

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDENT ROCK:

The hour of ten having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Our prayer this morning by Dr. John Charlton III, Harvard Park Baptist Church, Springfield, Illinois. Reverend.

DR. JOHN CHARLTON III:

(Prayer by Dr. John Charlton III)

PRESIDENT ROCK:

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

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Tuesday, December 1st; and Wednesday, December 2nd, in the year 1992, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. 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 adopt the First Conference Committee Report on Senate Bill 1803, and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendment No. 1.

Action taken by the House, December 2, 1992.

I have a like Message on Senate Bill 1519, with the First Conference Committee Report.

Action taken by the House, December 2.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

And Senate Bill 1635, on a First Conference Committee Report.

PRESIDENT ROCK:

All right. Senator Di Turi would move that the Senate accede to the request of the House. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. And the Senate does accede to the request of the House with respect to those three measures. 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 concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 1918, together with Senate Amendments 1 and 3.

Non-concurred in by the House, December 2, 1992.

And I have a like Message on House Bill 4037, together with Senate Amendment No. 1.

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 420, together with House Amendment 2.

I have a like Message on Senate Bill 2088, together with House Amendment No. 3.

Both passed the House, as amended, December 2, 1992.

PRESIDENT ROCK:

All right. Those four Messages will, with leave of the Body, be placed on the Order of Secretary's Desk. Messages from the House.

SECRETARY HAWKER:

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

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

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

House Joint Resolution 168.

It is substantive.

PRESIDENT ROCK:

Executive Committee. All right. Ladies and Gentlemen, if I can have your attention. It's going to be a little hectic around here if we're going to get through all this stuff. So I'd ask you to bear with us. A Supplemental Calendar - the First Supplemental Calendar - has just been distributed. I'd ask you to take a look at that. There are two measures on the Order of Non-concurrence where the sponsors, Senator Jacobs and Senator Karpriel, have indicated they wish to go to a conference committee, and so they will be refusing to recede. And in order to facilitate the paperwork, I think we'll try to move to that Order, with leave of the Body. So if you'll take a look at Supplemental Calendar No. 1. Supplemental Calendar No. 1 has been distributed. Everybody should have a copy, I hope. Senator Brookins does not have a copy. We will not proceed until he gets a copy. When we begin on the regular Calendar, again, for your information, please refer to page 24 on the Calendar. We will be beginning on the Order of Motions in Writing, and then we will proceed to the regular Calendar to deal with the Conference Committee Reports that the Members have requested we address. And we will just proceed and have as many Supplemental Calendars as there are matters coming back from the House, or additional filings of conference committee reports. Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

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

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

State your point, please.

SENATOR MADIGAN:

The other day on the Senate Floor the Senate was kind enough to observe a milestone in my life when I became -- reached the minimum age for membership in the AARP. Today my seatmate and friend and colleague is observing a milestone in his life, in that he has reached the minimum age for social security benefits, and I would ask the President and the Senate to join me in wishing Senator Woodyard a very happy birthday.

PRESIDENT ROCK:

Senator Woodyard, happy birthday. Many more. Senator Geo-Karis, I'll recognize you if you promise not to sing. Senator Geo-Karis.

SENATOR GEO-KARIS:

I would defer to you for singing, and I hear you did an excellent rendition of "Danny Boy" last night, and I'm sorry I couldn't be there to hear you and join you with the harmony on it. Mr. President, Ladies and Gentlemen of the Senate - a point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR GEO-KARIS:

I'm delighted to introduce to you my very fine secretary's son, Steve Booker, who is the Director -- Assistant Director of Admissions at Rockford College, and his job is going all over the world to look at the other colleges, and Rockford College has a college in -- in London called Regency. And Steve will be going there this coming week to visit that college, and I'd like you all to meet a very fine young man, Steve Booker. Steve.

PRESIDENT ROCK:

Young man, welcome to Springfield. Senator Donahue, for what purpose do you arise?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

SENATOR DONAHUE:

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

PRESIDENT ROCK:

State your point, please.

SENATOR DONAHUE:

I have a class from Liberty High School -- history class. Their teacher is Dave Dinkheller, and I'd like them to rise and be recognized, please.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Rea, for what purpose do you arise, sir?

SENATOR REA:

Point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR REA:

Thank you, Mr. President. I have a young man standing beside me here who is a leader of today, and will be a leader of tomorrow - a person from Montana State, who is a 4-H Delegate to the National 4-H Congress, which will be held in another week or so, and has received the State Citizenship Award, which is a national honor and certainly one of distinction. And would like to welcome to Springfield - to the State Capitol - Aaron Smith. Let's give him a big round of applause.

PRESIDENT ROCK:

Welcome. All right. Again, with leave of the Body, we will -- to accommodate the flow of paper between the Houses, we will move to Supplemental Calendar No. 1. There are two items on the Order of Secretary's Desk, Non-concurrence. If Senator Jacobs can bear with us for a moment. On the Order of Secretary's Desk, Non-concurrence. Supplemental Calendar No. 1, Ladies and

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Gentlemen. On the Order of Secretary's Desk, Non-concurrence, is House Bill 1918. Madam Secretary, please.

SECRETARY HAWKER:

Senate Amendments 1 and 3 to House Bill 1918.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I refuse to recede from Senate Amendment No. 1 and Senate Amendment No. 2 <sic> to House Bill 1918, and ask that a Committee of Conference be appointed.

PRESIDENT ROCK:

Senator Jacobs has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 3 to House Bill 1918, and that a conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Karpel, on 4037. Madam Secretary, on the Order of Secretary's Desk, Non-concurrence, is House Bill 4037.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 4037.

PRESIDENT ROCK:

Senator Karpel.

SENATOR KARPIEL:

I move to not recede from Amendment No. 1 on House Bill 4037, and ask that a conference committee be appointed. Thank you.

PRESIDENT ROCK:

All right. Senator Karpel has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 4037, and that a conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Schaffer, for what purpose do you arise, sir?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

SENATOR SCHAFFER:

Mr. President, on a point of personal privilege.

PRESIDENT ROCK:

State your point.

SENATOR SCHAFFER:

We have with us today a former Member of this Body, Senator John -- former Senator John Friedland, who is now available to take Members out for dinner. We -- we -- we have Senate staff standing over here if you care to make reservations for anytime during the spring Session. Senator Friedland would take large or small groups out to some of the more distinguished watering holes. So the line's forming over here. I thought everyone would want to know.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, in an effort to expedite the business here, we will begin on page 24. Ladies and Gentlemen, we're going to go through the Motions in Writing that have been filed. I would alert the Membership: it's Senators Marovitz, Dunn, Demuzio, Luft, Cullerton, Rea, Berman and Cullerton. House Bill 1007. Senator Marovitz. House Bill 3475. Senator Dunn. Madam Secretary, on the Order of Motions in Writing, there's a motion filed with respect to House Bill 3475. Read the motion, please.

SECRETARY HAWKER:

I move to suspend all appropriate Senate rules so that House Bill 3475 may be considered by the Senate and be placed on the Order of 2nd Reading.

Filed by Senator Thomas Dunn.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This is the motion we heard

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

yesterday to establish the prevailing wage on utilities. I ask for passage of the motion.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend all the appropriate Senate rules so that House Bill 3475 may be considered by the Senate, and asks that it be placed on the Order of 2nd Reading. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You've all heard the old saying that -- the saying that "Old soldiers never die." That's true, and around here it seems sometimes that bad ideas never die either, and I'm going -- bad bills never die, and I'm going to suggest that with all due respects to my good friend, Senator Dunn, that here's an example of a bad bill that doesn't seem to want to die. It came up a day or so ago. As you may recall, I got up, spoke against it. I criticized the fact that it had never been to committee, it hadn't been heard, it contains a lot of provisions that -- that the Members should be aware of. One thing this is going to do for sure, and that is to raise utility rates. If any of you are interested in your people back home that are complaining about utility rates, it's going to raise them, just as sure as -- as I stand here, because it extends the provisions of the prevailing wage to utilities that haven't experienced that before. And the result is going to be higher wages, and that includes Central Illinois Public Service, Commonwealth Edison Company, Illinois Power, Peoples Gas and Light Company, and Illinois Bell, and on and on and on. So -- these utilities, by the way, are not -- are not units of government. They are not financed by units of government. And it seems to me should not be included under the provisions of the Prevailing Wage Act. It's a bad idea. It's an expensive idea, and one that the -- your constituents are going to



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

be angry about, if this is passed. Believe me. So I would encourage you to think hard and long, and then vote No.

PRESIDENT ROCK:

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you. Just a general comment. I'm wondering what business we have in sticking -- in sticking our nose into a -- into wage considerations in a private industry. As far as I know, we haven't as yet socialized the electrical industry, and I for one can't figure out what we're doing in this situation. It's none of our business, and we shouldn't be -- we shouldn't be injecting our -- ourselves where we don't belong. I would suggest we vote against this bill.

PRESIDENT ROCK:

All right. The question before us is the motion with respect to House Bill 3475. Further discussion? Senator Dunn, do you wish to close?

SENATOR T. DUNN:

Thank you, Mr. President. I urge an Aye vote. This is a good bill, and will establish prevailing wage for workers who can use the wage that will support a family that doesn't pay hamburger-flipping wages. This will not cause the cost of utilities to go up. It will put food on the table of working men and women in our State. It's a good bill.

PRESIDENT ROCK:

All right. This will require thirty affirmative votes. The question is the adoption -- Senator Dunn has moved to suspend all the appropriate Senate rules so that House Bill 3475 may be considered by the Senate, and asks that it be placed on the Order of 2nd Reading. Those in favor of that motion will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, and the motion fails. Senator Marovitz, are you ready on -- Motion in Writing. On the Order of Motions in Writing, there's a motion with respect to House Bill 1007, Madam Secretary.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to House Bill 1007 so that the bill may be considered by the Senate. Filed by Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. I do move to suspend the appropriate rules to consider this bill immediately. You -- you want me to go into the substance of the bill at this time, Mr. President?

PRESIDENT ROCK:

If you're confident you've got thirty votes, have at it.

SENATOR MAROVITZ:

Okay. Have at it. Well, as the President says, let's have at it. This bill does several things. It permits quick-take by the Southwestern Illinois Development Authority for seven years. That's an extension of their current powers. It makes various child support changes. I think it still does. Allows a new legal action to begin if the case was dismissed by the U.S. District Court for improper venue. Provides that child support payments received by the obligor and sums expended for any child residing with the obligor, who the obligor has a duty to support, be deducted from the obligor's net income when determining the obligor's support obligation. It requires a judgment debtor to pay the costs of obtaining a garnishment order. That's supported

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

by the Legal Services Center. This is nonwage garnishment. Basically, that's what the bill does.

PRESIDENT ROCK:

All right. Senator Marovitz has moved to suspend the appropriate Senate rules with respect to House Bill 1007 so that the bill may be considered by the Senate. Is there any discussion on that motion? If not, those in favor of the motion will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 1 Nay, and the motion prevails. 4216. Senator Demuzio. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to suspend all appropriate Senate rules so that House Bill 4216 may be considered by the Senate and be placed on the Order of 2nd Reading.

Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

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

PRESIDENT ROCK:

Senator, if I can have your -- we want to get you on TV this morning. WAND-TV has requested permission, as has WCIA-TV, to shoot some videotape. Senator Demuzio is ready. Straighten your tie.

SENATOR DEMUZIO:

Thank you very much, Mr. President. I didn't wear my TV clothes today, but -- this is the bill that received a great deal of controversy here in the Senate. It is the Downstate Firefighters Pension that you've heard from your municipalities about. They both have now come to me, the Municipal League and

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

the firefighters, and have represented to me that they have both struck an agreement, and therefore, I am just putting this bill in place on the Calendar to exercise the agreement that they have come to. And so that's what I'm attempting to do this morning, and I would ask for your support.

PRESIDENT ROCK:

All right. Discussion on the motion? Senator Davidson.

SENATOR DAVIDSON:

Senator Demuzio, I'd like to ask you a question.

PRESIDENT ROCK:

Indicates he will yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Demuzio, I met with some of the parties concerned, yesterday around noon. At that time they were not in agreement, and in speaking to the negotiator for the House, Representative McPike, when he was over here yesterday afternoon, at that time no agreement had been struck. Are you telling me there is now agreement been struck between the Downstate Firefighters and the Municipal League since yesterday afternoon?

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, as a matter of fact, I am. And I'm also committed to tell you right now, that unless both of those parties put this agreement in writing and sign on to it, I will not call it, unless there is a absolute agreement. I am told -- it was represented to me by both parties that, in fact, there is.

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

Well, with that explanation, Mr. President, I'd urge all Members of my side of the aisle to support this motion then,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

'cause we've been trying to get an agreement between these two factions, and if we've accomplished this, now is the time to take it to fruition.

PRESIDENT ROCK:

All right. Madam Secretary. All right. You've heard the motion as placed by Senator Demuzio. Further discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Madam Secretary, will you make sure that House Bill 4216 shows up on a Supplemental on the Order of 2nd Reading, so that we can give the bill its due consideration? Message in -- Motion in Writing, Senate Bill 654. Senator Luft. We're on page 24 on the Calendar. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to Senate Bill 654 so that the bill may be considered by the Senate. Filed by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to suspend the appropriate rules for the immediate consideration of Senate Bill 654.

PRESIDENT ROCK:

All right. The...

SENATOR LUFT:

Conference Committee Report on Senate Bill 654.

PRESIDENT ROCK:

You've heard the Gentleman's motion. 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. 699. Senator Cullerton. 1073. Senator Rea. Motion in Writing on page 24.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

1073, Madam Secretary. Read the motion.

SECRETARY HAWKER:

I move to waive Senate Rule 5C with regard to Senate Bill 1073, and that the bill be ruled exempt so that it may be considered by the Senate.

Filed by Senator Rea.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I would move to suspend the rules for immediate consideration on Senate Bill 1073, and this is a -- a bill that would deal with the community college retiree health insurance, which there has been an agreement worked out with the Community College Trustee Association, and with CMS no longer opposing and so on. I would ask for...

PRESIDENT ROCK:

All right. You've heard the motion as placed by Senator Rea. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT ROCK:

He indicates he will yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Rea, I understand CMS may have withdrawn their objection. They're neutral, but there's a little item in that. If you looked at it, it lets CMS decide whether they're going to keep that retirees' system from that individual college in the system, and if not, they can raise the fee to cover the cost of the health care. Therefore, the trustee of that college could then raise the property tax on the local property tax owners to pay for this increase. Is that still in this so-called agreement?

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Senator Rea.

SENATOR REA:

No. Unlike the previous legislation, there is no -- there's no cost impact to the State. It's optional to the -- to the colleges. The -- the Conference Committee Report also would not compel the community colleges to utilize this program to cover their -- to cover their employees, many of whom already have sufficient coverage. So this would -- no, this would not affect...

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

A further question - I beg to differ with you. The proposed Conference Committee, which I read yesterday afternoon, allowed the Community College Board to raise the necessary funds to pay for putting those retirees in the CMS system if CMS put a raise on that fee, and I haven't heard you say that's not in there. You got a new Conference Committee than from what the draft I read yesterday afternoon?

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

The -- actually, Senator Davidson, the benefits provided in this legislation would be paid from part of the existing appropriations for this purpose, and the balance would be paid from the retirees themselves. The balance would be paid from the retirees themselves. So...

PRESIDENT ROCK:

All right. You've heard the motion as placed by Senator Rea. Further discussion? If -- I'm sorry -- Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. There seems to be some

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

confusion on this issue. Our side of the aisle is presently receiving an analysis and -- with a letter from CMS attached, asking us that we do not approve this proposal. So I wonder if the Gentleman might take this out for a while and -- take this out of the record for a while to see if we can get this cleared up. I -- I hesitate to vote for it if, in fact, there is no agreement.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

As of yesterday, it was CMS that said that they were neutral on the bill. It would not impact the local government in terms of revenues, and they -- you know, there's no other...

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I am now reliably informed by CMS that they currently have no position on the bill.

PRESIDENT ROCK:

All right. Senator Rea, you're going to pursue the motion? You've heard the motion as placed by Senator Rea. Is there any -- further discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. 1092. Senator Berman. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to Senate Bill 1092 so that the bill may be considered by the Senate. Filed by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

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



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

This bill, as amended, deleted everything that was originally in the bill. All that it does now is to correct an inconsistency between the Probate Act and the Wrongful Death Act, and to set, in both Acts, the level of five thousand dollars instead of one thousand dollars, the amount that may be distributable in a minor's or incompetent person's estate to the special administrator. Be glad to respond to any questions. I'm not aware of any opposition to this bill.

PRESIDENT ROCK:

All right. Senator Berman has moved to suspend the appropriate rules in relation to Senate Bill 1092 so that the bill may be considered by the Senate. 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 Cullerton, on 1345. All right. Ladies and Gentlemen, we'll then revert back to page 18 on the Calendar. Senator Cullerton, you wish to pursue 1345? All right. With leave of the Body, we'll go back to page 24. Motions in Writing. Senate Bill 1345, Madam Secretary.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to Senate Bill 1345 so that the bill may be considered by the Senate. Filed by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. I would move to suspend the appropriate Senate rules in relation to this bill so that the bill may be considered by the Senate.

PRESIDENT ROCK:

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

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

is so ordered. Ladies and Gentlemen, we'll begin on the Order of Conference Committee Reports. Page 18 on the Calendar. We have some fifteen or sixteen conference committee reports to address. I would ask the Members to please lend their attention. We will move through these as quickly as possible. In the meantime, we will attempt to put together a Supplemental Calendar, so that we can conclude our business at a reasonable hour. Bottom of page 18. Senator Rea. 178. Madam Secretary, on the Order of Conference Committee Reports, there's a report with respect to House Bill 178.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 178.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. The Conference Committee Report on House Bill 178 is one that was requested by the Department of Employment Security; one we discussed earlier when we suspended the rules, and the Report makes a change in the work search requirements for extended unemployment benefits as required by recent federal law. The Report is supported both by labor and management. I would ask for approval.

PRESIDENT ROCK:

Question is the adoption of the Conference Committee Report on House Bill 178. Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 178. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Committee Report on House Bill 178, and the bill, having received the required constitutional majority, is declared passed. Top of page 19. House Bill 1007. Senator Marovitz, do you wish to pursue this bill? Ladies and Gentlemen, again, let me ask -- we are on page 19 of the Calendar on the Order of Conference Committee Reports. And we will be dealing with those conference committee reports where the rules have been suspended and where the Members have requested that we do this. If, indeed, we don't wish to do it, that's better yet. Madam Secretary, on the Order of Conference Committee Reports, there's a report with respect to House Bill 1007.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 1007.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. House Bill 1007 does several things. It permits the Southwestern Illinois Development Authority quick-take provisions, which passed the Senate by a vote of 38 to 0. And this is -- extends for, I believe, two years, their quick-take provisions. It provides that child support payments that are received by the obligor and sums that are expended for any child residing with the obligor, that that obligor has a duty to support, be deducted from the obligor's net income, when determining the obligor's support obligation. Also, it makes -- it allows a new legal action to begin if the -- if the case was dismissed by a U.S. District Court for improper venue. The period of limitations improper venue provision is a State Supreme Court recommendation. The -- another provision requires a judgment debtor to pay the cost of obtaining a garnishment order. That provision is supported by the Legal Services Center of Illinois. Allows the court to direct that child support payments

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

be made to the Clerk of the Court in any case. And allows the Clerk to invest child support collections in any interest-bearing account or in any security, so long as the Clerk continues to make timely payments to the payee. That's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Marovitz, I believe in Senate Bill 2233 there's also a provision about garnishments. Are they the same provisions, or -- or what's -- do you know the difference between the two?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I believe that the garnishment provisions in Senate Bill 2233 are identical to the garnishment provisions in here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAROVITZ:

It's nice to have a noncontroversial bill once in a while.  
Solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the Second Conference Committee Report on House Bill 1007. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Second Conference Committee Report, and the bill, having received the required constitutional majority, is declared passed. Senator Woodyard, for what purpose do you rise?

SENATOR WOODYARD:

Thank you, Mr. President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR WOODYARD:

Thank you very much for helping me celebrate the birthday, but while we're deliberating these very important conference committee reports, there's cake in the back of the room. Please help yourself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, thank you very much. 3037. Senator Raica. Madam Secretary, 3037, House Bill, please.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 3037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate do adopt the Conference Committee Report No. 2 to House Bill 3037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Is there a provision in this Conference Committee Report for a referendum?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

I can check with -- it says -- yeah. It says the Report will allow for fire protection districts to annex up to sixty acres of territory with a frontdoor referendum approval of the owners of the territory to be annexed. That was a very excellent question, Senator. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Are there any other excellent questions? If not, Senator Raica may close. Senator Raica.

SENATOR RAICA:

Poll them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the Second Conference Committee Report on House Bill 3037. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report, and the bill, having received the required constitutional majority, is declared passed. House Bill 3204, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3204.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This is a Conference Committee Report that contains two provisions. It's a -- really a -- an excellent Conference Committee Report. When you hear it, I think you'll appreciate why. The first

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Section is a request of the Oak Park Township to -- to amend the Town Hall Act to permit townships to build, lease or purchase senior centers. These centers are to be financed through the issuance of bonds that are retired by a property tax, but a frontdoor referendum approval is required. And the second portion of the bill deals with DuPage County. I used to live in Oak Park and I also used to live in DuPage County, so it's appropriate that I would have this -- these two together. This -- current law says that noncontiguous territory that is separated from a municipality by a forest preserve can be annexed to the municipality without including the district's territory. What this bill does is to disallow municipal annexation of territory separated from the municipality by forest preserve district. And this is, as I understand it, at the request of Senator Philip. And this would conclude my DuPage County agenda.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? All right. If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3204. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3204, and the bill, having received the required constitutional majority, is declared passed. House Bill 3261. Senator Macdonald. Senator DeAngelis. Senator DeAngelis, I -- I can't see the sponsor behind you. I'm sorry. Can we break up the conference behind Senator Davidson for a moment, please? Do you wish that called, Senator? All right. Madam Secretary, please.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 3261.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes. Conference Committee No. 2 has appeared before the Chamber on two different occasions. House Bill 3261 and Conference Committee Report 1 on House Bill 3261. On both occasions the Senate voted unanimously in favor of passage. 59 to nothing. And 58 to nothing. Due to the disagreement in the House on additional provision which appeared in Conference Committee Report No. 1, a second conference committee report was required. So on July 2nd, 1992, Conference Committee Report No. 2 was approved by the House on a vote of 101 to 10, and so I ask for your support to pass this very important piece of legislation at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Kelly.

SENATOR KELLY:

I'd like to ask the sponsor a question, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Kelly.

SENATOR KELLY:

I see this is on child custody and visitation. Is this for the natural parents or grandparents or what -- who's -- is this natural?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Natural parents.

SENATOR KELLY:

Okay. Thank you very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? If not, Senator Macdonald, do



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

you wish to close? Senator -- Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I just ask for your support of this very necessary piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the Second ... (machine cutoff) ... question is, shall the Senate adopt the Second Conference Committee Report on House Bill 3261. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on House Bill 3261, and the bill, having received the required constitutional majority, is declared passed. ... (machine cutoff) ... of page 20 is House Bill 4078. Senator Severns. Senator Severns on the Floor? Oh, I'm sorry. Beg your pardon. Senate Bill 130. Senator Woodyard. Senator Woodyard, 130? 698. Senator Jones. Senator Jones. All right. I inadvertently then -- the Podium Calendar indicated Senate Bill 186 apparently was not going to be called. I understand you wish to have it called. It is -- been ruled exempt, so Senate Bill 186. I was just going by the Calendar. Senate Bill 186, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 186.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland. Do you -- do you...

SENATOR MAITLAND:

Thank you very much...

PRESIDING OFFICER: (SENATOR DEMUZIO)

It wasn't marked, and that's why I skipped it. I -- thank you.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

SENATOR MAITLAND:

Okay. Fine. Thank you very much, Mr. President, Members of the Senate. Conference Committee Report on 186 does a number of things, and I have shared most of this with -- with many of you who are affected. Let me briefly go through -- through the different components. The first amendment allows school district consolidation petitioners to call for the election of members -- of new school board members at the same time the consolidation question is submitted to the voters, if the election is to be held in -- in even year. We changed this last year, and made it the odd years. This simply completes the action, allows for that question to be asked in both -- in both elections. It further allows territory of ten percent or less of the EAV of an elementary or high school district to be detached from its current district and annexed to another upon petition of two-thirds of the registered voters. This again is clarifying language that we needed to -- to add. That -- this is a State Board recommendation. It also provides that the committee of ten appointed for detachment and annexation petitions may fill vacancies on that committee if -- if they should occur. It also amends the Revenue Act to -- to revise the assessment of certain land that has not been used for twenty years or more -- twenty or more consecutive years due to acquisition by the Federal Government. This is federal impact legislation, and I've spoken to all of you who have school districts affected, and it would provide substantial revenue for those -- those school districts from the Federal Government. And finally, it does address a problem that we have with -- with enterprise zones. A number of years ago we passed legislation that would allow those school districts that appear wealthier than they are to -- to use the EAV that resulted in the abatement of certain property taxes. This now -- we made an inadvertent change. This now will allow those

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

districts to capture the revenue in general State aid according to the wealth that they are actually generating. It also adds an immediate effective date. I would be happy to answer any questions that you might have. Otherwise, seek your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Keats.

SENATOR KEATS:

Just a question, thanks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

The -- I think the two biggest bases affected are Great Lakes in Senator Barkhausen's district and Fort Sheridan in mine. Could you explain to us the exact provisions of how this applies? Because, I mean, this is legislation we've worked on, and I apologize - neither one of us seem to know quite what it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, Senator, neither one of those districts are affected. This has to do with -- with federal interpretation of the farmland assessment bill and -- and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there further discussion? If not, then the question is, shall Senate Bill 186 -- I'm sorry. The question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 186. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on Senate Bill 186. And the bill, having received the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

required constitutional majority, is declared passed. Bottom of page 20, Senate Bill 1071. Senator Welch. Madam Secretary, please.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 1071.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 1071 allows for the continuation of testing of water supplies in municipalities. The problem that we've had is that the funds available for testing the water supplies were taken away and put in the General Revenue Fund and disbursed in other budgetary purposes. Currently the fund is at a zero level. We need to enact this law to change the way that we test, and have a committee decide what water supplies are going to be tested and how much the costs are. Currently what we have been doing was charging a fee of seventy-five cents multiplied by the number of service connections, with a minimum fee of ninety dollars and a maximum of twenty-five hundred dollars. This did not supply enough money to allow the cities to pay for all the tests and the State to carry them out. This bill itself does not raise fees. What it does is it provides for the Environmental Protection Agency, together with the Community Water Supply Testing Council, to decide what the fee should be to cover the actual costs on a participatory basis between the cities and the State for testing. And for that reason, we are looking to establish, with this bill, an expanded Community Water Supply Testing Council to determine the costs of the tests and carry out the duties that we imposed upon the State. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Senate adopt the Second Conference Committee Report on Senate Bill 1071. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on Senate Bill 1071. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1073, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1073.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This Conference Committee Report will provide benefits for community college retirees who are not currently covered by a local policy, and these are the only higher education retirees with no employer- or State-sponsored health benefits. And as I mentioned earlier for clarification purposes, unlike previous legislation on this subject, there's no cost impact to the State. The benefits provided in this legislation will be paid in part from existing appropriations for this purpose, with the balance being paid for from the retirees themselves. So there's no fiscal impact on the State whatsoever. The -- CMS was involved in the drafting of this Conference Committee Report. The program is voluntary for the colleges who may choose to utilize it or not. Nothing mandates the colleges to go into this program if they do not wish to do so. And this Conference Committee Report, as it now stands, is supported by the Community College Trustee Association and the various employee groups that are affected. And I would just simply ask for a favorable vote.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This problem's been around the Legislature for a long time, as you recall, and the original proposal was for the State to pick up the entire cost. The people that are sponsoring this bill are trying to solve a real problem, and I think they've finally found the right solution which does not have the State pay all the cost, and much of this will be picked up by the community colleges. And so I tend to agree with what the Gentleman has said: that we ought to pass this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. And I certainly won't belabor this point, but I also rise in support of this legislation. This is a great deal for -- for the State, I think, with the annuitants picking up a great part of the cost. If you'll recall, this Body and the House passed the very bill that Senator Schuneman was talking about, put it on the Governor's desk, in which the State would be picking up all of the cost of these community college retirees. The Governor - at that time, Governor Thompson - amendatorily vetoed it to change the effective date, and the House refused to call that, even though everybody was in agreement that that should be done. So I think Senator Rea is to be complimented for putting this Conference Committee Report together. It certainly deserves passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President, Members of the Senate, as I the one who raised questions when we were suspending the rules earlier, the question

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

which had been shown to me on an earlier draft is not in this, and I rise in support of this and urge everyone to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rea may close.

SENATOR REA:

I would simply ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1073. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1073. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1518. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1518.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The First Conference Committee Report on Senate Bill 1518 takes care of three different items and makes technical revisions requested by the Department of Revenue pertaining to three bills that were passed by the General Assembly and were signed by the Governor this year. This is a request by the Department of Revenue, as well as the State Treasurer's Office. It makes Illinois law consistent with federal law. This allows double deductions. This Report also contains language that embodies an agreement on -- between the Department of Revenue and the Treasurer's Office and the Retail Merchants' Association, and it

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

clarifies the date of January 1st, 1993. I know of no opposition to this. All the conferees signed the Report, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I rise in support of this because this corrects an error which was done in legislation which we passed earlier in the spring Session and was signed by the Governor, which would have done away with the double deduction by individuals when they file their income tax. This resolves a problem that was a drafting error, and I rise in strong support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1518. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1518. And the bill, having received the required constitutional majority, is declared passed. 1803. Senator Marovitz. Senator Marovitz on the Floor? Senate Bill 2100. Senator Luft. Madam Secretary, Senate Bill 2100, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 2100.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 2100 passed the House last night unanimously. It's very simple. A multi-state tax is exempt from taxation -- rolling stock. What this bill does is add



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

to that exemption, for the purpose of clarification, air phones. GTE in northern Illinois, which buys telephones out of state and then installs them in airplanes, would like to have this better defined as being a permanent part of the airplane which, obviously then, makes this tax -- or that product exempt from the out-of-state use tax. So I'd either try to answer any questions; otherwise, I'd move for the adoption of the Conference Committee Report on Senate Bill 2100.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, the question is, shall the -- shall the Senate adopt -- question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 2100. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 2100. And the bill, having received the required constitutional majority, is declared passed. All right. With leave of the Body, we'll move to the First Supplemental Calendar that was passed out this morning. Should be on everyone's desk. The First Supplemental Calendar we have dispatched -- disposed of, shall I say, of the Non-concurrence. Secretary's Desk, Concurrence, is Senate Bill 420. Senator del Valle wishes to have that called. So, Madam Secretary, Senate Bill 420 on the Supplemental Calendar.

SECRETARY HAWKER:

House Amendment No. 2 to Senate Bill 420.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I move to concur with the House

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

amendment. It contained the language in the Governor's amendatory veto that was ruled in noncompliance in the House of House Bill 3641. It's noncontroversial. It -- it deleted the additional members, but required the Governor to give consideration to the interests of veterans and specified that at least one member belong to a veterans' organization. I move for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, the question is, shall the Senate concur with House Amendment 2 to Senate Bill 420. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur with House Amendment 2 to Senate Bill 420. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 2088, Madam Secretary, please.

SECRETARY HAWKER:

House Amendment No. 3 to Senate Bill 2088.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 3 to Senate Bill 2088 contains a number of provisions that were requested by Secretary of State George Ryan, as well as some other individuals. Basically what it does, it provides a mechanism for the Secretary of State to capture reimbursement costs from the City of Chicago to carry out an agreed program between two entities - between the City and Chicago <sic>, as far as the enforcement under the vehicle sticker provisions. It also allows Quincy and Carbondale to provide driver's license and vehicle service transactions. It authorizes

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

the Secretary of State to continue review and license people with medical conditions and provide a hearing to those who wish to appeal their cases. It authorizes the Secretary of State to create the Illinois Literacy Foundation to advance literacy efforts in Illinois. It exempts vehicles operated by a public utility when transporting equipment required for construction, maintenance or repair or <sic> public utility lines, facilities or properties, from specific weight limitations. It authorizes a county board in counties with a county unit district highway system, with approval from the Department of Transportation, to use thirty percent of certain motor fuel tax allocated to it to pay for the cost of construction, maintenance, improvement of county unit roads. It exempts vehicles transporting portable containers of sixteen hundred gallons or less, rather than a thousand gallons or less, and it defines a relevant market area for new and used car dealers. Requires the CTA to make budget available three weeks before public hearings and requires board members to attend those hearings. It keeps the CTA from taking a disciplinary action against an employee in cases involving disclosure. It also provides a provision for the Illinois Supreme Court justices to have special designated license plates when they retire. That's the content of Amendment No. 3, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Lechowicz, the bill provides for a Literacy Foundation within the Secretary of State's Office. Hasn't the Lieutenant Governor assumed duties with literacy issues throughout the State?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

It seems to me that there is a conflict here between the Lieutenant Governor and the Secretary of State, and it seems you're asking us to take sides against former Senator Kustra and support George Ryan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz.

SENATOR LECHOWICZ:

Let me just respond to that, Mr. President, if I may. Basically, in this amendment, it amends the Illinois Literacy Act, Chapter 128, paragraph 240, to authorize the Secretary of State to create the Illinois Literacy Foundation in accordance with the State Agency Entity Creation Act which was Public Act 87-687. The proposed language allows the Secretary to establish a not-for-profit corporation to provide a vehicle for the private sector, foundations, individuals, and the Federal Government to contribute funds to support literacy programs. All funds shall be audited in compliance with the Illinois State Auditing Act. This is a companion bill which was passed by this General Assembly as Senate Bill 2163. I see no conflict, and I strongly recommend that this provision stay in Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Well, I'm certain that we do not want to have overlapping duties in State Government. We don't want to have the Lieutenant Governor perform some of the duties that are the duties of the Secretary of State, and I assume then, by the concurrence of the other side on this, that the duties of the Literacy Council and all literacy issues in the future will not be handled by the Lieutenant Governor, but rather will be under the jurisdiction of the Secretary of State henceforth.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Senator Lechowicz.

SENATOR LECHOWICZ:

I'd just like to remind the Senator that the Secretary of State has handled the literacy grant programs in their budget as long as I've been here, and I would strongly recommend that we continue along this vein.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Well, thank you, Mr. President. I also have concerns about this literacy provision. There's a lot of talk these days about what we're going to do with adult education. Literacy falls into that broad category of adult education. There's talk about transference of governance of adult education, but here we have a program in the Secretary of State's Office that's going to grow, and yet there are arguments being made for reorganizing adult education and consolidating adult education. So I'm not sure what we're doing here, but it's certainly something that all the Members should take a careful look at.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LECHOWICZ:

Let me just point out to the Members who brought up the question as far as the Illinois Literacy Foundation: What we're doing here is creating a vehicle to capture private funds - private funds which would then be distributed and audited by this State. There is no mechanism currently that exists for the ability to bring in private additional funds for the Literacy Foundation in Illinois. And this would be a non-for-profit vehicle for this purpose. It should receive overwhelming support. I strongly recommend an Aye vote.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendment 3 to Senate Bill 2088. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. The Senate does concur with House Amendment No. 3 to Senate Bill 2088. And the bill, having received the required constitutional majority, is declared passed. We have done the Non-concurrence earlier this morning. We are now down on Conference Committee Reports. On Supplemental Calendar No. 1 is Senate Bill 741. Senator Rea. Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 741. Second Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. This Conference Committee Report makes some technical corrections as suggested by the Office of Education to Public Act 997 which allows a school district to meet certain requirements for the purpose of repairing or replacing school buildings. It affects one school district. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 741. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on Senate Bill 741. And the bill, having

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

received the required constitutional majority, is declared passed.  
Senate Bill 1554, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1554.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill addresses a couple of problems throughout the State. Number one, as to the Chicago Public School System, it exempts the superintendent from the State Superintendent's certification requirements. It also, as to Chicago, allows the use of playground tax revenue for extracurricular activities. In the Rockford School District, it exempts the next superintendent from the State certification requirements for the term of his contract until 1996. And in the Champaign-Ford Regional Office of Education, gives the State Board of Education the power to waive collection of eighteen thousand dollars or less that was the subject of a inquiry regarding the proper use of those funds. Be glad to respond to any questions, and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, some months ago there was a flurry of activity in private donations about -- to the Chicago public schools for extracurricular activities to take place this year. Does this now expand a new property tax levy for that purpose?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The tax levy stays the same, but the purposes is expanded so that we include extracurricular activities within the scope of what that levy was for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

But there's no limit on it, as long as -- so you're adding to the purposes, so, in effect, you're increasing the levy under that purpose section, similarly when we've added -- under the tort levy, if you add a new purpose, the actual practical levy goes up. You're adding a purpose to this playground levy now, so you can actually collect more taxes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry. Senator Berman.

SENATOR BERMAN:

If I understand your question, unlike the tort levy, which has no cap, this has a cap; there's a limit to the playground tax levy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

What's the limit, and does this in any -- any way increase that limit by adding another purpose to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Let me answer the second part first. This does not increase the levy. It merely expands the purposes for which the existing levy may be used. I don't know what that -- the amount of the



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

levy. It's a relatively small amount, but I don't know what the amount is. It's been suggested it's eight cents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson. All right. Further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator Berman, I just wanted to ask, on applying these monies to the extracurricular programs - I was looking at the language - does this mean that it will be used only in that particular year that it is required, or is it a general -- is it generally now available for - I'm picking up on what Senator Hawkinson was asking you - the extracurricular activities: football and so forth and so on? Is this reviewed each year, or is it just generally now available?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This purpose, along with the other previously allowed purposes of this levy, are determined in the budgeting process of the Board of Education each year. But the inclusion of extracurricular activities is a permanent addition to the allowed use of the levy. I hope that answers the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Senator Berman, on this portion about the superintendent not having the required certification for superintendent of schools up in Rockford, there doesn't seem to be any requirements under that if you exempt that certification. Are there some other sort of -- is there some other requirement now that's going to be mandated?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Let me -- let me try to answer, and if -- and if Senator Holmberg wishes to clarify my -- my explanation, I would defer to her. The person who's got the -- who's waiting for the contract is presently the assistant superintendent. It is -- it is to accommodate the board's wishes to put him into the superintendency that we are putting this in. They've got the guy. He has all the qualifications, except -- he's had all the qualifications for the assistant superintendent. They want to use him in the higher position. This is to accommodate their request. I defer to Senator Holmberg if she wishes to add anything to that explanation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Yeah, this is a one-time situation. Our present -- our previous superintendent has just left. We are right in the middle of a lawsuit on desegregation that has become very, very complex, very lengthy and the community and the board chose the assistant superintendent to be deputy superintendent because he lacked, I think, a course, or something like that, of being full superintendent. It's their wishes that he, I think, remain until this lawsuit is settled. Right now we have someone

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

else with the other kind of certification signing the legal papers, and this would simplify the work of the Rockford School System.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Well, for the legislative intent, you are not suggesting that these superintendents not have this certification in other districts. It's -- it's this particular problem that you have up in Rockford. I just don't want to have -- all of a sudden open the door to every nonqualified person to be able to run for this position. That's -- that's my concern.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

In answer to your question, it applies only -- you know, the wording of the legislation applies only to one specific school district, and that's Rockford.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, on that point, I also want to say that it only applies not only to -- specifically to Rockford, but only to this particular individual, because after 1996, they all will have -- which is just giving him a three-year period to earn his certification, and after that, any other new superintendent that is hired will have to have the State certificate, just as all the other superintendents in the State, with the exception now of Chicago, which is in this bill. We are taking out the superintendent of Chicago and, very frankly, I think that's probably a good idea. In a district that has to handle somewhere, I believe, around two billion dollars, we need

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

somebody that is a business manager, not necessarily having to require all the education requirements. The same thing is true of the -- of the -- the number - one, two, three, four - fourth point in this. It has to do with the business administrators - school business administrators. We're taking away the requirement that they need to be -- have these education requirements, and allowing people that have MBA and are a CPA that have accounting background to be qualified as a school business administrator. A lot of the Downstate school districts requested this, as well as Chicago. This is a bill that has been agreed upon by the State Board of -- State Board of Education, the Chicago education people, and I request an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

Let me just add one postscript to Senator Karpriel's comments. I've been communicated with by the principal officers of the Illinois Association of School Business Officials, who raised some questions regarding the provision dealing with the chief school business official, and I've indicated that we'll be glad to take a look at that. If there's a problem that we've created, we'll address it in the spring Session. Other than that, I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1554. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1554. And the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

bill, having received the required constitutional majority, is declared passed. Now, as I understand it, the Second Supplemental is being passed out to all of the Members. It'll take a few seconds to load the machine; however, we do have some resolutions that perhaps we could proceed with. So, with leave of the Body, we will go to the Order of -- of Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 1654 offered by Senator Hawkinson and all Members.

Senate Resolution 1655 offered by Senator Smith.

Senate Resolution 1656 offered by Senator Smith.

Senate Resolution 1657 offered by Senator Dart.

Senate Resolution 1658 offered by Senator Marovitz.

Senate Resolution 1659 offered by Senator Demuzio, President Rock and all Members.

Senate Resolution 1660 offered by Senator Hudson.

Senate Resolution 1661 offered by Senator Hudson.

Senate Resolution 1662 offered by Senator Ralph Dunn.

Senate Resolution 1663 offered by Senator Ralph Dunn.

They are all congratulatory and death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY HAWKER:

Senate Joint Resolution 193 offered by Senator Ralph Dunn.

It is a death resolution.

And Senate Joint Resolution 194 offered by Senator Demuzio.

It is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Dunn, you cannot speak from the Floor because we're loading the machine. But the last two resolutions numbering -- Madam Secretary. S Joint Resolution 193 and Senate Joint Resolution 194 are both congratulatory. So, with leave --

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

with leave of the -- Senator Dunn would move to suspend the rules for the immediate consideration and adoption of both Senate Joint Resolution 193 and 194. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Dunn now moves the adoption of both Senate Joint Resolution 193 and 194. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The resolutions are adopted. And that's for the purpose of getting those congratulatory resolutions over to the House in an effort and an opportunity to see to it that they are passed today and do not linger on the Calendar. Resolutions.

SECRETARY HAWKER:

Senate Resolution 195 <sic> (1664) offered by Senator Topinka. It is substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. ...(machine cutoff)... We are still on the Order of Resolutions and Senate Resolution 1667 was read into the -- I'm sorry, 1664 was read into the record; it was assigned to the Committee on Exec because it was represented that it was substantive. Senator Topinka indicates that that has been cleared by both sides of the aisle. So Senator Topinka moves to discharge the Committee on Executive from further consideration of Senate Resolution 1664 in order that it may be considered -- considered now. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The Executive Committee is discharged. Now Senator Topinka, on Senate Bill -- Senate Resolution 1664, please.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, the resolution, 1664 -- all this does is extend the reporting date for two years from a resolution that we passed last Session empowering the Illinois Health Facilities Planning Board to be able to develop statistics and data regarding duplication of health care

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

services in the State. With the advent of the Medicaid provider tax, it's added a new variable to the mix. As a result, they need two more years to factor those -- those statistics into the mix. And that is all this does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved the adoption of Senate Resolution 1664. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution 1664 is adopted. Standing at ease, allowing the lame ducks to stretch their wings. All right. With leave of the Body, we'll move to the Second Supplemental Calendar. Second Supplemental Calendar that's been passed out on your desks. Conference Committee Reports is House Bill 3815. Madam Secretary, please.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill -- pardon me, on House Bill 3815.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

One minute, one minute. Okay. Thank you, Mr. President and Members of the Senate. I move that the Senate adopt the Second Conference Committee on House Bill 3815. And what it does is it amend the Interior Design Profession Act to allow those individuals who were inadvertently left out an opportunity to get in - opens a window. It allow the Professional Counselor and Clinical Professional Counselor Licensing Act -- for those persons to be included -- in the Interior Design Profession -- okay. And it amends the Illinois Animal Control Act to provide that administrators, deputy administrators of animal and -- control wardens shall not have police powers, except to issue and serve violations. And it amends the Liquor Control Act to authorize the Liquor Control Commission, with the approval of the Illinois

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Liquor Control Commission, to issue a new license to a new licensee for a permit where an original license had been revoked. And that's all that the Conference Committee does. Wait a minute. Oh yeah. Okay. It also has some technical changes made by the Department of Public Health as it relate to the Illinois Clinical Laboratory Act, and it has some clarifying language in here under the Illinois Naprapathic Act as it relate to a word that was inadvertently left out "and/or". So it makes, basically, technical changes in most of these Acts, and I ask for a favorable vote on the Conference Committee.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. For those of you who may look at the Conference Committee Report, you'll note that there are no Republican signatures. I understand that this Report was circulated late last night, and that's the reason that there are no Republican signatures. Staff informs me, however, that the changes in this bill are as the sponsor has indicated, and that we should be in support of his motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question? Senator, I got a note the other day from the naprapaths, and are they okay



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

now on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, the Medical Society is okay on this. It's an agreed language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on House Bill 3815. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54 <sic> (55), the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on House Bill 3815. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1030 <sic> (130). Senator Woodyard. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 130.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Madam Secretary, do I need to withdraw that? This is a corrected conference committee report. All right. Thank you very much. As you can see from the bill number, the First Corrected Conference Committee Report on Senate Bill 130 has been around a long time. It's almost as old as I am. I will tell you that it certainly has nothing whatsoever to do with day care homes, but it does do two things for Department of Conservation, both of which, as far as I can determine, are noncontroversial, and I don't know of any

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

opposition to -- to these two provisions. It would allow the transfer from the Department of Conservation to Dixon Park District a tract of land of five hundred and seventy-six acres. The second component - it changes the effective date on the bow hunting season and the -- and the wild turkey season from what we changed last spring in the Habitat Stamp Act. And that's the two provisions. That's all that it does, and I would seek your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Corrected Conference Committee Report on Senate Bill 130. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are -- I'm sorry -- on that question, the Ayes are 57, the Nays are none, 1 <sic> (none) voting Present. The Senate does adopt the First Corrected Conference Committee Report on Senate Bill 1030 <sic> (130). And the bill, having received the required constitutional majority, is declared passed. Senator Macdonald, I understand your Conference Committee Report has just now been circulated. It is the most recent thing on the -- on the Members' desks. Does everyone have a copy of Senate Bill 1635? If so, Madam Secretary, Senate Bill 1635.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1635.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I'm going to relinquish my time to speak to Senator Fawell. This is actually Senator Philip's bill now, and I would prefer -- this is a matter, I guess, that

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

pertains to DuPage County mostly, so I would like for her to explain. They have used my bill, which is certainly fine with me, but I would like for her to explain in full what the bill does. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President. All this bill does, it -- it's sort of a clean-up bill. It allows the petition seeking a vote to abandon a county board of election commissioners to be signed by at least ten percent of the registered voters in the county. The problem right now is, there is a question because it refers to another Section of the Statutes, and the Statutes are unclear of what the percentage of petition is that are needed for this particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor. Can you tell...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator Fawell, what counties, other than DuPage, does this apply to? Do you have a list?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

None.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1635. Those in favor will vote Aye. Those opposed, Nay. The voting is

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1635. And the bill, having received the required constitutional majority, is declared passed. Motions in Writing. House Bill 3986. Senator Dart, do you wish to proceed? Madam Secretary, please.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to House Bill 3986 so that the bill may be considered by the Senate. Filed by Senator Dart.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dart.

SENATOR DART:

Thank you, Mr. President and Members of the Senate. I move that we suspend the appropriate Senate rules in relation to House Bill 3986 so the bill can be considered by the Senate. The bill deals with some criminal clean-up measures.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? All right. Senator Dart has moved to suspend the appropriate Senate rules in relation to House Bill 3986 so that the bill may be considered by the Senate. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion carries. While we're on that order of business, Senator Cullerton has a Motion in Writing back on your regular Calendar. With leave of the Body, we'll go to the regular Calendar, page 24. The regular Calendar, page 24, Motions in Writing, is Senate Bill 1699. 699. Senator Cullerton, is that the correct number, 699? He'll tell you in a second. Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Yes...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon. Madam Secretary, please.

SECRETARY HAWKER:

I move to waive Senate Rule 5C with regard to Senate Bill 699 and that the bill may be ruled exempt so that it may be considered by -- considered this Session.

Filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. I would, as indicated, move to waive the appropriate rule so we can consider this bill. This bill deals with the Electrical Licensing Act. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill that my worthwhile colleague on the other side is endeavoring to pass has had about nine or ten or eleven lives, and I certainly speak against the motion. I think this bill should be dead, dead, dead, and it's about time we gave it its justifiable demise. I speak against the motion. Roll...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, Members of the Senate, I think Senator Geo-Karis is soft on this issue. You know, shortly I will leave this Body, and one of the greatest regrets I'm going to have is having participated - even though I didn't vote for them - on this unneeded expansion of licensure - this very self-serving expansion

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

of licensure - that this Legislature has indulged in in the last decade. It's incredible to me that while Eastern Europe and the Soviet Union has legislative bodies meeting - as we speak - to cut back these layers of unnecessary regulation and overburdensome government, that we're moving in the other direction. When this bill was passed and the Governor correctly and courageously vetoed it, I had a meeting up in the Belvidere area with a bunch of electricians - little guys that worked out of their garages and their homes and pickup trucks and panel trucks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, we are debating the motion, not the bill.

SENATOR SCHAFFER:

Well, it's such a foul motion, it should die a quick death, and I want everyone to understand that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR SCHAFFER:

And they came to me. And the thing I'm trying to get through to you, Senator Cullerton: they were all Democrats, and they said, "Whatever happened to the little guy?" And I said, "Your party's stamping them out." Vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Senator Cullerton, do you wish to close? I -- I suspect there's a roll call request. Senator Cullerton has moved to waive Senate Rule 5C with regard to Senate Bill 699, that the bill be exempted and can be considered this Session. Those in favor of that motion will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, none voting Present. And the motion prevails. Senator Schaffer, for what purpose do you rise?

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

SENATOR SCHAFFER:

Let's see who's on this roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, your debate was all about Europe. Are you talking about the people here...all right. Let's -- all right. Senator Schaffer has requested a verification of those Members who voted in the affirmative. Madam Secretary, please read the names of the Members who voted in the affirmative with respect to this motion, please.

SECRETARY HAWKER:

The following Members voted in the affirmative: Berman, Brookins, Carroll, Collins, Cullerton, Dart, DeAngelis, del Valle, Demuzio, Di Turi, Thomas Dunn, Holmberg, Jacobs, Jones, Joyce, Kelly, Lechowicz, Leverenz, Luft, Mahar, Marovitz, Munizzi, Rauschenberger, Rea, Savickas, Severns, Smith, Topinka, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schaffer, do you question the presence of any Member who voted in the affirmative on this motion? Senator Schaffer.

SENATOR SCHAFFER:

Well, try Marovitz. That usually works.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Marovitz on the Floor? I can't tell if he's sitting in his seat or not.

SENATOR SCHAFFER:

One more time, Billy. One more time, Billy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Marovitz on the Floor? Senator Marovitz on the Floor? In the State of Illinois? In the -- strike his name. Senator Schaffer. All right. On the verified motion, the Ayes are 29, the Nays are 26, none voting Present. The motion fails.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

SENATOR SCHAFFER:

Thank you, Billy, wherever you are.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we will now -- leave of the Body, we have -- Senator Berman has requested that we go to the -- while we're on the regular Calendar, page 18, on Concurrence. Regular Calendar, page 18, on Concurrence. All right. With leave of the Body, we'll go to the Order of Secretary's Desk, Concurrence, for Senate Bill 1092. It's in the middle of the page there, on page 18. Madam Secretary, please.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1092.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator -- Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we concur in -- in the House Amendment No. 1. What this bill does -- there's a discrepancy that existed between the provisions of the Probate Act and the Wrongful Death Act as to the amount of money that could be distributed without going through the probate division process of establishing a filing of inventories and current accounts. There was a discrepancy between one thousand dollars and five thousand dollars between the two Acts. This brings both Acts into conformity at the five-thousand-dollar level. It's a request from the Probate Division of the Circuit Court of Cook County. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, I have discussed this matter with Senator Berman. As he said, it is a recommendation of the judges that have to deal with these types of cases, and I recommend



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

passage of Senate Bill 1092.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there further discussion? If not, Senator Berman has moved that the Senate concur with House Amendment No. 1 to Senate Bill 1092. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? This is one time that I'm not going to do anything without your permission. So, have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1092. And the bill, having received the required constitutional majority, is declared passed. While we are on that order of business, Secretary's Desk, Concurrence, right below Senator Welch has indicated he wishes to proceed with Senate Bill 1986, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1, 2, 3, 5, 6, 7, 9 and 11 to Senate Bill 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This Conference Committee Report contains a number of amendments which I believe to be noncontroversial, and let me try to explain them. The bill is summarized in the -- in the Digest on everyone's desk, if they want to follow along. One amendment amends the Child Labor Law. It's a bill proposed by the Citizens Assembly. It's identical to another bill that passed last year. Requires employers of minors under sixteen years to post the Department of Labor's toll-free telephone number to report violations of child labor laws. Limits the validity of work certificates to one year. It contains other

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

changes in the Child Labor Enforcement Law that the Citizens Assembly proposed. A second amendment amends the Motor Vehicle Retail Installment Sales Act requiring the obligation of a guarantor of a motor vehicle contract to take effect upon the insolvency of the primary obligor. A service of summons would not be obtained on the primary obligor if it's apparent that it is useless, or to proceed against the initial obligor on the debt. Another amendment amends the Condominium Property Act and the Code of Civil Procedure, permitting condominium owners to challenge the board of managers and be reimbursed for legal expenses if successful, clarifying procedure for proxy and cumulative voting. It also provides for secret ballots for condominium votes. Currently, if a person votes, it can be discovered how they voted, which creates a situation within the condominium which is very difficult for the remaining residents. Another amendment amends the Code of Civil Procedure, providing for restoration rights of residential housing cooperatives. Another amendment amends the Illinois Wage Payment and Collection Act, empowering the Department of Labor to conduct hearings in accordance with the Administrative Procedures Act and to issue orders requiring employers to pay wages to employees under the provisions of that Act. And a final amendment amends the Condominium Property Act, requiring the ballots to be maintained for one year. It's my understanding that the amendments -- most of the amendments are basically administration amendments and that they were noncontroversial. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We've all heard reference made around here to Christmas trees when it comes to bills, and this is what we have in this

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

particular measure. We've got a whole series of things here that affect child labor laws; they affect a lot of things. They have not been debated, discussed. They come over from the House. It's a pile of junk, frankly, and it's over here waiting for us to put our stamp of approval on it. And I would suggest to all -- to all of my colleagues here in the Senate that instead of doing that, we vote this thing down. I think it really should be voted down until we've had a chance to debate and discuss and to think about these measures. It is truly a Christmas tree, and I think we'd be ill-advised to pass it at this time. There will be plenty of time in the future, down the pike, with all due respects to my colleague on the other side of the aisle. Please vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, Digest seems to indicate that Amendment No. 9 was adopted in the House and is one of them that we're asked to concur in. The Digest indicates that limits of coverage for injury to family members will not apply in a homeowner's policy when a third party acquires a right of contribution against a member of the -- the household. Could you just fill that out for me a little bit -- explain that? I understand what contribution is, but give me an example of -- of what we're talking about here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, frankly, that was Senator Cullerton's initiative, but

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

let me try to sort it out. Homeowner's policy limiting the bodily injury coverage for family members does not apply when there's a subrogation to a -- a third party, that the third party could obtain contribution, I believe, from individuals within that same household, is my understanding of what it was intended to be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sorry. Senator Hawkinson.

SENATOR HAWKINSON:

And then the limits that would apply would be the general policy limits under the policy, rather than the usual restrictive limits or, perhaps, even exemptions under the -- or exclusions under the homeowner's policy. In other words, your homeowner's policy might not cover an injury to a family member normally. And are we saying that that exclusion would be invalid, or only that if there is coverage with some lower limits, that those lower limits would not apply where there's a right of contribution? Would this affect exclusions under a homeowner's policy, or only where there's coverage and some rather low limits?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Basically, it affects the limits as opposed to the coverage. It, I believe, invalidates the limits when the situation occurs or the third party acquires the right for the contribution, rather than excluding coverage at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

So as I understand it then, if a homeowner's policy does not provide coverage, or has an exclusion in there that it does not apply to bodily injury to a family member, then that would be unaffected by this amendment.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That is my understanding, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this -- this provision that Senator Hawkinson has just talked about comes from a strange direction. Can you name any homeowner's insurance policies that are issued in the State of Illinois that don't have this exclusion that you're referring to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, I'm trying to think of some policies, but off the top of my head, I can't think of any, Senator Schuneman. In fact, as I said, this -- this wasn't my provision; it was Senator Cullerton's. Hopefully we can get him to the Floor to answer these questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I've not read every homeowner's insurance policy in this State, but I've sure read a whole lot of them, and it's in every policy I've ever seen. And apparently what the sponsors are seeking to do here is broaden the homeowner's coverage that is intended to be a limited liability for the protection of people who live within a household. Now what this seems to be doing is

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

allowing some way in which attorneys can bring actions on behalf of one member of a household against another member of that household. Now, I guess we ought to ask, first of all, if we ought to be doing this, and secondly, if we do it, how much are we raising the premium costs for every homeowner's in the State. You know, we -- I don't think we ought to do this at this late date without adequate hearings, so that we all know what we're doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further -- further discussion? If not, Senator Welch may -- may close.

SENATOR WELCH:

Well, thank you, Mr. President. It's easy to attack a conference committee report by saying, "Well, you know, we haven't debated this," but it's been sitting on our desks since June of 1992, and that's six months. I don't know how much longer a report can sit on a desk. In fact, this bill has been around longer than any other bill we voted on today. And the provisions that -- that are being questioned, certainly amending the Child Labor Law - this was a provision that was worked out by the Citizens Council, which is composed of legislators and individuals interested in these issues who have debated this and come to the conclusion that -- that requiring employers to give minors rights that are available to adults is the way to go. I don't see how we can oppose doing that. As far as the Motor Vehicle Retail Installment Act amendment, what this does is merely say that if you can't find the person who signed the loan - signed the loan papers - and there's somebody who is a guarantor with him, you can go ahead and serve the guarantor and not waste the court's time or the money to be paid by going after the original obligor on the loan. The other amendments affecting Condominium Property Acts basically are provisions affecting procedure, as opposed to substantive issues, and it seems to me that they are just

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

technical in nature and are merely changes that will enhance the Condominium Property Act. And the -- and the provision that Senator Schuneman raised, I'm informed that the insurance industry has no problem with. They have signed off on that provision, as have the Trial Lawyers. The provision is already available in vehicle insurance policies, and we're extending it to homeowners' insurance policies. So it seems to me that there's a lot of red herrings being raised here. This merely extends the same concept to homeowners' policies that currently exist in vehicle policies. So I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate -- Senator Schuneman, for what purpose do you rise?

SENATOR SCHUNEMAN:

Well, for purpose of a question, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the Gentleman had -- had closed, Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm sorry, if I may -- as an elderly departing Member, if I may be granted a special privilege. You know, I'd be interested in knowing who in the -- who speaks for the insurance industry. You know, the insurance industry is a broad, broad group of people, and I notice there are a whole passel of attorneys over there gathered, trying to seek -- trying to solve the problems of the insurance industry, and somehow that always makes me kind of nervous. I don't know why that is. Probably undeserved. But I suspect that there's a whole lot of litigation going to be filed as a result of this little change that -- that we're going to make here in the General Assembly. And so, perhaps the insurance industry, or some part of it, has agreed to some of -- one of these Gentlemen that this is okay. Nobody's spoken to me about it, and I'd be curious to know just what the exact effect

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur with House Amendments 1, 2, 3, 5, 6, 7 and 9 to Senate Bill 1986. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? How about this one: Have all voted who wish? Have all voted who wish? Last call. Take the record. On that question, the Ayes are 28, the Nays are 29, none voting Present. The motion fails, and the Secretary shall so inform the House. With that, let's take -- stand at ease a moment until we get some additional Calendars down here. I'm sorry. Senator Welch.

SENATOR WELCH:

I was just curious as to what age you've reached to be the -- have the elderly status where you can make a statement after a closing statement. I know Senator Schuneman has now achieved that. I was wondering when I will achieve that status.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You asking me? Stand at ease for just -- just momentarily. The Third Supplemental is now being passed out. So as soon as the -- all that's on the Members' -- soon as that arrives on the Members' desks, then we will proceed with the Third Supplemental. It'll be Luft, Luft, Luft. Messages from the House.

SECRETARY HAWKER:

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

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

Senate Bill 1740 with House Amendments 1 and 2.

I have a like Message on Senate Bill 318 with House Amendments



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

1 and 2.

Both passed the House, as amended, December 3, 1992.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk, Concurrence. Message from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 1048.

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

Action taken by the House, December 3, 1992.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. Senator Di Turi moves that we accede to the request of the House and request for a conference. And the motion carries. Everyone have Supplemental Calendar No. 3 now on your -- on your desk? All right. We need to -- with leave of the Body now, we'll move to the Order of Supplemental Calendar No. 3. We'll move to Motions in Writing with respect to Senate Bill 318. Madam Secretary, please.

SECRETARY HAWKER:

I move to waive Senate Rule 5C with regard to Senate Bill 318, and that the bill be ruled exempt so that it may be considered this Session.

Filed by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Thank you, Mr. President. I do ask to waive the appropriate rules so we can consider immediately Senate Bill 318.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Luft has moved to waive Senate Rule 5C with regard to Senate Bill 318, and the bill be ruled exempt so that it may be considered this Session. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. All right. Secretary's Desk, Concurrence, is Senate Bill 318, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 318.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft yields to Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 318 is House Bill 1918 that we voted out of here yesterday. We indicated at that time there were some problems with the language -- with the system language on the telephone. That has been removed. This becomes House Bill -- becomes House Bill 1918 without that language, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Madigan.

SENATOR MADIGAN:

Senator, is the title insurance language on Senate Bill 318 that has been talked about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

What House Bill 1918 dealt with was the Martinsville and the Dow Chemical and some 9-1-1 cleanup, and doing away with the Simon Commission. It has nothing to do with that, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Does this have the -- there was discussions regarding fees with the Department of Insurance. What is the status of that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

That's all been deleted, Senator. This is strictly House Bill 1918, as I understand it, unless I'm misunderstanding the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Madigan. Further discussion? All right. With -- if -- if not, Senator -- Senator Jacobs moves that the Senate concur with House Amendments 1 and 2 to Senate Bill 318. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 318. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1740. Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 1740.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate do

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

concur in House Amendments No. 1 and No. 2. What happened -- last year we passed legislation, in the last spring Session, which we authorized - or appropriated - a transfer out of the General Fund into the Tourism and Promotion Fund. What we did not do is provide the technical language for that to take place, and that's effectively what we're doing in this bill -- I mean, in these amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Donahue.

SENATOR DONAHUE:

According to my analysis, Senator, does this also -- this carries the tourism DCCA money as well? The ten million. I didn't hear your explanation, if you've already addressed that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

There are -- there are money figures in here, but I think the money -- I think the figures that are in here reflect what was appropriated in the appropriation bill. This is the technical language which has to -- to give the State the ability to transfer from the General Fund into the regular Tourism Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would just say that, you know, things are moving kind of fast, guys, but this is one we've been following and tracking, and it's -- it's okay, and let's let 'er roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1740. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1740. And the bill, having received the required constitutional majority, is declared passed. All right. The Senate will stand at ease for a moment.

PRESIDENT ROCK:

Ladies and Gentlemen, if I can have your attention for just a moment. We had thought we would be in a position to leave a little earlier than we apparently are going to, but for the information and benefit of the Membership, we have, I think, struck an agreement with respect to the Governor's proposed supplemental appropriation, and that will be an amendment to a Senate bill that's currently sitting on the Senate Calendar, which we will then send over to the House. The staff and the Governor's Office are putting that together at this moment. Then there is a bill with respect to the Insurance Code sunset extension and one or two other matters that the Governor is interested in, and that'll be on Senate Bill 698. And finally, the Governor, the Department of Revenue and the Municipal League have reached an agreement on the TIF provision, and that will be contained in Senate Bill 654. So we literally have, I think, only those three matters yet remaining. There will be no vote today on a pension matter. Senator Philip and I have suggested that those interested in pension legislation will convene on the eleventh day of January, with the hope that if, indeed, an agreement can be reached on a whole host of subjects, that that can be dealt with on the 12th when we come back. So we will have, I think, those three bills, at a minimum, plus the adjournment resolution which will call for us to return on the 12th at noon. So I would suggest we're probably thirty to forty-five minutes away from actually getting the pieces of paper in front of us. So I would ask

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

everybody to -- we'll stand at ease, and I'd ask everybody to reconvene at about 2:15 so that we can hopefully pass out the paper and get everybody on the road.

(AT EASE)

(SENATE RECONVENES)

PRESIDENT ROCK:

All right. The Senate will please come to order. We are, as I indicated some time ago, literally down to the -- to the end of the list here, and there are three things that are of importance to the Chief Executive. One is 654, which is the agreement between the Department and the municipalities with respect to TIF; 698, which is the extension of the Insurance Code and a couple of other matters of interest to the Governor; and then Senate Bill, I believe, 632, which will be the amendment for the appropriation -- the supplemental appropriation. So in the meantime, we will -- as these have been filed, we have been assimilating a Supplemental Calendar. So if I can direct your attention to Supplemental Calendar No. 4, and ask the Members to please take a look. That's Senators Dart, Severns, Demuzio, Hall, Welch, Savickas. 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 Amendments 1 and 6 to a bill of the following title, to wit:

Senate Bill 1160.

I am further directed to inform the Senate that the House of

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Representatives requests a First Committee of Conference to consider the differences between the two Houses in regards to amendments to the bill.

Action taken by the House, December 3, 1992.

PRESIDENT ROCK:

Senator Demuzio will accede to the request of the House. There is a Motion in Writing. Senator Demuzio, there is a Motion in Writing with respect to Senate Bill 1160, on page 2 of the Supplemental. Perhaps we can deal with that. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to waive Senate Rule 5C with regard to Senate Bill 1160, and that the bill be ruled exempt so that it may be considered this Session.

Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I understood Senate Bill 1160, one of the provisions was to allow the judges of the Court of Claims to perform marriages, and the second one was to change the formula in the 13th Judicial Circuit, the population provisions, in order that an associate circuit judge that currently, as I understand it, is sitting, would in fact be able to maintain the number of circuit judges that they currently have. And that's it.

PRESIDENT ROCK:

All right. Yeah, the motion is just to suspend the rules so that we may consider this. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Ladies and Gentlemen, while we're awaiting the appearance of a number of our other Members, there's

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

been a request to go to the Secretary's Desk, Resolutions, on the regular Calendar. On the Order of Secretary's Desk, Resolutions, Senate Joint Resolution 192, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 192.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Senate Joint Resolution 192 establishes a Blue Ribbon Auditor General Committee on the State Procurement Code, and requires the submission of recommendations to the General Assembly by April 30th, 1993. This resolution is being offered in response to hearings conducted by our State Government Committee last August, both in Chicago and Springfield, and will require that the Commission be composed of the Auditor General, who will serve as the Chair, and four appointees of each of the Legislative Leaders. I know of no opposition, and would urge its adoption. And I would like to request that the Amendment No. 1 to Senate Joint Resolution be first adopted.

PRESIDENT ROCK:

All right. The Lady has moved the adoption of Senate Joint Resolution 192. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Does the Governor have any appointments to this Commission?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

No.

PRESIDENT ROCK:

All right. Senator Schaffer, I -- I was distracted there, calling Senator Philip. There is an amendment, I'm told. Is that



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

correct? All right. You want to -- wish to explain the amendment and move its adoption? Senator Severns.

SENATOR SEVERNS:

Amendment No. 1 simply makes the Committee a function of the Auditor General's Office and names the Auditor General the Chair of the Committee. And I would move its adoption.

PRESIDENT ROCK:

All right. Senator Severns has moved the adoption of Amendment No. 1 to Senate Joint Resolution 192. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Now, on Senate Joint Resolution 192, Senator Schaffer.

SENATOR SCHAFFER:

I guess my -- my concern is that obviously we want to work, you know, in tandem with the Second Floor, and it would seem appropriate that there be some input there. And, you know, I think to do it otherwise is to doom this mission, at least potentially, to failure, and we do enough wheel-spinning around here without, you know, committing obvious errors.

PRESIDENT ROCK:

All right. Any further discussion? Senator Severns, you wish to close?

SENATOR SEVERNS:

Just a quick response to Senator Schaffer: I think the appointments allow the flexibility to provide that, and we certainly want to work in cooperation with the Governor's Office as well. I know of no opposition, and would urge adoption of Senate Joint Resolution 192.

PRESIDENT ROCK:

All right. The Lady has moved the adoption of Senate Joint Resolution 192. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. Senate Joint Resolution 192, having received the required constitutional majority, is declared adopted. All right. Ladies and Gentlemen, it appears that the Members involved have gathered their paperwork and are with us. We'll move now to Supplemental Senate Calendar No. 4. There's a Conference Committee Report on House Bill 3986. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3986.

PRESIDENT ROCK:

Senator Dart.

SENATOR DART:

Thank you, Mr. President, Members of the Assembly here. I -- the First Conference Committee Report for House Bill 3986 represents a conference committee with three aspects to it, all dealing with technical changes in the Criminal Code. One merely clarifies that a special investigator employed by the State's Attorney's Office has powers that some have interpreted were ambiguous; this straightens it out. The second provision deals with a mistake in the law we passed back in July, dealing with the discharging of a firearm in an aggravated battery. And the third provision was suggested by the Department of Corrections to allow them to isolate prisoners who they deem is necessary, who may have communicable diseases. It passed the House unanimously, and I'd ask for the approval here.

PRESIDENT ROCK:

All right. Senator Dart has moved the adoption of the Conference Committee Report on House Bill 3986. Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 3986. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 3986. And the bill, having received the required constitutional majority, is declared adopted. 4078. Senator Severns. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report -- pardon me, Second Corrected Conference Committee Report on House Bill 4078.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. The Second Corrected Conference Committee Report on House Bill 4078 requires that State agencies establish, maintain and carry out a continuing sexual harassment program. It requires vendors with the State to have written sexual harassment policies, and grants the Attorney General's Office permissive authority to award sexual harassment victims funds from the Crime Victims' Assistance Fund. This bill contains two of the items that were in the preliminary report of the advisory group on sexual harassment appointed by Senator Rock that was impaneled in November of 1991, and I believe that this bill will further advance responsible solutions to this complex issue. I know of no opposition, and would urge your favorable consideration.

PRESIDENT ROCK:

All right. The Lady has moved the adoption of the Conference Committee Report on House Bill 4078. Discussion? Senator Topinka.

SENATOR TOPINKA:

A question of the sponsor, if I may.

PRESIDENT ROCK:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Sponsor indicates she will yield.

SENATOR TOPINKA:

This would apply to parties to a public contract. Could you define who all these potential public -- parties to a public contract would or could be? Are we talking about small business? Are we talking about individuals? Who are these -- who could -- who could conceivably be these people?

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Any vendor with the State covered currently under the Human Rights Code.

PRESIDENT ROCK:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I rise to support this legislation; however, I think it ought to go further. I think it should go not only for State agencies and for contractors, but it ought to be for all public and private enterprises. And I also think that when we -- and I would hope that my colleagues in future Sessions will consider this issue: they might consider dividing it into different categories. Not all harassments are of a sexual nature, and I think to prevent abuses from occurring, you ought to think about making some divisions, so it doesn't apply specifically to one area.

PRESIDENT ROCK:

Further discussion? Senator Severns, you wish to close?

SENATOR SEVERNS:

I would just urge a favorable vote.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 4078. Those in favor will vote Aye.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 4078. And the bill, having received the required constitutional majority, is declared passed. Senator Luft, we'll have to wait a moment. The Report is being circulated. It's a pretty thick one. 698, we're going to hold for a moment, depending on House action. 1160, Senator Demuzio? Madam Secretary, on the Order of Conference Committee Reports, there's a report with respect to Senate Bill 1160.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1160.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. A while ago I was explaining the bill. I did not know there was a motion on the second page of the Supplemental Calendar. This bill started out -- was amended earlier, I guess, to allow a judge -- or the judges of the Court of Claims to perform marriages, and a provision was added to change the population requirements very narrowly in order to accommodate the 13th Judicial District, as I understand it, in order to keep an associate circuit judge that is currently employed as an associate circuit judge, but because of the population requirements, unless we change them, that they would be eliminated from having that person. It's my understanding we have done this once before in both the 7th and the 13th Congressional -- or Judicial Districts, as -- as I understand it, and that is what the bill does.

PRESIDENT ROCK:

All right. The Gentleman's moved the adoption of the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Conference Committee Report on Senate Bill 1160. There any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1160. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House -- Senate Bill 1160. And the bill, having received the required constitutional majority, is declared passed. 1889. Senator Hall. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1889.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the First Conference Committee on Senate Bill 1889. It restores a ten-day noncooperation grace period for AFDC families who are otherwise eligible for aid, abolished during the spring Legislative Session. And that was Senate Bill 1783. Second, the ten-day grace period was enacted in 1990 as PA86-1219-Rock to address the hardships that children in AFD <sic> families endured when their family unit was cancelled from the program for technical noncompliance, which often resulted from bureaucratic glitches rather than apathy on the part of the adults -- head of the family unit. Example of technical noncompliance includes a missed appointment, failure to receive or make notice, or failure to submit proper paperwork such as birth certificates. Number four, DPA asserts that the restoration of the ten-day grace period would have a 4.5 million (2.25 million net fifty percent federal reimbursement) fiscal impact in this FY'93 assuming a

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

January 1, 1993 implementation and reinstatement of ninety percent of the cancelled cases within the ten-day period. The full-year cost is approximate at 8.9 million of the net and 5.45 <sic> fifty percent federal reimbursement. I ask for -- for the adoption of this amendment.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of the Conference Committee Report on Senate Bill 1889. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the -- of the Senate. A question of the sponsor, if I might, sir.

PRESIDENT ROCK:

Indicates he will yield, Senator Maitland.

SENATOR MAITLAND:

Senator Hall, we've been making a real sincere effort here in this Veto Session to -- to withstrain <sic> any movement for additional general revenue. And I am aware of the fact that the Leaders did meet today and discussed this, and there was some agreement. I'm wondering if this is a part of the agreement. Do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall yields to Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Maitland, this was not directly discussed with the Governor, only because of my oversight. We were frankly concerned about a number of other items. But I can tell you two weeks ago I did speak with him about it, and he promised me that he would take a long, hard look. What happened was that, if you will recall, when we were putting together - or when the administration was putting together - 1783, which was the revenue enhancement bill,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

if you will, to make all kinds of cuts and moves and so forth, this was put in. And I believe it was put in by mistake, because we had had a firm agreement in 1990 - when we passed this bill 58 to nothing out of the Senate - we had a firm agreement between ourselves, the Department of Public Aid, and the proponent of this was the Legal Assistance Foundation of Chicago, and they narrowed it to only those technical violations. You will recall, I am sure, the testimony in the Committee where people were literally being cancelled because of failure to show up at a meeting, when indeed many of the mailboxes were pilfered or they didn't understand the ramifications of the kind of notice. And so what this allows is a ten-day grace period where somebody could literally follow up before they're completely cut off from the receipt of a check. It was felt to be a hardship. And I don't know that there's any dramatic fiscal impact; it is certainly a cash flow fiscal impact. But the fact is, these folks, as Senator Hall pointed out, in better than ninety percent of the cases, are entitled to this money. And so if they don't get it next week, at some point down the road when the appeal happens they're going to get reinstated. All this says is that there's a window of opportunity there so that these folks don't suffer an unnecessary hardship. I personally think what happened was, when they were putting together this laundry list of ways to save money, this got included, and I think included by mistake, and that's what I pointed out to the Governor. I do not have his assurance that he will indeed entertain or sign this, but I am very optimistic, and I intend to talk to him directly about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Rock, I respect your explanation. I know I was privileged to the list of possible add-ons by the Senate Democrats



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

and others last evening, and indeed, that wasn't a part, as I recall, of that list. So this -- frankly, you may recall, I spoke to you about this bill a week ago with the possibility of putting something on there, and I had heard then that you weren't going to move this bill. And frankly, it comes to me as a surprise now. It does amount to a -- probably a two-and-a-half- to three-million-dollar cash flow problem for the State for the remainder of the year. I would ask the question: does this have an immediate effective date?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

It does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I would request a ruling of the Chair. Would this take thirty-six votes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our Parliamentarian indicates to me that that is indeed the case.

SENATOR MAITLAND:

Well, thank you, Mr. President. I just would urge a No vote, simply because we simply don't have the money to deal with the issue at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall may close.

SENATOR HALL:

I'd ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1889. Those in favor will vote

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 22, 4 voting Present. The -- the -- having failed to receive the required three-fifths vote, is declared lost. Senate Bill 1889. Senate Bill -- Senator Rock.  
SENATOR ROCK:

Thank you, Mr. President. I would request a Second Committee of Conference. I think there has been indeed some misunderstanding on this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has requested a -- a second conference committee. The Secretary shall so inform the House. All right. Senate Bill 1931. Senator -- Senator Welch. Madam Secretary, Senate Bill 1931, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1931.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. On this Conference Committee Report, what we are doing is we are going to recede from House Amendment No. 2 and No. 6 and concur in House Amendment No. 3 and No. 4 and do one other thing that Senator Aldo DeAngelis will explain. We are concurring in House Amendment No. 3 that will resolve three Auditor General financial and compliance audits of the Environmental Protection Agency. The second thing we are going to do by House Amendment No. 4 is to exempt household hazardous waste centers established by the Environmental Protection Agency from local siting approval only if the county board or the municipality which is in charge of the siting procedure agrees to establish such a center. There is one center that is trying to be

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

established in the suburbs and has been unable to do so because of siting requirements. What we are receding from are the two controversial parts of the initial bill - 1931. House Amendment No. 2 required composting sites to be at least a quarter mile from the nearest residence, with no more than ten occupied nonfarm residents within a half mile of the boundaries. House Amendment No. 6 allowed the EPA to accept and administer funds for hazardous waste management and hazardous substances response, as well as from other State agencies. Those we are receding from. The additional language added to it concerns the company called XL, Incorporated's recycling and sorting facility, exempting them for being in existence prior to a certain date, and Senator DeAngelis will speak to that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you. I'll take any questions on that. Basically what it is, it's a site in a community that was sited by the village somewhat in error. The facility's been there for quite a long time. The language is very restrictive. The Attorney General's Office and the IEPA both had a meeting and are not opposed to this particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

I'd like to ask the Gentleman, if I could, Mr. President - does this affect the City of Chicago and its site collection facilities at all? Senator Welch, does this affect the City of Chicago and its site collection facilities at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

It would affect them only if they want to put in a household hazardous waste collection center, but the City is also the siting authority for any -- any regional pollution control facility. So to the extent that the City Council can vote to allow a household hazardous waste facility, to that extent, yes, but it would be by a vote of elected officials.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR WELCH:

Yeah, I think that the restrictions on the addition for the XL, Incorporated, site are very limited. It applies only to one site. It has received the approval - or at least the neutrality - of the Attorney General's Office and the State EPA. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1931. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 5, 1 voting Present. Senate does concur -- the Senate does adopt the First Conference Committee Report on Senate Bill 1931. And the bill, having received the required constitutional majority, is declared lost <sic>. All right. Leave of the Body, we'll return up to Senate Bill 698 on the Supplemental Calendar. Madam Secretary, Senate Bill 698.

SECRETARY HAWKER:

First Corrected Conference Committee Report on Senate Bill 698.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

SENATOR JONES:

Thank you, Mr. President, Members of the Senate. The First Conference Committee on Senate Bill 698 contains the following: It allows for a reciprocal company to be converted to a stock company. It requires the Department of Insurance to collect and publish statistical analysis data based on sex and minority calculations on insurance producers' examinations. It extends the sunset of the Insurance Code for one year. The Code will sunset on December 31st of this year, so we're giving them a one-year extension. And it increases the salary for the Auditor General and Deputy Auditor General, as well as the Director of Children and Family Services, Department of Corrections, and the Emergency Management Agency. And it provides for a stipend for the sheriff of Cook County. That is all contained within the Conference Committee Report, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I did notice, and, Senator, you made mention of it, that there are some increases in salaries here. What do those salary increases amount to? Could you give us each one individually as to what the amount of increase would be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The Director of the Department of Children and Family -- Family Services from seventy-one thousand to seventy-six thousand. The Director of the Department of Corrections from seventy-one to eighty-five thousand. The Director of Emergency Management Agency from forty-three eight to forty-eight eight, and provides for a five-thousand-dollar stipend for the -- the sheriff of Cook

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

County. As it relate to DCFS, it's brought to my attention that it's been very difficult to find a person to fill that position at that salary with the qualifications that we are looking for. The Director of the Department of Correction -- the average salary of correction officials across this State is eighty-five thousand dollars, and at least seventeen or eighteen of the persons who currently work for the Department of Corrections earn much more money than the Director. We don't want Director Peters to leave, so they want the increase there. These are requests coming from the Office of the Governor. And also, the Director of Emergency Management, as I indicated, is a five-thousand-dollar increase.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I rise in support of Senate Bill -- Conference Committee Report on Senate Bill 698, and would point out to the Body that the Insurance Code for the State of Illinois expires the end of this month, and if we don't pass this bill this evening, we're not going to have an Insurance Code in the State of Illinois. So I would certainly urge the Members to support Senate Bill 698.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones may close.

SENATOR JONES:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Corrected Conference Committee Report on Senate Bill 698. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 10, 2 voting Present. The Senate does adopt the First

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Corrected Conference Committee Report on Senate Bill 698. And the bill, having received the required constitutional majority, is declared passed. Right above that, with leave of the Body, we will go to Senate Bill 654, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 654.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The subject matter of this Conference Committee Report is tax increment financing districts, better known as TIFs. Ever since TIFs were created, there's been a problem with funding. Hopefully, this Conference Committee will put to rest the problems with funding TIF districts in the future and allow the municipalities to have some degree of certainty on what they will receive in the future to help defray their debt costs. So I will read to you, for legislative intent, that TIF districts will receive a lump sum allocation of nine million dollars by December 31 of this year - 1992. The distribution of the nine million dollars will be made by continuing appropriation and not -- will not be -- require additional legislative action in the spring. What we will do is transfer from the General Revenue Fund into a new account that will be created specifically for TIFs. Beginning in Fiscal 1994, TIF districts will receive .27 percent of net sales tax deposited into this fund, and it will, as I stated, be directly -- deposited directly into the special fund each month and distributed to municipalities on a quarterly basis. The distribution also will be made by continuing appropriation and will not require legislative action each year. The formula for allocating State funds to TIF districts will not be changed. The Department of Revenue will continue to calculate payments to sales tax TIFs and to utility

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

tax TIFs in the same manner as required by current law. I will attempt to answer any questions. If not, only to say that this is an agreement by all parties - or at least to my knowledge all parties. And if not, I'll move for the adoption of Conference Committee Report No. 1 to Senate Bill 654.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I know this has been a long and painful process. I've got kind of a unique situation in my district, and so I need to ask a couple of questions. What's the effective date of this proposal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Immediate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

I have in my district a TIF district project that has been underway, and now they have enticed businesses to come in. The bonds have been authorized but, I think, not yet sold. Do you know how that project might be affected by this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

It does not eliminate the ability of your community to move forward with this project. They can sell their bonds. They will



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

receive their proportionate share of the amount of money generated for this fund every year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So, then, as I understand what you've said, the effect on them would be that they would get their proportional share, but it would probably be a share of a smaller pot than we had anticipated. Is that -- is that a fair statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Luft may close.

SENATOR LUFT:

I would just ask for the adoption of Conference Committee Report No. 1 to Senate Bill 654.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 654. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 654. And the bill, having received the required constitutional majority, is declared passed. All right. With leave of the Body, we will return to the Second Supplemental Calendar. The Second Supplemental Calendar.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, we have only one serious

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

matter yet remaining, and that is the Governor's request for a supplemental appropriation, which I understand will be before us shortly. On the Second Supplemental Calendar there was a House Bill on 2nd Reading that the Gentleman wishes to move to 3rd with the understanding that it will not be called until it's called back for amendment. So with leave of the Body, we'll move to the Second Supplemental Calendar, Madam Secretary. On House Bills 2nd Reading is House Bill 4216. Read the bill, please.

SECRETARY HAWKER:

House Bill 4216.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution...

PRESIDENT ROCK:

No. Hold -- hold on.

SECRETARY HAWKER:

Resolution 1665 offered by President Rock and all Members.

It is congratulatory.

PRESIDENT ROCK:

All right. With leave of the Body, we'll add that to the Consent Calendar. Senator Topinka, for what purpose do you seek recognition?

SENATOR TOPINKA:

Yes. I have a point of inquiry, sir, if I may, to the President.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDENT ROCK:

Yes.

SENATOR TOPINKA:

We had a bill that we've sent over to the House that would have reinstated the State Purchasing Act as it -- well -- well -- where is it, Penny? House Bill that hasn't come here, but it was anticipated coming here, and everything, I thought, had been agreed to. And we certainly haven't seen it. Do you know where the whereabouts of that bill are, or its future?

PRESIDENT ROCK:

I do not. I have been chasing paper all day. And if you'd have told me earlier, I'd have tracked that one down too. No, I have not seen it.

SENATOR TOPINKA:

Very fine. Thank you.

PRESIDENT ROCK:

All we have left is the Consent Calendar, the adjournment resolution, and we will be going to the Order of House Bills 3rd Reading. 632. Is that your number, Senator Weaver? All right. I would entertain a motion by Senator Weaver to suspend the applicable rules so that we can indeed deal with House Bill 632. That will be the vehicle bill for the Governor's supplemental appropriation when the amendment arrives, as it has now arrived. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. If I can direct your attention, Ladies and Gentlemen, to page 8 on the Calendar. Page 8. On the Order of House Bills 3rd Reading is House Bill 632. Senator Weaver seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 632, Madam Secretary.

SECRETARY HAWKER:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

Amendment No. 2 offered by Senator Maitland.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Amendment No. 2 to House Bill 632 is the -- is the fall supplemental appropriations bill. It -- it is in the amount of twenty-six million five hundred and four thousand. Twenty million nine seventeen is -- is total other new appropriations. And the new GR is -- is five million five hundred and eighty-six thousand dollars. Of particular interest with respect to the -- to the amendments to the General Revenue -- the new General Revenue, one million fifty-one thousand is represented to the Supreme Court for their move to 160 North LaSalle. That's the new old State of Illinois Building. There is an amount of eight hundred and ninety-nine thousand dollars to go to the Secretary of State for printing of the constitutional amendment ballots. The Treasurer in the amount of -- in the amount of three and a half million dollars. That, Mr. President, represents the major new GR. I'd be happy to respond to any questions that any Members might have. I believe you have the amendment on your desks now and also a rack-up of -- of where those transfers are.

PRESIDENT ROCK:

All right. Let's hold just for a moment. Stand at ease. Senator Maitland has moved the adoption of Amendment No. 2 to House Bill 632. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Maitland's motion and in an effort to answer some of the questions that have been posed quietly on this side of the aisle on some of the specific issues in here. Let me reiterate that the Leaders and the Governor

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

agreed to basically no General Revenue funds being spent this year, except for the move money for the Supreme Court, which has to be by General Revenue Fund; for the payment to the Secretary of State for the constitutional amendment mailings that he had to do; for a sixty-five-thousand-dollar amount for the Civil Service Commission; for a payment on our funding for the Midwest Higher Education Compact of twenty-nine thousand dollars, and then the three and a half million dollars for the estate tax refund, as a result of an unusually high level of collection of the inheritance tax. In addition to that, the rest of it is either federal or special funds or are transfers. One question that has been asked is as to the Department of Children and Family Services, and negotiations into the late hours last night between the Department, AFSCME, and the day care providers came with the resolution where approximately 8.7 million dollars is being transferred from lines that the Department indicates to us will not be used, such as certain adoption lines where the federal guidelines have not been set yet, and we will not jeopardize yet any federal funds, and have allowed them to not have to lay off or, in fact, rehire a significant number of the employees that they would have otherwise lost, and in addition thereto, still accommodate the day care people to some extent. With that, I think it's the best resolve we can do in these economic times, and I would suggest support for Amendment No. 1 -- 2. Amendment No. 2.

PRESIDENT ROCK:

All right. Any further discussion? Further discussion? If not, Senator Maitland's moved the adoption of Amendment No. 2 to House Bill 632. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

No further amendments.

PRESIDENT ROCK:

3rd Reading. And with leave of the Body, after intervening business, Senator Maitland, we'll get right back to it. Madam Secretary, have any objections been filed to the Resolutions Consent Calendar?

END OF TAPE

TAPE 3

SECRETARY HAWKER:

...(machine cutoff)...been no objections filed, Mr. President.

PRESIDENT ROCK:

All right. No objections having been filed, we have added one late entry, Senate Resolution 1665. So Senator Demuzio would move the adoption of the Resolutions Consent Calendar. All in favor, indicate by saying Aye. All opposed. The Ayes have it. And those resolutions are adopted. Further resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 195 offered by Senator Demuzio.

(Secretary reads SJR No. 195)

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the adjournment resolution. It calls for us to return -- at the conclusion of our business today, return January the 12th at noon, 1993. I would move to suspend the rules for the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

immediate consideration and adoption of Senate Joint Resolution 195.

PRESIDENT ROCK:

Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 195, the adjournment resolution, calling for us to return January the 12th at the hour of noon. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 195. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. ...(machine cutoff)...Brookins, for what purpose do you arise, sir?

SENATOR BROOKINS:

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

PRESIDENT ROCK:

State your point, please.

SENATOR BROOKINS:

Mr. President, I may not get a chance to address this Assembly again, and I'd like to take this opportunity -- I'd like to take this opportunity to thank you for the working conditions, and also say to you that we have had our differences and we have fought and I have sometime prevailed - mostly lost, but I'd like to thank you for those opportunities. And I'd like to say to the Senators here and my friends on both sides of the aisle that it's been a pleasure working with you. I have met some fine Gentlemen here - and Ladies - and I hope that I have not been too obnoxious in some of my actions and statements and et cetera. I did take my job seriously. It is a serious matter being a Senator here. I have been privileged. I have been blessed in my life to have this opportunity. There's very few African-Americans that come from my area and have come from the City of Chicago and worked their way

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

through and had the privilege to serve in a Body such as this. So I feel it a privilege, and I'd like to say to each and every one of you, good luck, Merry Christmas, Happy New Year, and thank you. Thank you, each and every one of you.

(Applause by the Illinois Senate)

PRESIDENT ROCK:

Stand at ease for just a moment. Senator Maitland, we'll be right with you. I just want to check with the Speaker and see what they're doing to us. All right. Ladies and Gentlemen, the House is making every effort, I am told, to -- to deal with 698, and it will shortly be declared passed, I hope. With 71 Ayes, it just passed. So we will deal with the appropriation bill, and then I would ask the Members to sit for just a moment. We have three death resolutions for former Members -- five, I'm sorry. And we will deal with those in an appropriate manner. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just wanted to say that, Senator Brookins, you were an asset to your people and to Chicago. We're certainly going to miss you. You always had a very good attitude. You -- you conducted yourself as a Gentleman at all times, and I think you were a great guy. And I'll tell you, my door will always be open to you.

PRESIDENT ROCK:

All right. With leave of the Body, we'll move to House Bills 3rd Reading. On the Order of House Bills 3rd Reading, the bottom of page 8, is House Bill 632. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 632.

(Secretary reads title of bill)

3rd Reading of the bill.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I believe the bill has been appropriately reviewed in the amendment stage. Let me simply add one more point that's been asked of me over here, and I think both sides of the aisle need to know. Senator Carroll and I and others have been vitally concerned with the Department of Children and Family Services with respect to them being on target for the decree by July 1. We were concerned about this as the negotiations were going on, as we transferred that money. Senator Carroll, I am reliably informed that with this adjustment with the AFSCME contract we still are on target, and I think the bill is in fine shape. It represents an agreement between the four Leaders and the Governor. And I would seek your support.

PRESIDENT ROCK:

Any discussion? If not, the question is, shall House Bill 632 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 632, having received the required constitutional majority, is declared passed. All right. If I can ask the staff, please, to take a seat. We have, unfortunately, seen the passing of five of our former colleagues in the last few months. And so I deem it only fitting that we consider each by resolution, and then we will adjourn. Madam Secretary, please.

SECRETARY HAWKER:

...(machine cutoff)...Resolution 1666 offered by Senator Munizzi and all Members.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

139th Legislative Day

December 3, 1992

(Secretary reads SR No. 1666)

Senate Resolution 1667 offered by Senator -- Senators Lechowicz, Topinka, President Rock and all Members.

(Secretary reads SR No. 1667)

Senate Resolution 1668 offered by President Rock and all Members.

(Secretary reads SR No. 1668)

Senate Resolution 1669 offered by Senators Donahue, Luft and all Members.

(Secretary reads SR No. 1669)

Senate Resolution 1670 offered by Senator Smith and all Members.

(Secretary reads SR No. 1670)

PRESIDENT ROCK:

All in favor of the adoption of the resolutions, please rise. The resolutions are adopted. The Senate stands adjourned until January 12th at the hour of noon. Happy Holiday, Merry Christmas and Happy New Year.

DAILY TRANSCRIPTION OF DEBATE INDEX

DECEMBER 03, 1992

HB-0178	CONFERENCE	PAGE	18
HJ-0632	RECALLED	PAGE	91
HB-0632	THIRD READING	PAGE	96
HB-1007	CONFERENCE	PAGE	19
HC-1007	MOTION	PAGE	10
HB-1918	REFUSE TO RECEDE	PAGE	6
HC-3037	CONFERENCE	PAGE	21
HB-3204	CONFERENCE	PAGE	22
HB-3261	CONFERENCE	PAGE	23
HJ-3475	MOTION	PAGE	7
HB-3815	CONFERENCE	PAGE	47
HB-3986	CONFERENCE	PAGE	74
HC-3986	MOTION	PAGE	52
HB-4037	REFUSE TO RECEDE	PAGE	6
HB-4078	CONFERENCE	PAGE	75
HC-4216	SECOND READING	PAGE	90
HB-4216	MOTION	PAGE	11
SE-0130	CONFERENCE	PAGE	49
SB-0186	CONFERENCE	PAGE	25
SB-0318	MOTION	PAGE	65
SS-0420	CONCURRENCE	PAGE	33
SB-0654	CONFERENCE	PAGE	87
SB-0654	MOTION	PAGE	13
SB-0698	CONFERENCE	PAGE	84
SB-0699	MOTION	PAGE	52
SB-0741	CONFERENCE	PAGE	38
SB-1071	CONFERENCE	PAGE	28
SB-1073	CONFERENCE	PAGE	29
SB-1073	MOTION	PAGE	14
SB-1092	CONCURRENCE	PAGE	56
SB-1092	MOTION	PAGE	16
SB-1160	CONFERENCE	PAGE	77
SB-1160	MOTION	PAGE	71
SD-1345	MOTION	PAGE	17
SL-1518	CONFERENCE	PAGE	31
SL-1554	CONFERENCE	PAGE	39
SB-1635	CONFERENCE	PAGE	50
SL-1740	CONCURRENCE	PAGE	67
SB-1809	CONFERENCE	PAGE	78
SL-1931	CONFERENCE	PAGE	82
SB-1986	CONCURRENCE	PAGE	57
SL-2088	CONCURRENCE	PAGE	34
SL-2100	CONFERENCE	PAGE	32
SR-1654	RESOLUTION OFFERED	PAGE	45
SR-1655	RESOLUTION OFFERED	PAGE	45
SR-1656	RESOLUTION OFFERED	PAGE	45
SR-1657	RESOLUTION OFFERED	PAGE	45
SR-1658	RESOLUTION OFFERED	PAGE	45
SR-1659	RESOLUTION OFFERED	PAGE	45
SR-1660	RESOLUTION OFFERED	PAGE	45
SR-1661	RESOLUTION OFFERED	PAGE	45
SR-1662	RESOLUTION OFFERED	PAGE	45
SR-1663	RESOLUTION OFFERED	PAGE	45
SR-1664	ADOPTED	PAGE	46
SR-1665	RESOLUTION OFFERED	PAGE	90
SR-1666	RESOLUTION OFFERED	PAGE	97
SR-1667	RESOLUTION OFFERED	PAGE	98
SR-1668	RESOLUTION OFFERED	PAGE	98
SR-1669	RESOLUTION OFFERED	PAGE	98
SR-1670	RESOLUTION OFFERED	PAGE	98
HJR-0168	RESOLUTION OFFERED	PAGE	3
SJR-0192	ADOPTED	PAGE	72
SJR-0193	ADOPTED	PAGE	45
SJR-0194	ADOPTED	PAGE	45

DAILY TRANSCRIPTION OF DEBATE INDEX

DECEMBER 03, 1992

SJR-0195 ADOPTED PAGE 94

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - DR. JOHN CHARLTON III	PAGE	1
JOURNALS - POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	64
AT EASE	PAGE	70
SENATE RECONVENES	PAGE	70
MESSAGE FROM THE HOUSE	PAGE	70
ADJOURNMENT	PAGE	98