

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

PRESIDENT ROCK:

The hour of ten-thirty having come, the Senate will come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Our prayer this morning by the Reverend Victor Kaltenbach, St. Patrick's Catholic Church, Springfield, Illinois. Father.

THE REVEREND VICTOR KALTENBACH:

(Prayer by the Reverend Victor Kaltenbach)

PRESIDENT ROCK:

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

SECRETARY HAWKER:

Senate Journals of Friday, June 28, and Saturday, June 29, 1991.

PRESIDENT ROCK:

Senator Kelly.

SENATOR KELLY:

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

PRESIDENT ROCK:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I now move that reading and approval of the Journals of Sunday, June 30th; Monday, July 1st; Tuesday, July 2nd; Wednesday, July 3rd; Thursday, July 4th; Friday, July 5th; Saturday, July 6th; Sunday, July 7th; Monday, July 8th; Tuesday, July 9th; and Wednesday, July 10th, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

You've heard the motion as placed by Senator Kelly. 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. We have no paper, either. I would ask the Members to please turn to Page 11. Page 11 on your Calendar. We have a number of new conference committee reports that have been filed. We will begin at Page 11 on the Order of Conference Committee Reports and move through Pages 11, 12 and 13. With leave of the Body, WAND-TV, WCIA, WICS, WLS, WGN, WMAQ and a new entry from Paducah, WPSD, has -- . So, all of you who are covered by the Paducah market - Sam, it's time to stand up. All right. Ladies and Gentlemen, if I can direct your attention to Page 11 -- Page 11 on the Calendar. We have a number of conference committee reports. We will go through the Calendar on the Conference Committee Reports and then recess until later this afternoon. I am reliably informed that there will be another meeting with the Governor and the Leadership at one o'clock. Senator Philip, one or one-thirty? 56. Senator Joyce. 121. Senator Cullerton. 175. Senator Rea. 434. Senator Dunn. 738. Senator Carroll. Top of Page 12. 968. Senator Jones. 1007. Senator Marovitz. 1073. Senator Cullerton. 1352. Senator Hawkinson. 1415. 1499. Senator Marovitz. 1564. Senator Dunn. Middle of Page 12, Ladies and Gentlemen, on the Order of Conference Committee Reports, there's a report with respect to House Bill 1564. Madam Secretary, please.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 1564.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This is the Charitable Trust revision, and I believe it represents agreement between the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

parties that are affected by this. It will require professional fund raisers to report to the Attorney General the percentage of charitable donations that go to the administrative costs, the educational costs, and the actual amount of the percentage that really goes down to the charitable recipients. It requires an annual account to the Attorney General of the receipt and expenditure of charitable funds. It increases the reporting threshold from fifty to one hundred thousand dollars to make provisions for the small fund raisers. It requires congressionally chartered veteran groups to file their federal reports and copies of their fund-raising contracts so that they need not file with the State. It imposes civil and criminal penalties for fraudulently misrepresenting themselves as solicitors for different organizations, and it requires attorneys and accountants and advertising agents to register with the Attorney General, but does not require them to file reports unless they solicit or control or receive any of the funds. I stand ready to answer any questions.

PRESIDENT ROCK:

The Gentleman has moved the adoption of the Conference Committee Report on House Bill 1564. Discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Senator, I have a number of outfits that have been calling around in some of my towns, who represent themselves as -- as police officers, and that they are for the Benevolent Fund of the Lombard Police or the -- and they're going to print this marvelous program and what have you. And I have a sister who lives in Lombard, very frankly, who's never seen one of these things,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

although they -- they claim they have distributed them throughout the city. I understand this bill will at least put a -- some kind of a cap or some kind of a reporting mechanism on this kind of an outfit. Is that true?

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Yes, that is correct. They will be obligated to register with the Attorney General and reveal the things that I outlined earlier.

PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

Have we got anything in this bill -- my understanding right now is that they -- they collect -- this outfit collects like ninety percent - Aldo, will you sit down - ninety -- ninety percent and --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Aldo, will you stand up, please?

SENATOR FAWELL:

And we have -- and the police department, if they're real lucky, gets like ten percent. Is there any way we can put a clamp on these guys from walking off with that kind of money?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

You -- you raise a -- a very poignant point, because this is an issue that has somewhat stuck in my craw, as well. An organization that I belong to, called VietNow, which is dedicated to assisting Vietnam veterans, hired a telephone solicitor <sic> to do what you're talking about, and I found out that eighty-some percent of the money they raised went to the phone solicitor, and

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

the eighteen or twenty percent went to my organization. And I object to that very strenuously. And I think what -- what this will do, Senator, is to reveal those kinds of things -- that an organization is not being the recipient when they should be. When you give your dollar, you should expect that the bulk of that dollar, a good portion of it, the majority of it, actually goes to the people who need the charity, as opposed to the people that are working to raise the money.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The State Journal-Register requests leave of the Body to photograph the proceedings. Hearing no objections, leave is granted. Any further discussion? The Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Beverly, I'll get you and Harlan Rigney a high chair. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DeANGELIS:

Senator Dunn, is there anything in this that penalizes any organization that fails to submit a financial statement to the Attorney General's Office?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Senator, if they willfully fail to report, they could lose their registration, which would then subject them to the enjoinder powers of the courts.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Is there any limitation on the percentage of the solicitation

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

that can be used for solicitation costs?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

No, there is no -- there is no limit.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis. Senator Dunn.

SENATOR T. DUNN:

If memory serves me right, there was a Supreme Court case that dealt with that issue, and there is a constitutional provision that prohibits a percentage limitation. All we can do, I think, under the Court decision, is to provide to the public the percentages and where the money goes, and let the public then decide whether or not they're getting a good bang for their buck when they make that contribution.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, are you -- are you saying that the reason there isn't a prohibition in this bill or a limitation is because the courts won't let you?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

I sure am. There was a Supreme Court case right on point. I believe it's called the Riley case.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Does this -- does this -- does this law apply to IPAC?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SENATOR T. DUNN:

They're not excluded, so they're included. It applies directly to them or anybody else that's raising charitable funds.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Are the copies of these statements available to the public?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Yes, they are.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Last question - is this prospective? In other words, if IPAC did not file any of this in the past, you can't really do anything.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Bear in mind that this applies to charitable fundraising. If you are equating IPAC with being a charity for maybe the Democrats, I don't think you're going to find that they are necessarily subjected to this, being a political action committee, any more than, you know, one of your organizations is.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, that's a good point, because they don't define themselves as a Political Action Committee. They actually identify themselves as nonpartisan -- dealing with issues. And if you've ever seen their solicitation when they come to your house,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

they have paid people that come in and collect money for them under the guise of promoting environmental issues and other types of issues. So they're not covered under this law then.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Well, if you can make a case with the Attorney General that they are raising charitable funds, then I would say you're in business, Senator.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, just a last comment - we have tried with the former Attorney General. We'll try it with this one, and see what happens.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DAVIDSON:

Senator Dunn, same question I asked earlier. If a national organization domiciled in another State, which does a mailing to people within the State of Illinois, if they raise less than a hundred thousand dollars, do they have to register with the Attorney General? Or secondly, if they do raise more than a hundred thousand dollars, then are they, by this law, have to register with the Attorney General of Illinois?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

The answer is no and yes. If they're soliciting over a hundred thousand dollars within the State, then the Act would apply to them.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson. Gentleman from Lake, Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. As the spokesman on the committee that heard this bill, I want to rise in support of it, and point out that this Conference Committee Report No. 2 also contains the desirable elements of Senate Amendment 1. It should be pointed out for the record that this Conference Committee Report specifically addresses the concerns of congressionally chartered veterans' organizations and particularly that it provides an -- alternate reporting scheme in recognition of the federal oversight that governs these organizations. The Conference Committee Report also ensures the continued operation of thrift stores that sell to the public donated used goods like second-hand clothes and used furniture. The language in Section 4(d) of the Charitable Trust Act and in Section 4(e) of the Solicitation for Charities Act specifies that these for-profit thrift stores shall not be deemed charitable trustees and shall not be subject to provisions of these Acts if they file enumerated documents. That language also clarifies that such qualifying thrift stores and their trucks may act as agent for any charitable organization, including veterans' organizations. This Conference Committee Report enjoys the support of the Attorney General's Office, and the charitable community in Illinois, and these veterans' organizations that have specifically worked on these provisions which I've taken the time to outline. I urge your support for the Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from Cook, Senator Butler.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SENATOR BUTLER:

Thank you, Mr. President. Will the Senator yield, please?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR BUTLER:

At some point, there was a little concern that there may be some ambiguity in the description or the definition of a professional fund raiser. Has -- is that clear as it should be?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Senator. It's my understanding that they are defined within the Act, and that the Organization of Professional Fund Raisers are for this bill.

SENATOR BUTLER:

Well, I have no problem with the bill other than to be sure that we don't, at some point in the future, reach an impasse as to what is and is not a professional.

SENATOR T. DUNN:

I don't think that's going to be a problem. I think they're defined within the Act and --

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Butler, you concluded? Okay. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Dunn, is there anything in this bill that states that a solicitor has to tell whoever he's calling or soliciting that he is a paid solicitor?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

Senator, it's my understanding that the individual would be obligated to say that he was a paid solicitor.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

That's enumerated in the bill that that must be stated. Is that correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn.

SENATOR T. DUNN:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn, to close.

SENATOR T. DUNN:

Thank you. I would urge an Aye vote. I think this represents a good agreement between all of the parties, and will assist the public in determining whether or not the dollar that they contribute to charities is, in fact, going to the right place. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall the Senate adopt the Second Conference Committee Report on House Bill 1499. All those in favor, vote Aye. All opposed, vote Nay. I'm sorry. 1564. All those in favor, vote Aye. All opposed, vote Nay. The voting is open. 1564. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 55 Ayes, no Nays, none recorded as Present. And the Senate does adopt the Second Conference Committee Report on House Bill 1564. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1960. Senator Brookins. House Bill 2222. Senator Marovitz. Conference Committee Report on House Bill 2222. Read the report, ma'am.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2222.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Thanks very much, Mr. President and Members of the Senate. Conference Committee Report on 2222 provides the forms of notice to be given to parents, custodians and children before there's any hearing on custody orders entered at ex parte hearings. It will expire within ten days unless the petitioner can demonstrate efforts to give actual notice to the respondents. This Conference Committee Report is the result of negotiations among the Governor's Office, the Department of Children and Family Services, Cook County Public Guardian, Voices for Illinois Children, Legal Assistance Foundation, Children's Rights Project, the State's Attorney of Cook County and the State Appellate Defender. And the Conference Committee Report is designed to address the problem with the lack or the grossly inadequate notice given to custodial and non-custodial parents and children, and I solicit your Aye vote for this Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

Just a question, Mr. President. Has this report been circulated?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

I believe I gave it to you last night. The answer is yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

I'm sorry. Senator DeAngelis, all the reports have been circulated. I've been informed by the Secretary that the reports have been circulated. Senator Marovitz. Senator DeAngelis.

SENATOR DeANGELIS:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Can one Member just show me a copy they have, just out of curiosity, seriously? I mean, I'm not opposed to the bill. I just -- when you're going to make this kind of a change though, I would think that we would circulate the report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

According to the Secretary, all the reports on the Calendar have been circulated.

SENATOR DeANGELIS:

Does one person in this Body have a copy of this Conference Committee Report? And then I shall sit down.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Please sit down. Okay. Senator Marovitz, to close. Oh, I'm sorry. Senator Fawell.

SENATOR FAWELL:

Senator DeAngelis is right. I don't have a copy. Well, you may have it, Carl, but I don't.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

According to the Secretary, all the reports have been circulated. So -- Senator Marovitz, to close.

SENATOR MAROVITZ:

All I can say, Mr. President, this report was filed several days ago in the normal course of events. If you have a question, I'll be happy to answer it. This is -- this is basically the same bill that passed here 59 to nothing, and there's nothing new in it; there's nothing sneaky in it; there's nothing that you wouldn't -- that I haven't disclosed already or we didn't vote on before.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 2222. All those in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

this question, there are 53 Ayes, no Nays, 2 recorded as Present. And the Senate does adopt the First Conference Committee Report on House Bill 2222. This bill, having received the constitutional majority, is hereby declared passed. Leave of the Body, Senator Marovitz requests to go back to House -- the Conference Committee Report on House Bill 1499. Hearing no objection, 1499. Read the Conference Committee Report. House Bill 1499.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1499.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Marovitz. 1499.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. House Bill 1499 does several things, all of which this Body has seen before and acted on favorably before. It allows the court to impose a five-dollar fee on all individuals placed on pre-trial and post-convicted bond home supervision, and it directs that money collected from alcohol, cannabis and controlled substance defendants be used for cocaine mothers and cocaine babies in the County of Cook. This amendment attempts to address the recent increase in the use of home monitoring system and to deal with prison overcrowding. Many other states have tried this, and I think it's a good idea. Let people who want home monitoring pay for that system themselves, and the drug cases will pay for the cocaine babies up in Cook County. It also provides for the use of closed-circuit televising of a child witness' testimony of a trial for aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse and criminal sexual abuse. This bill would assist prosecutors in child sex cases by allowing the child witness to testify without having to look at the defendant. Most molesters occupy a position of trust in relation to the witnesses, as I think most of us know; and as a result, the child

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

frequently breaks down when forced to see the defendant. And the last thing that the bill does - the Currency Reporting Act, which we passed here 56 to nothing, is in here. It deals with the problem of trying to get at big drug dealers and drug users and force them to disclose cash transactions. It contains clarifying language supplied by LRB regarding the joinder of various theft and public aid fraud provisions and allows out-of-state felony convictions to be used in seeking the imposition of an extended term on a defendant. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Knox, Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Sponsor yield for a question, two questions?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR HAWKINSON:

Senator, as this bill left the Senate, two provisions - one in the child witness provisions - the bill only applied to child victims and not to other child witnesses. Are the provisions the same as they were on that in the original Senate bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Exactly the same as it was when it left here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hawkinson.

SENATOR HAWKINSON:

And the second question, as to the fee for home electronic detention, we had some discussion earlier, and the bill, as it passed the Senate, made it truly permissive to the counties. Is it still permissive through the county boards?

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

It -- yes, it is. That was your amendment. It is still on here. It is totally permissive. If a county board doesn't have a system, they don't have to have a separate fund.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close.

SENATOR MAROVITZ:

Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1499. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present. And the Senate does adopt the First Conference Committee Report on House Bill 1499. This bill, having received the constitutional majority, is hereby declared passed. Back on -- still on Page 12 appears House Bill 2510. Senator Smith. Out of the record. Senate Bill -- 1-5-1. Senator Jacobs. Out of the record. Please turn to Page 13. Senate Bill 299. Senator Daley. Out of the record. Leave of the Body, Senator Daley will handle the next bill, Senate Bill 616, for Senator Joyce. Hearing no objection, please read the Conference Committee Report on Senate Bill 6-1-6.

SECRETARY HAWKER:

First Corrected Conference Committee Report on Senate Bill 6-1-6.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Daley.

SENATOR DALEY:

Thank you, Mr. President, Members of the Senate. The First

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Conference Committee Report on Senate Bill 616 would provide that if a tax financing district in a municipality pledges and collects at least one million seven hundred and fifty of municipal sales tax to retire bonds issued after January 1, 1990, and prior to September 30, 1991, to finance redevelopment projects cost within a TIF district, then the Department of Revenue shall disburse to the municipality, for the Fiscal Year 1993 and after, at least sixty-five percent of the municipality's total net sales tax -- tax increment before any other municipalities receive TIF disbursements. The above language will affect the Village of Hodgkins. It also provides that the City of Chicago may transfer any surplus TIF increment from its three TIF projects to one of the other three projects, if it receives the approval of one hundred percent of its bondholders. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

Thank you very much. I have no problem with this bill, but I have been asked to get some legislative intent in here. On Page 23 of the report, the new language makes reference to municipalities over five hundred thousand population with two or more redevelopment project areas. Further down in that new paragraph, on line 16 and 17, there is reference to, quote, "obligations issued in connection with another redevelopment project area," unquote. Is that other, quote, "redevelopment project area," unquote, confined exclusively within the boundaries of the municipality with a population over five hundred thousand?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Daley.

SENATOR DALEY:

Yes, it is, Senator.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 616 is a bill that affects my community, Hodgkins, Illinois, and I'd like to thank Senator Daley for -- for taking this bill for me. In addition, I think the most controversial part of this bill has been removed by this Conference Committee Report, and I just would solicit everyone's Aye vote for this.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Daley, to close.

SENATOR DALEY:

Simply -- I would simply ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the First Corrected Conference Committee Report on Senate Bill 616. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 50 Ayes, 5 Noes, 1 recorded as Present. And the Senate does adopt the First Corrected Conference Committee Report on Senate Bill 6-1-6. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 659. Senator Marovitz. 678. Senator Cullerton. Read the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 6-7-8.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This Conference Committee comes at the request of the Metropolitan

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Water Reclamation District, and it deals with the Civil Service Board. The Civil Service Board is a bipartisan, three-member Board that investigates the nature and compensation of all positions in civil service. The Board holds full trials and adjudicates complaints by employees, including appeals of suspensions and complaints concerning the legality of civil service examinations and appointments. Now, what the -- they have subpoena powers. It's kind of like a mini-commerce commission, in a way, or a workers' comp board. Right now, the Chairman receives a salary of fifteen thousand. The other Board members receive a salary of twelve thousand five hundred. This compensation has been at this level since 1985. They are requesting that the -- we authorize them, if they wish, to pay them an additional twenty-five hundred dollars per year. In addition, the report also contains some very mild language dealing with buying products made in America. It says basically that in determining whether a bidder is responsible, they should take that into consideration. So, it's not -- there's no mandate or anything like that. It's just kind of like a mild recommendation. Be happy to answer any questions, and urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 678. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? John? John, give me an Aye. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 33 Ayes, 21 Nays, none recorded as Present. And the Senate does not adopt the Second Conference Committee Report -- I'm sorry. And the Senate does adopt the Second Conference Committee Report on Senate Bill -- on Senate Bill 678. This bill, having received the constitutional majority, is hereby declared passed. Senator

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Davidson. No, according to the Parliamentarian, it only required 30 votes. Senator Davidson.

SENATOR DAVIDSON:

Question - does it have an immediate effective date or not?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

It has no --

SENATOR DAVIDSON:

Then it doesn't go into effect until July '92.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

That is correct.

SENATOR DAVIDSON:

Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

It's a patient group. It's hereby declared passed on Senate Bill 678, Second Conference Committee Report. 908. Out of the record. 972. Senator Walsh. Out of the record. 999. Senator Daley. Read the bill, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 9-9-9.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. The First Conference Committee Report on Senate Bill 999 would require the defendant charged in a sex offense, upon motion of the victim, to submit to an HIV test and would require the court to keep these results confidential and to determine who may receive the results. The thrust of this Section is to protect the victim rights, namely addressing the concerns and dangers of AIDS transmitting during a sexual assault. The time between the arrest and trial can be as long as four years. And many fear that it -- it is a travesty to require a victim to wait that long for -- for an HIV test

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

information -- regarding the assailant. The second part of the Conference Committee Report is offered not as a Democrat or a Republican or a liberal or a conservative, but it's for the public health of this State. And what it does - it would require the Department of Health to investigate a report of a subject with HIV or AIDS that may present, or has presented, a possible risk of transmission, to investigate that person's contacts to assess the potential risk of transmission. If -- if the Department of Public Health determines the potential risk of HIV transmission exists, or may have existed, the subject shall have the opportunity to submit any information and comment on the proposed actions the Department of Public Health intends to take with -- with respect to the subject contacts. It provides the subject of the report the opportunity to notify subject contacts at risk of transmission prior to the Department of Public Health actions. If the subject declines to notify contacts or if the Department determines the notices are inadequate or incomplete, the Department shall notify the persons at potential risk and offer testing/counseling services to the individuals. The -- the contact shall be informed of the disclosures provisions of the AIDS Confidentiality Act. It defines invasive procedures as those procedures termed invasive by the Federal Center for Disease Control in current guidelines or recommendation for the prevention of HIV transmission in the health care setting. It defines health care provider as a physician, dentist, podiatrist, nurse, or any other person providing health care services of any kind. Information and records shall be subject to -- to the same provisions of medical studies when -- and they are the following: when made with the consent of all parties; when authorized to be released under court subpoena or order; when made by the Department of Public Health for the purpose of seeking a warrant authorized by this Act. Such disclosures shall conform to the requirements of the risk

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

assessment of this Act. It allows information to be -- be released under the Confidentiality Act, when made to persons determined by the Department of Public Health to have been at potential risk of the HIV transmission. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Raica.

SENATOR RAICA:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR RAICA:

Senator Daley, the -- what you had just recited to us regarding the Department of Public Health -- does that pertain to physicians and other health care professionals in the chance that they may have the AIDS virus?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Well, let me get leave of the Body to have Maureen O'Connor from the Bloomington Pantagraph to have leave to photograph the Senate Chambers while we are in Session. Hearing no objection, leave is granted. Senator Daley, to respond.

SENATOR DALEY:

Yes, Senator. All medical providers.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Raica.

SENATOR RAICA:

You stated all medical providers - that includes physicians, nurses. Can you -- do you have a list of who they are there, or, I mean, do we know...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley.

SENATOR DALEY:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Yes, Senator. It -- states that -- defined health care provider as any physician, dentist, podiatrist, nurse, or any other person providing health care services of any kind.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator -- Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR JACOBS:

Senator, in our analysis, it talks about invasive procedures. For the matter of legislative intent, could you define invasive procedures?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley.

SENATOR DALEY:

Yes, Senator. Invasive procedure is defined as a surgical entry into tissues, cavities or organs, or repair of any major traumatic injury, in an operating or delivery room, emergency department, outpatient setting, including both physicians' and dentists' offices. It would -- also goes on to catheterization and angiographic procedures, a vaginal or cesarean delivery or any other invasive OB procedure during which bleeding may occur; the manipulation, cutting, or removal of any oral tissues during -- tooth structure during which bleeding occurs or the potential of bleeding exists.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. I -- I

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Speak in favor of the passage of this bill, and move for its concurrence. I think it is very important. I think certainly if there's a rape victim, she certainly should know what's happened and what her condition is going to be, if there is a possibility of AIDS. And I certainly think we should look into all of our medical providers and help the people, because we are vested with the duty of protecting the health and welfare of the citizens of Illinois. And I speak in favor of concurrence.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. A couple questions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR MAROVITZ:

Senator, in your opinion, why is the -- why is this amendment necessary?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley.

SENATOR DALEY:

In my opinion, Senator, and according to the Department of Public Health, the provision of the AIDS Confidentiality Act effective prohibits the Department from informing the patients of an HIV- or AIDS-infected health care worker without the health care worker permission.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Senator Daley, one of the things that I was concerned about is - does this Conference Committee Report expand the current contact tracing that is allowed under the Illinois Sexually Transmissible Disease and Control Act?

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley.

SENATOR DALEY:

Yes, Senator. This would classify the performance of invasive procedure as a mode for potential transmission, and authorize the Department to notify contacts of health care workers who perform invasive procedure with HIV or AIDS.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

As a result of the language on Page 2, line 10, "All contacts other than those defined in subsection (c) shall be investigated in accordance with Section 5 of this Act." Does that mean that this Conference Committee Report is really only dealing with the invasive procedure situation as defined by the Center For Disease Control, and therefore extends to really patients who have been treated by physicians who have tested positive or who have HIV or who have AIDS, or physicians where patients have tested positive and an invasive procedure has been performed on that patients by the doctor? So it's -- it's a health care invasive procedure bill only, and does not extend further or allow contact tracing further beyond the -- the medical process of determining who has been treated on the invasive procedures situation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley.

SENATOR DALEY:

Yes, Senator. This is that -- the major thrust of the bill, and it is the language that you requested.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McLean, Senator Maitland. Maitland, please.

SENATOR MAITLAND:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Thank you very much, Mr. President and Members of the Senate.
A question of the sponsor, if -- if -- if he'll respond.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR MAITLAND:

Senator Daley, I -- I know you've put a lot of effort in this, and I -- I don't think the cost of this has been talked about. I wonder if you have a feel for the annual cost?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley.

SENATOR DALEY:

Senator, I've been given a couple of figures. I was given by the Department that it would -- the estimate -- they estimate the cost to -- the cost of each contact made by the Department would be forty to fifty -- fifty dollars to contact each individual, and that seems very high to me. I mean, either through a phone call or a -- in the mail, it seems an extremely high-cost item, and I -- I don't know where they get their figures, but I think the cost of -- of that is insignificant to the cost and the safety that we're providing the people of this State who would -- might be infected with AIDS.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator, I think many of us are kind of between a rock and a hard place on this one. The figures that I get from the Department indicate for the first year, roughly ten million dollars, and I -- I, like you, don't know how accurate those figures are, but -- but they concern me. And we have been about the process the last few days of attempting to -- to balance this budget, and I'm wondering if that's going to be a ten-million-dollar hit on a budget that we are already having a

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

difficult time balancing.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley.

SENATOR DALEY:

Okay. Senator, I had that concern too, and that -- that is assuming that two hundred and eighty two doctors and dentists have AIDS. I -- I could not get the exact number from them. And they have changed this figure constantly. They even opposed the initial part of the bill, even when it was a requirement for a testing of a woman who had been raped, that they would have to have that person tested - who raped her - to be tested for AIDS.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I stand in strong support of this bill. I realize that we have a new administration and a new Director of the Department of Public Health. But very frankly, over the last several years, everything we've tried to do about the AIDS problem, the Department of Public Health has been opposed to. I remember several years ago when Senator DeAngelis had a contact tracking bill that they violently opposed, and the best thing they could come up with was some kind of a dirty song to tell people to have safe sex. As I say, I know it's not this Department and not this Director, but I think in this instance, we should just follow our own opinions and vote for this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Along the line of Senator Marovitz's inquires, I'd like to know if this does apply to other areas besides health care providers. According to what I read, it appears to me that if you worked in a restaurant, you'd be

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

subject, and the Department could - if they thought that the health and welfare of the general public was involved - they could be involved in -- in this area, and they would be subject to it. And I'd like to know if that would apply.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Daley.

SENATOR DALEY:

Senator, this bill specifically provides to only health care providers. The law, I understand, presently allow for contacts and that -- your concern might be addressed in another part of -- of the law that is current law. But this provides for only health -- health care providers.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Kelly.

SENATOR KELLY:

Well, one final comment. I think it ought to go above and beyond health care providers. I think if people have AIDS and they are dealing with the public, they ought to be covered, and we ought to be looking at it. And I -- I'll support this, but I think it ought to go further.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. I know that Senator Daley has worked very hard on this. I know we have been in contacted -- contact on numerous occasions in putting some of the pieces together. I think it's probably the best that it can be, all things considered, and it's something we should all support. I think it -- it is kind of a -- a direct result of the Nokomis situation that, of course, has plagued -- Springfield here for the last two or three weeks. I think we've seen some excellent efforts done by Representative Hasara on that front.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

And this really gets down to -- to, I think, a matter of the public trust, what it can expect from its health care providers. The Illinois State Medical Society has been involved; it is supportive of this. I know the Illinois State Dental Society has been involved; it is supportive of this. Everyone has come together to try and come up with the best possible solution to addressing this issue. It is good. It is worthy of our support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Daley, to close.

SENATOR DALEY:

Simply, Mr. President, I would like to thank the Members on the other side of the aisle for their support of this bill, and ask for a favorable vote on the First Conference Committee Report on Senate Bill 999.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 9-9-9. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, no Nays, 2 recorded as Present, and the Senate does adopt the First Conference Committee Report on Senate Bill 999. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 1006. Senator Holmberg. Out of the record. 1171. Senator Demuzio. Read the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 1171.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. 1171 -- the First Conference Committee Report had a

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

number of proposals that are already on the Governor's desk, and I will simply suggest to you that they include -- that are no longer in this conference committee - permitting grants to public libraries and library systems to be made for planning and construction - that's already on the Governor's desk. Requiring the Commission on Intergovernmental Cooperation to conduct semiannual hearings to review the State mandate information - that is already on the Governor's desk. Requires an equitable number of restroom facilities for men and women in all newly constructed buildings - it is on the Governor's desk. Prohibits the Lottery advertisements suggesting that success is more likely to be achieved through the Lottery - that is no longer in here; that is on -- I think that is on the Governor's desk. I beg your pardon. The Lottery is opposed to that provision. It is still in here. I'm sorry. We took it out. It's out. Deletes the provision requiring CMS to establish guidelines for fiscal control, et cetera, so forth, and what have you. And let me tell you what basically is -- is in it. And I want Senator Jacobs to listen very carefully to this too, because I want to speak directly to you. I think everything that is currently proposed in this amendment is noncontroversial except there is some discussion with respect to one provision, and that provision is allowing for -- I'm sorry -- allowing -- expanding the dependent coverage to include nineteen- to twenty-three-year-old, full-time students who are not claimed as dependents for purposes of State taxes because of student financial aid. It would expand the dependent coverage in health insurance to include nineteen- to twenty-three-year-olds who are full-time students who are not claimed as dependents because of some student financial aid. The rest -- I don't know of any opposition with respect to the rest of this bill. I know there are some questions with respect to this provision, and I would ask -- or answer any questions.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Whiteside, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill is really a conglomeration of things, and I'm sure the sponsor has agreed that it is. It's very difficult to understand completely everything that's in here. The one provision that I think is wrong is the one dealing with the State employees' group insurance. You know, we're going to ask -- on later bills, we're going to ask State employees to contribute more to their group insurance. We're going to force them to take higher deductibles under group insurance, and now this bill would expand benefits to only a very limited number of people. And as I understand what this bill does, State employees, first of all, have coverage for dependent children beyond the age of nineteen, up to age twenty-four, if they're full-time students. The reason this proposal comes forward is that there are some students who say that they are emancipated, that they are no longer dependents of their parents; and in some instances, that's true. But I know there are also a lot of instances where the only reasons they do that is so that the parents' income doesn't have to be counted when those students apply for grants-in-aid. To some extent, there is a certain amount of game-playing that's going on with that issue, and I think this plays right into the hands of those people who, for one purpose, say, "We are not dependent upon our parents," but when it comes to State insurance, "We are dependent on our parents." So they want to play by the same rules for both the grants and the question of benefits for insurance. The CMS estimates that the cost of this is something like a million dollars in this year when we don't have an extra million dollars. I really think this proposal should be delayed, and we ought to reject this Conference

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Committee Report, take this provision out, at least this year.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DAVIDSON:

Senator Demuzio, I understand this Conference Committee has House Bill 1309 in it, in its entirety, which, when it was before the Senate State Government Administration Committee, it was sent to a subcommittee on a motion from Senator Lechowicz and Senator -- seconded by Senator Dudycz and had bipartisan - if I remember correctly - almost unanimous support. Can you explain why a bill which was held in subcommittee for study with ten or twelve House bills has now suddenly raised its ugly head in this Conference Committee?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I can tell you - and I thought I gave you that explanation during the course of my opening. With respect to Amendment No. 2, which is what you're referring to, a number of those bills are already on the Governor's desk, or those bills that were opposed, for example by the Lottery, we took out. And therefore, I think the controversial parts that were objected to are no longer in this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Well, I think this bill -- this Conference Committee contains like thirty-some odd bills that have either been rejected, held or

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

otherwise -- or defeated by either the House or the Senate or both. And I think this is a good No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio, to close. I'm sorry. Senator Severns. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. If the bill contained the very concerns that Senator Davidson just raised, I too would rise in opposition to this Conference Committee Report. The nice thing about this Conference Committee Report is that it contains the very bills that we in the State Government Organization and Administration Committee were supportive of, not that one big bill that contained the thirteen or fourteen or fifteen bills all rolled into one. It contains language on the COP, language that was offered on my bill that Director Schnorf proposed as a compromise. My bill would have eliminated it. This is a reasonable compromise. The bill, as it stands now, is a good bill, and one that our Committee has been supportive of. It doesn't contain some of the less supportive items that -- that we originally took down. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Adams, Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I, too, rise in opposition to this, only because it's got fifty percent of the bills heard in some of the committees. It's a huge conglomeration of things, and I think, at this time of the year, it's a safe No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio, to close.

SENATOR DEMUZIO:

Well, thank you, Mr. President. Let -- let me assure you that all of the controversial aspects of those bills that are being

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

referred to are no longer in this Conference Committee Report. They are either eliminated or those have passed out of other committees and currently repose on the Governor's desk. Let me talk to Senator Schuneman's point for a moment, if I might. You know, the Central Management Services, as you've indicated, has estimated that the cost - or the liability here - is about 1.1 million dollars. However, there are those who contend that this is an artificially high estimate, because the Department used the highest cost for dependent coverage, which is about nine hundred dollars per year for the high option coverage, for one dependent in their estimate. Let me suggest to you also that present law discriminates against lower- and middle-income families whose children must accept financial aid to afford the skyrocketing cost of higher education. Therefore, these families should not be handicapped by loss of health insurance covered for these children. I think this is right and proper for us to do. So it does, in fact, expand the coverage for the nineteen- to twenty-four-year-olds for those individuals that are in school, that are -- claim to be emancipated, but the reason that they are doing it is simply because of the fact that they need financial aid. I think it's a good bill, and ought to be supported.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 1171. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 29 Ayes, 18 Noes, 8 recorded as Present. And the Senate does not adopt the Second Conference Committee Report on Senate Bill 1171. This Conference Committee is not adopted, and the Secretary shall so inform the House. Postpone? And this -- Senate Bill 1171 Conference Committee Report is defeated. Senate Bill 1227. Senator Marovitz. Read the Conference

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Committee Report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1227.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 1227 expands and clarifies the definition of "nuisance" in relation to drugs. It establishes a presumption that drugs were used by a lessee when found on the premises; provides that a landlord cannot be used for evicting a tenant under the nuisance provisions unless the eviction was made in bad faith. This is -- this bill is going to allow people to go after drug and crack houses in the community under the Nuisance Law. It's an agreement that's been worked out between the State's Attorneys and the Realtors. The bill strengthens the State's ability to proceed under the Nuisance Act. The State's Attorney has recently begun utilizing the Nuisance Act to shut down drug and crack houses. Local neighborhood groups are very supportive of this initiative in an attempt to try and clean up their own neighborhoods from drug houses. The bill allows a landlord to evict tenants who are involved with drugs, and protect that landlord from countersuit if the eviction was the result of police information. A very important provision is that it allows the lessor or the owner of the property to assign their right of eviction to the State's Attorney so as to remove any fear of reprisal a landlord may have if he would evict the tenant. This bill passed the House originally 59 to -- Senate, rather, 59 to nothing. The Conference Committee has passed the House 113 to nothing, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall the Senate adopt the First

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Conference Committee Report on Senate Bill 1227. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 55 Ayes, no Nays, none recorded as Present, and the Senate does adopt the First Conference Committee Report on Senate Bill 1227. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 1310. Senator Schuneman. Read the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

The First Conference Committee Report on Senate Bill 1310.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Whiteside, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and Members of the Senate. Senate Bill 1310 contains two clean-up provisions in connection with some insurance bills that were passed earlier this Session. It only contains two changes, actually. One of them has to do with the assessment funding bill that we passed this year for the Department of Insurance. And this Conference Committee contains some clean-up language that we agreed to, requested by Senator Berman. And the other provision in the bill has to do with the -- an exemption requested by John Deere for the in vitro fertilization bill, and in effect, what this does is exempt their employee trust. In the cases where that trust is used to issue certificates in other cases, the in vitro fertilization provisions will not apply. Both -- and -- and this is a provision requested by Senator Jacobs, as I understand it. And that's basically all that's in this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from Cook, Senator Raica.

SENATOR RAICA:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR RAICA:

Senator Schuneman, does this affect -- my understanding is this only affects out-of-state insurance companies, as far as in vitro fertilization, and does not affect any HMOs currently in the State of Illinois, which are from the State of Illinois. Is that correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

This does not affect any HMOs. It does affect an insurance arrangement within the State of Illinois, but only those where certificates are issued to out-of-state insureds. In other words, they're not willing to -- this coverage -- this in vitro fertilization coverage is not required in all states. So consequently, if they are required to put this coverage in the policy, they become noncompetitive to some extent in other states, and therefore, they've requested this exemption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I stand in strong support of this legislation. But for some legislative intent, in the Section of this Conference Committee Report containing the exemption for coverage to nonresident certificate holders, the report refers to that coverage mandated by Section 356m of the Insurance Code. Is it your intention that Section 356m refer only to infertility coverage, as passed in House Bill 1470?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Senator Schuneman.

SENATOR SCHUNEMAN:

Answer is yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I -- I too have some questions about this bill. But I -- I'm more concerned about Howard Brookins over there with Pate Philip. Howard? Howard? Howard, come on home. Come on -- ollie, ollie, oxen -- come on back. Okay. Thank you very much.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He misses Roger -- Roger Keats. Are you back home, Howard? Senator Schuneman, what purpose seek recognition?

SENATOR SCHUNEMAN:

Well, it's my understanding that Senator Brookins was being held as a hostage until this bill had passed. And I'd appreciate it if you'd come back over here till we get this bill out of here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

We don't believe in any hostages.

SENATOR SCHUNEMAN:

If -- if there are no...(machine cutoff)...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

...no other questions, Mr. President, I simply ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Okay. The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1310. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 54 Ayes, 2 Nays, none recorded as

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Present. And the Senate does adopt the First Conference Committee Report on Senate Bill 1310, and this bill, having received the constitutional majority, is hereby declared passed. 1393. Senator Marovitz. Out of the record. 1471. Senator Jones. Read the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1471.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. I move that the Senate adopt the First Conference Committee Report on Senate Bill 1471. It contains the provision for the DuPage Airport Authority, and it reduces the tax levy from .075 to .025 <sic> (.0025) of assessed valuation. It allows the Authority to adopt appropriation ordinance prior to the beginning of the fiscal year, and it excludes from the territory the Metropolitan Airport Authority that portion of Schaumburg Village which is located in DuPage County. This is at the request of Representative Kay Wojcik - this provision. Also, it contains in there the legislation to allow those persons who have a Class A driver's license to drive a vehicle up to twenty-six thousand pounds. And what that does is that this legislation was before us before, but there was a misunderstanding, and the misunderstanding that these were very large vehicles. But the vehicles are not very large. They are smaller than most of the motor homes that you see on the roads today, and all you need is a Class A driver's license to drive a motor home. So, one who wants to move their family belongings should be able to drive these vehicles. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from DuPage, Senator Karpziel.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SENATOR KARPIEL:

Well, thank you, Mr. President. Senator Jones, I know you said that there was the -- there was language in here for the Schaumburg Airport, but my analysis says the provisions of this amendment have been placed in another conference committee report. Does that mean that they perhaps think this one might not pass, or does that mean that that provision is no longer in this bill? Are you sure it's in here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

It is still in this bill. And you know, as the sponsor of the bill, I always sponsor bills that pass. I'm quite certain you would be on the board. I don't know anything about any other bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpriel.

SENATOR KARPIEL:

Well, thank you. Then I think it's a very good bill, and I'll certainly support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

The sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Leverenz.

SENATOR LEVERENZ:

The moving and storage industry is very interested, and I believe the question I have for you - is it true that the bill failed the last time the driver's license issue came around?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SENATOR JONES:

Well, let me answer this in this manner. What this -- that provision you talked about as it relate to the -- the trucks and twenty-six thousand pounds - what this does primarily is bring the State of Illinois into conformity with the other forty-nine states in the country, and that is simply that if you want to move your belongings you should be able to drive that vehicle. And these vehicles, Senator Leverenz, are in many instances much smaller than the motor homes that you see up and down the highways in our community, and all you need is a Class A driver's license to drive those. So therefore, the self-interests of the moving industry is something that we should not concern ourselves with. We should concern ourselves with letting our citizens be able to do what other citizens can do throughout the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

And to one other provision of the bill -- or the Conference Committee Report -- it discusses or goes to the bonding authority of the DuPage County Airport. Is this undercover caps or -- caps or traps?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, when you mention caps, I think about Senator DeAngelis and this language he uses. But no, what it does is lower the -- the tax -- tax rate from .075 to a .025 <sic> (.0025). Matter of fact, it reduces the tax in that area. I think Senator Philip would like that, you know. But also it exempts Schaumburg Village from the DuPage Airport Authority. They wanted to be out from the taxing authority in that area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Senator Leverenz.

SENATOR LEVERENZ:

Then, if you reduce what they can levy in specific areas or remove certain towns - I don't know that they're going to spend less - then it shifts it -- it shifts -- the taxing or revenue has to then come from another area. And where would the money come from to fill the void that this provision would have the reverse action of providing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well -- well, one of the things is this - I don't think that it does any shifting as such. What it is is that it reduces the levy simply because the real property of the DuPage Airport Authority is such that, with the development, they no longer need that amount of tax levy in order to maintain that Airport. And so, therefore, by reducing the levy from .075 to .25 <sic> (.0025), then it is -- it is consistent with what they need, and with the development that's going in the area, it gives them enough revenue to do the necessary job they do. Therefore, that's the reason why it's being reduced. It's not shifting anything to anyone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones, you wish to close?
The -- Senator Jones.

SENATOR JONES:

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 1471. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 14, none voting Present. The Senate does not adopt the First Conference Committee Report, and the -- Senator Jones.

SENATOR JONES:

Well, it doesn't have an immediate effective date. So, therefore, Mr. President, I believe that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Parliamentarian indicates to me that it, in fact, does have an immediate effective date, Senator Jones. Do you wish to have it postponed or -- Senator Jones.

SENATOR JONES:

Well, the way I read the -- this shall take place -- effect upon becoming law. Now, is that an immediate effective date?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, do you postpone, or do you request a Second, or -- Senator Jones requests Postponed Consideration. Postponed Consideration, Madam Secretary. All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. We have now been through the Calendar. I understand a number of other reports have been filed. We will have, later today, a Supplemental Calendar for our consideration, but I would move that the Regular Session stand in recess until the hour of four-thirty. There is another meeting scheduled with the Governor this afternoon. Hopefully, we can make some progress. Four-thirty for the Regular Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Regular Session will stand adjourned -- in recess until the hour of four-thirty.

(RECESS)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

(FIRST SPECIAL SESSION)

(See First Special Session Transcript)

END OF TAPE

TAPE 2

(SENATE RECONVENES)

PRESIDENT ROCK:

Senate will please come to order. The Secretary has distributed the Supplemental Calendar. I'd turn your attention to the Supplemental Calendar. Supplemental Calendar No. 1. On the Order of Secretary's Desk, Concurrence, Senate Bill 1421. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 30 to a bill of the following title, to wit:

Senate Bill 445.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consider the differences of the two Houses in regards to their amendment to the bill.

Action taken by the House, July 10, 1991.

PRESIDENT ROCK:

All right. Senator Joyce will move that the Senate accede to the request of the House for a conference committee. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. Motion carries. Messages from the House.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SECRETARY HAWKER:

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

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

Senate Bill 1421 with House Amendments 2, 3 and 4.
Passed the House, as amended, July 11, 1991.

PRESIDENT ROCK:

Secretary's Desk, Concurrence. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 680 offered by Senator Severns.

It is congratulatory.

And Senate Joint Resolution 87 offered by Senators DeAngelis -- by Senator DeAngelis.

It is also congratulatory.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would ask for leave to suspend the rules for immediate consideration of Senate Joint Resolution 87, which is a congratulatory resolution.

PRESIDENT ROCK:

All right. The Gentleman is moving to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 87, a congratulatory resolution. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator DeAngelis now moves the adoption of Senate Joint Resolution 87. All in favor, indicate by saying Aye. All opposed. The Ayes have it. And the resolution is adopted. All right. Supplemental Calendar No. 1, Ladies and Gentlemen. On the Order of Secretary's Desk, Concurrence, is Senate Bill 1421. Madam Secretary.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SECRETARY HAWKER:

House Amendments 2, 3 and 4 to Senate Bill 1421.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd ask that the Senate non-concur in House Amendments No. 2, 3 and 4.

PRESIDENT ROCK:

Senator Luft moves to non-concur in House Amendments 2, 3 and 4 to Senate Bill 1421. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. On the Order of Conference Committee Reports, House Bill 9-2-7. Senator Cullerton. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 9-2-7.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. Conference Committee Report No. 1 on House Bill 927 is simply a combination of bills that have all passed either one House or the other. The -- the original bill, which is included, has already passed the Senate. That deals with the Water Reclamation District, and it's something which we already passed out of the Senate. It was the subject matter of House Bill 927. In addition, we have the text of Senate Bill 922, which was Senator Rigney's bill, which, again, passed the Senate, I believe, and was held up in the House. That deals with the issue of referendum. The intent is to standardize petition requirements for backdoor referenda among all units of local government. Currently, the petition filing time frames and signature requirements may vary

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

across jurisdictions. We also have a -- this Conference Committee also addresses an interesting situation -- deals with the Village of Crestwood. They have a problem there - they have too much money. They have amassed surplus funds as a result of an industrial property being annexed to its tax rolls, and current law does not specifically authorize reimbursement of these surplus funds. And I believe that may have been Senator Joyce's bill, Senate Bill 6-1-6, or perhaps Senator Mahar's bill, House Bill 516. In either case, there's also one other bill that is included in this Conference Committee Report. It deals with the issue of municipal clerks making available minutes of the city council for public inspection. We passed Public Act 86-1470 dealing with this issue. Several village clerks expressed concern that this was a problem. And so, what this Conference Committee does was to repeal that law, but to provide that ten days after approval of the minutes, that the public shall have available to them the minutes. Ten days after they've been approved, they must be published. Be happy to answer any questions. I believe that there's no controversy involved in the Conference Committee, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentleman of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR PHILIP:

Senator, at one time there was a provision in it that provided for single-member county board districts for DuPage. Is that still in the bill?

PRESIDING OFFICER: (SENATOR D'ARCO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Senator Cullerton.

SENATOR CULLERTON:

No, that was never in this bill. I think that was in a bill that Senator Rigney was the sponsor of that he did not concur with. But that is not included in this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President and Minority Leader Philip, what happened to 922 over in the House -- it passed by a very handy margin over there, as it did here in the Senate. The problem was, yes, it did get loaded up with an amendment that included about fifteen different election bills that were all rolled into an amendment to my 922 Bill. That's all been cleaned off. So we're back here to the basic bill that standardizes backdoor referendums in about fifty-seven different Sections of our State law. I think it's very important that we pass this bill. Obviously, like anyone else, you'd like to be able to pass your own bill, but I appreciate the fact that Representative Steczo was willing to pick this up and to include it on this House Bill, and I'm also very happy that Representative <sic> Cullerton has now signed on and is in support of this.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 927. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, and none voting Present. And the Senate does adopt the Conference Committee Report on House Bill 927, and having received the required constitutional majority, is hereby declared passed. House Bill 971. Senator Jones. Read the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

bill, Madam Secretary.

SECRETARY HAWKER:

First Corrected Conference Committee Report on House Bill 9-7-1.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and Members of the Senate. The First Conference Committee Report on House Bill 971 is the pension omnibus bill. It has many, many provisions in there, and I will highlight some of the provisions. It eliminates from the list of investment restrictions a requirement that in order for a pension fund to invest in a certain company, that that company must have paid a dividend in each of the past five years. It also applies the federal benefit limitation provision to Cook County and Metropolitan Sanitary District Articles. There are a number of provisions as it relate to the General Assembly Retirement System, and for Members who wish to use the reciprocal and also receive credit for service in other pension systems. The Chicago -- the City of Chicago Municipal Pension Fund allows the Mayor to appoint two members, rather than automatically allowing the City Treasurer and the Comptroller on the Board. It allows the Chicago Aldermen who held office prior to the election of this year to receive their -- to elect to participate in the alternative formula that we passed for them last year. There are many, many provisions as it relates to the Cook County employees. These are agreed between the System, and we do not do anything for local units of government unless they request. So there are many non-cost items for local units of government, the Cook County employees, also the Chicago Laborers and the Chicago Park District. For the Chicago Park District, it removed the six-month waiting period for new employees who are subject to -- make them subject to be

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

participants in the Fund. This way the Chicago Park District does not get stuck with paying the high cost of Social Security. As it relate to Chicago Teachers and Downstate Teachers, it also allows them to purchase up to two years of credit toward their pension system. And what it does is allow them, for prior service in the military service, they can purchase up to two years of credit, and many, many other provisions as it relate to State employees. It has issues as it relate to Social Security for widows, and State employees can return to work without losing their benefits if they have elected continuation to participate in a GA Retirement System.

PRESIDING OFFICER: (SENATOR D'ARCO)

Yeah, we're getting the picture. We got the picture.

SENATOR JONES:

Okay. I knew you were getting the picture. And there are many other issues as it relate to our State University Retirement System and Downstate Teachers. But again, most of these Articles in here are agreed Articles with the various systems. They are practically no cost, and I ask for a favorable vote on House Bill 971, the First Conference Committee Report.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Topinka.

SENATOR TOPINKA:

Yes, if I may ask a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR TOPINKA:

Is there still language in this bill that would affect the Municipal and Labor Pension Boards, which would remove the current City Treasurer, the City Clerk and the City Comptroller from the Board? And I'll tell you why that is of concern to me - because Marian Santos, who is currently the City Treasurer, is Hispanic.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

She is the only Hispanic on that Board. She is the only woman on these -- on both Boards, excuse me -- on both Boards. And I would hate to see a move afoot here which would remove her. Also, Walter Kozubowski, a Polish-American that represents a sizable group in the City of Chicago, -- he would be removed - City Comptroller. Is that language still in this bill?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Okay. In response to your question - and I notice you hit on Hispanics and so forth - the language in here as it relate to the Chicago Laborers as well as the Municipal -- on the Laborers, you have the Comptroller, the Treasurer, as well as the City Clerk, and it vests those powers with the Mayor. As it relate -- as it relate to the Municipal, you have the Treasurer and the Comptroller. And a few years ago we did remove the Treasurer from the Police Pension Fund, but the Mayor reappointed her. If you had read -- if you had read today's newspaper, when that question has been raised, he indicated that he would reappoint her, which he has indicated, and his staff, to me. But what this -- what this does primarily, Senator Judy Baar Topinka, you may be just concerned...

PRESIDING OFFICER: (SENATOR D'ARCO)

Could we have order, please?

SENATOR JONES:

You may be concerned about one group that's Hispanic. I'm concerned about other minorities, and particularly blacks, equally as well. The Senate Pension Committee held hearings last year, and what we discovered was this -- is that of all the billions of dollars we hold in assets in pensions in the State, it comes to a total of twenty-eight billion dollars. You're talking about a lot of money being paid by employees, as well as taxpayers of this

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

State, and less and less dollars are actually invested in the State of Illinois. This move by the Chief Executive of the City of Chicago will place him in position not only to appoint Hispanics, but also to appoint minorities to those pension boards, wherein we can bring those funds back to Illinois to help the Chicago, and as well, Illinois, economy. And I think it's a very good move.

PRESIDING OFFICER: (SENATOR D'ARCO)

That's the longest answer I ever heard. Senator Topinka.

SENATOR TOPINKA:

Well, Senator Emil Jones, I appreciated all the oratory, since I really didn't ask for all of that, but I did ask for a yes or a no. At this point, are the City Treasurer, City Clerk and City Comptroller removed from these Boards?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

I answered that question. Yes, they are removed, and the appointment power is left to the Mayor of the City of Chicago, which is a good administrative move, as far as I'm concerned.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR FAWELL:

Senator Jones, I've gotten a number of phone calls and letters from men that have been put into service before they ever got to teach, either at the universities or at the -- the high schools and grammar schools, and did not -- were not able to get credit for their years in military service. If they had taught even one

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

day before they were drafted or went into service, they did get that credit. Does this bill address that problem at all?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Yes, this -- this correct that particular problem, and those individuals will be able to get that credit.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I just rise in support of Conference Committee Report on House Bill 971. There was probably a hundred and twenty-five bills that were introduced that the Pension Subcommittee worked on. This Conference Committee Report reflects the work of the bipartisan Pension Committee, and I think, overall, it's a good bill, and I support it.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm a Member of the Conference Committee and did sign the Conference Committee Report. There's one item that I was not aware of that is in the bill, and I learn now that I have some questions about. If the sponsor would yield, I would like to ask some questions about the deferred compensation provision for employees of the Illinois soil and water conservation districts.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will.

SENATOR SCHUNEMAN:

Senator, this Conference Committee Report proposes to include employees of Illinois soil and water conservation districts in the State Deferred Compensation Plan. And while I have no particular

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

objection to that, do you know who pays those employees?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

I am informed -- I believe this is through the Department of Agriculture, Senator Schuneman. And Senator Schuneman -- Senator Schuneman, this was not put in at the eleventh hour. The conferees met for three weeks on this issue. It was not something that was put in at the last minute. I'm quite sure your staff participated in the meeting and they were involved with this. So it's not something that was just thrown into the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question is, who pays the employees of the soil and water conservation districts?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Staff informed me she believe it's the Department of Agriculture.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, it's my understanding that these employees are not paid by State Government, and therefore there is no mechanism to deduct the deferred compensation from their salary. Now, this is the same issue that was raised on this bill when it first surfaced here. And I think that the Members ought to be aware that in order for the State of Illinois to collect the deferred compensation payments, there has to be a system set up to make those collections. In our case - in the case of State employees -

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

they do it simply by payroll deduction. But these people are not State employees, and consequently, the Central Management Services says that they have to set up some special collection procedure from these people, and that there's no money in the budget to permit them to do that. So -- and they also estimate that it would be eighty-five-thousand-dollar cost - and I don't know whether that's right or wrong, but that's what their estimate is - to do it. And there's no money for this purpose.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator -- Senator Jones.

SENATOR JONES:

Well, it is brought to my attention that they are paid by grants from the -- to the -- from the Department of Agriculture. And if they are paid by grants as such, then, in fact, if CMS is concerned about that, then that cost for the -- the deductions can be included in the grant wherein the deductions can be made, and it should be no cost to CMS. But I don't think that small amount should be something that we should be really concerned about with CMS, because CMS, if they can require that the agency itself pay for it, it can be paid for out of the grants that they receive from the Department of Agriculture.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator del Valle.

SENATOR dEL VALLE:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR dEL VALLE:

Senator Jones, does this bill have a provision that removes the Treasurer from the Chicago Firemen's Pension Board?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SENATOR JONES:

No, the fire -- no, it does not.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator del Valle.

SENATOR DEL VALLE:

But you indicated that for some of the Boards, that the Treasurer will be removed, and that then the Mayor will be making appointments. Could you tell me which ones?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

The -- the Chicago Municipal -- it's not only the Treasurer, but the Comptroller, as well as the City Clerk on the Laborers, and the Comptroller and the Treasurer on the Chicago Municipal Pension System.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator del Valle.

SENATOR DEL VALLE:

Are there others?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

No, there aren't any. And as I indicated to you, Senator del Valle, currently the Treasurer is not on the Police Pension Fund, but the Mayor reappointed her to that position. And after talking with the Treasurer, and I talked with you, and you see in today's paper that she has been assured she's going to be reappointed. So what I'm saying to you on the question that you asked, I believe that issue has already been resolved.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator del Valle.

SENATOR DEL VALLE:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Well, I did read today's papers, but of course there are no guarantees. And I think that the Treasurer is doing an excellent job on these Boards, and I would certainly want to see the Treasurer continue. And I would recommend that we come up with a Second Conference Committee Report, where we could change this provision and ensure that the Treasurer will be on that Board.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Jones, to close.

SENATOR JONES:

Well, in response to the previous question, I intend to move with the Conference Committee Report, and I -- as I indicated to you, that she has been reappointed long before this come -- came up. If you had read the editorial about a month ago as it relate to the pensions in the City of Chicago, it is the Chief Executive who falls responsible for the taxes, but -- the Treasurer is doing a great job. She will be reappointed. But it's some of the other individuals that's there that is not doing a good job. Those pensions could come back to help the people of the City of Chicago. I want to see some blacks appointed on there, not just Hispanics, but blacks, equally as well. And this -- this opens up the door for that possibility, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall the Senate adopt the Conference Committee Report on House Bill 9-7-1. 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 31 Ayes, 10 Nays, 9 voting Present. And the Conference Committee Report is not adopted, and the Secretary shall so inform the House. House Bill 2010 -- Second Conference Committee? The sponsor has asked for a Second Conference Committee. House Bill 2010. Senator Luft. Read the bill, Madam Secretary.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2010.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2010 incorporates a very important part of this legislative season, and it is the proposed assessment program for hospitals and Medicaid providers as put forth by the Governor. Let me state to begin with that this is in total agreement of all providers. There is no objection to the Conference Committee Report. I will read as quickly as I can what it attempts to do. I have to read in some legislative intent, and then will attempt to answer any questions. This House Bill 2010 Conference Committee Report creates five separate and distinct funds to incorporate the assessed money that will be forthcoming. The long-term care and developmentally disability providers would be assessed fifteen percent of their gross medical assistance program of the previous year, which will provide about a hundred and thirty-eight million net new federal monies, which would go to nursing homes. Hospitals would be assessed fifty percent. The result would be a two hundred and thirty-five new federal dollars for hospitals that would be distributed through a new DRG reimbursement system and outpatient rate increase. Hospitals would be paid under the Medicare Diagnosis Related Group, better known as DRG, methodology effective for inpatient services. The State will develop its own DRG -- DRG system by administrative rule, effective 07/01/92. Hospitals would also be assessed five percent of their gross medical assistance program - would generate fifty million dollars in federal monies, and allow full funding of the current statutory disproportionate <sic> (disproportionate) share formula, which includes Children's Hospital. The State will also spend fifty-eight million dollars for targeting community and

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

children hospitals. Cook County Hospital will be assessed under a separate assessment and reimbursement formula. This will net a 134.4 million for Cook County Hospital. And the requirements of the amendment would apply only as long as federal funds are provided for these purposes in an amount equal to the amount that providers would be required to pay. For legislative intent, I would like to say that the provider participation fee incorporated in this piece of legislation is imposed pursuant to the authority granted under Sections 1 and 2, Article IX of the Illinois Constitution of 1970. And if I can do a -- have a duet with Senator Carroll, we will read in the intent for the Medicaid reimbursement, I believe, for Cook County Hospital.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First, some legislative intent, then afterwards I'd like to make a comment. By way of legislative intent, there are separate Sections of the bill relating to hospitals and county hospitals, and other Sections relating to intermediate care facilities for the developmentally disabled and skilled or intermediate nursing facilities. Taxes, which are called fees, are levied based on -- in part, on the Medicaid receipts of a facility that it receives. In Illinois there are hospitals and county hospitals which also provide the services of intermediate care facilities for the developmentally disabled and skilled or intermediate nursing facilities. What is the intent with respect to a provider which provides service in more than one category?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Intent is that each tax would be levied categorically; that

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

is, the tax on skilled or intermediate nursing facilities would be levied only on the Medicaid receipts the hospital or county hospital received in that category, and the tax on hospitals or county hospitals would be levied only on the Medicaid receipts the hospital or county hospital received for hospital services. There is no intent to double-tax.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Carroll.

SENATOR CARROLL:

And secondly, Senator Luft, if he will yield, by way of legislative intent, each Section of the bill provides that its provisions apply only as long as federal funds under Title XIX of the Social Security Act are available to match the fees collected and disbursed under that Section, and only as long as reimbursable expenditures are matched at the Federal Medicaid percentage of at least fifty percent. What situation is this intended to cover?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

These provisions are only intended to cover a major general failure of the assessment methodology; that is, if the Federal Government takes a position that the assessment methodology is not permitted under law, and that position is sustained, these provisions are not intended to apply to incidental claims, disallowances, or the fact that certain types of expenditures permitted from the respective funds are not reimbursable - for example, administrative expenses of the Department. These provisions are also not intended to cover mere notice of a federal problem. The actual failure of the methodology is the intended trigger.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Carroll.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

SENATOR CARROLL:

Why, thank you, Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

You're welcome.

SENATOR CARROLL:

Just by way of further comment -- to the Members of the General Assembly: I think this is important. We are attempting here, by way of an assessment mechanism, to solve part of our health care crisis in Illinois. We have been admonished to act swiftly, because it was expected that the Office of Management and Budget, as well as the Health and Human Services Secretary, may soon be announcing and promulgating rules that will no longer allow these types of plans to be effective. Today, Budget Director Darman and HHS Secretary Sullivan did issue such a pronouncement, and they did say that they intend to proceed with legislative and regulatory measures to restrict the use of provider tax or donation schemes which will force higher Medicaid costs. Under federal regulatory policy, once OMB and HHS submit regulations and request action by Congress, that action, when passed, will relate back to the day those regulations were proposed. If we do not act quickly on this legislation and on the budget that implements this legislation, we will have lost the opportunity of using an assessment plan to effectuate a health care settlement. If we have not gotten a budget in place before HHS and OMB promulgate their regulations - and what I was reading was a quote from their press conference - if we do not do this before they act, which may be in the next few days, we will have jeopardized, first of all, a balanced budget, and two, our entire health care delivery system. I urge us to not only pass the Conference Committee on HB 2010, but to act with all deliberate speed to get this budget, as well, to the Governor's desk before it is too late.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd ask -- respectfully ask Senator Luft to pull this out of the record. I'm not sure that this bill -- this Conference Committee Report isn't a little early.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Out of the record.

PRESIDING OFFICER: (SENATOR D'ARCO)

Out of the record, Madam Secretary. All right. The next bill is House Bill 2148. Senator Daley. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 2148.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. The Second Conference Committee Report on House Bill 2148 would permit the municipal clerk in downstate municipalities to appoint one deputy clerk, when authorized by the city council, who'd not be a resident of the municipality. This was put in for Senator Butler. The second part is the gross receipt of a business transmitting message using mobile equipment shall be deemed to originate within the corporate limits of a municipality only if the address to which the bills for the service are sent is within those corporate limits. It adds contractors to certain provisions of the Local Government and State Prompt Payment Act. It requires contractors to pay subcontractors within fifteen days of payment from the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

public entity. After expiration of the fifteen-day period, it provides two percent per month interest. This is -- the last two provisions are the same as House Bills 703 by -- passed by Senator DeAngelis, that passed unanimously, except that under these provisions, it does not preempt home rule. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Fawell.

SENATOR FAWELL:

We have looked over this bill very carefully on our side, as far as Local Government is concerned, and we find this bill acceptable. So, I would ask all to vote for it.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall the Senate adopt the Conference Committee Report on House Bill 2148. Those in favor, vote -- I'm sorry. Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he'll yield.

SENATOR DeANGELIS:

Does this bill exempt Cook County and Chicago from the Prompt Payment Act?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Daley.

SENATOR DALEY:

It does not preempt home rule, Senator.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator DeAngelis.

SENATOR DeANGELIS:

So they are removed from the Prompt Payment Act.

PRESIDING OFFICER: (SENATOR D'ARCO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

66th Legislative Day

July 11, 1991

Senator Daley.

SENATOR DALEY:

That is -- that is correct, Senator.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is, shall the Senate adopt the Conference Committee Report on House Bill 2148. 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 47 Ayes, no Nays, and 6 voting Present. And the Senate does adopt the Conference Committee Report on House Bill 2148. And House Bill 2148, having received the required constitutional majority, is hereby declared passed. Senate Bill 10. Senator Berman. Read the -- no. Yes, Senator Berman.

SENATOR BERMAN:

Mr. President, there is a number of people that are interested in Senate Bill 10 and 11 in the audience, and I just want to indicate that at the request of the Minority Spokesman, concurred in by the President, those bills will not be called tonight. Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

Well, folks, has anybody else got any bright ideas?

PRESIDENT ROCK:

...(machine cutoff)...business to come before the Senate in the Regular Session? If not, Senator Demuzio moves that the Senate stand adjourned till Friday morning - Friday, July 12th - at the hour of ten o'clock. Ten o'clock tomorrow morning.

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

92/03/10
11:13:49

JULY 11, 1991

HB-0927 CONFERENCE	PAGE	46
HB-0971 CONFERENCE	PAGE	48
HB-1499 CONFERENCE	PAGE	14
HB-1564 CONFERENCE	PAGE	2
HB-2010 OUT OF RECORD	PAGE	57
HB-2148 CONFERENCE	PAGE	62
HB-2222 CONFERENCE	PAGE	11
SB-0616 CONFERENCE	PAGE	16
SB-0678 CONFERENCE	PAGE	18
SB-0999 CONFERENCE	PAGE	20
SB-1171 CONFERENCE	PAGE	29
SB-1227 CONFERENCE	PAGE	34
SB-1310 CONFERENCE	PAGE	36
SB-1421 NON-CONCURRENCE	PAGE	45
SB-1471 CONFERENCE	PAGE	39
SR-0680 RESOLUTION OFFERED	PAGE	45
SJR-0087 ADOPTED	PAGE	45
SJR-0087 RESOLUTION OFFERED	PAGE	45

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - REVEREND VICTOR KALTENBACH	PAGE	1
JOURNALS - APPROVED	PAGE	1
JOURNALS - POSTPONED	PAGE	1
RECESS	PAGE	43
FIRST SPECIAL SESSION	PAGE	44
SENATE RECONVENES	PAGE	44
MESSAGES FROM THE HOUSE	PAGE	44
ADJOURNMENT	PAGE	64