police will have to check; they do have to get back to the person. It does not - and I repeat - does not apply to the purchase of ammunition. This is a good compromise, and I want to compliment all those who were party to the

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negotiation. I was just a very small cog. And I urge all of you to vote Aye.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, you'll note that I had not signed the Conference Report; however, I have reviewed it completely, and I have changed my mind, and I am supporting the bill.

PRESIDENT ROCK:

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. And I echo the sentiments of Senator Davidson, but I have a question of the sponsor, if he will yield.

PRESIDENT ROCK:

Sponsor indicates he will yield.

SENATOR RAICA:

Senator Marovitz, I don't notice anything in the Conference Committee about what you and I spoke about a long time before, where a gun dealer receives a -- or someone goes in to try and sell a weapon to a gun dealer. That gun dealer really has no way to check whether that gun is hot or stolen from another state or anything. Is that something that they may implement in the future, or is that something this committee can work on?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

I think -- I think an honest answer would be no, because I think that's outside the purview of the jurisdiction of this committee, which is really going to deal with the instant check -- the FOID Card. That is a serious problem that you -- that you

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bring up, and I think one that we really should deal with.

PRESIDENT ROCK:

Further discussion? Senator Marovitz, to close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. Well, the hotline has been part of our gun control package for some time, was part of the package that the Mayor of the City of Chicago and I introduced this year. I think it's a good -- it's a good piece of legislation which will let us know who's getting guns and who shouldn't. It's been easier to get a gun in this State than to buy a hairbrush, where if you go in to buy it with a Master or Visa Card or American Express Card, they'll check your card. They can't check your FOID Card, because all it's got is an effective date. This will alleviate that loophole, and I think it's a very good bill.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 57. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 57, and the bill, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, we have been through the Calendar. Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 659 offered by Senators Fawell, Philip and Karpel, as is Senate Resolution 660.

Senate Resolution 657 offered by Senator Lechowicz.

And Senate Resolution 658 offered by Senator Topinka and all Members.

They're all congratulatory or death resolutions.

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PRESIDENT ROCK:

Consent Calendar. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Mr. President, I would like to have leave -- I've talked to the Chairman of the Executive Committee and the Minority Spokesman -- also the State Police have been over to assure everyone that this is a resolution to investigate the accident that happened in Southern Illinois, back. And I would like if this could be taken from the committee and placed on the Secretary's Desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Gentleman has moved that the Committee on Executive be discharged from further consideration of House Joint Resolution 2, and that it be placed on the Order of Secretary's Desk, Resolutions. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. House Joint Resolution No. 2 will be placed on the Order of Secretary's Desk, Resolutions. Thank you. All right. Further business to come before the Senate? Senator Geo-Karis, for what purpose do you arise, ma'am?

SENATOR GEO-KARIS:

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

PRESIDENT ROCK:

All right. Republican Caucus immediately in Senator Philip's Office. There being no further business to come before the Senate, the Senate will stand adjourned till ten o'clock tomorrow morning. And again, the Chair reiterates, for those who were not here, that the Senate will remain open and in Session for as long as it takes to present a budget to the Governor of this State. Senate stands adjourned until ten o'clock tomorrow morning.

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