

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 15, 1995

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Pastor Larry Hodge, First Assembly of God Church, Aurora, Illinois. Pastor Hodge.

PASTOR LARRY HODGE:

(Prayer by Pastor Larry Hodge)

PRESIDENT PHILIP:

All please rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(The Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 10th; Thursday, May 11th; and Friday, May 12th, in the year 1995, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal pending the arrival of the printed transcript. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Rauschenberger, Chair of the Committee on Appropriations, reports House Bills 803, 809, 1016, 1018, 1083, 1473 and 1474 Do Pass.

Senator Klemm, Chair of the Committee on Local Government and Elections, reports House Bill 211 Do Pass, as Amended.

Senator Dunn, Chair of the Committee on Higher Education, reports House Bills 258, 598, 660, 1119, 1398 and 1699 Do Pass; and House Bills 122, 471 and 820 Do Pass, as Amended.

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Senator Woodyard, Chair of the Committee on Agriculture and Conservation, reports House Bills 965, 1258, 1486, 1650 and 1940 Do Pass; House Bills 988 and 1093 Do Pass, as Amended; and Senate Resolution 68 Be Adopted.

And Senator Butler, Chair of the Committee on Commerce and Industry, reports House Bills 241, 249, 838 and 1470 Do Pass.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 70, offered by Senator Weaver and all Members.

Senate Resolution 71, offered by Senator Clayborne and all Members.

They're both death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. McLennand, Clerk.

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

Senate Bill 19, with House Amendment 50 -- House Amendment 1 -- House Amendment 51, that is; Senate Bill 428, with House Amendment 3; Senate Bill 448, with House Amendment 1; Senate Bill 452, with House Amendment 1; Senate Bill 461, with House Amendment 1; Senate Bill 533, with House Amendment 1; Senate Bill 534, with House Amendment 1; Senate Bill 567, with House Amendment 1; Senate Bill 587, with House Amendment 1.

All passed the House, as amended, May 12th, 1995.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR DEMUZIO:

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Mr. President, I'd like the record to reflect that Senator O'Daniel is not here today due to the illness of his son, and also this is a very extraordinary day in May. Our colleague, George Shadid, is celebrating his fifty-sixth birthday today. So I want to commend him and say happy birthday to him.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shadid, happy birthday. Ladies and Gentlemen, it is our plan to go, in a few moments, to the Order of House Bills 2nd Reading. We will move through the bills that are on the Calendar on 2nd Reading, and then as time permits we'll move then, I believe, to -- to House Bills 3rd Reading. All right. Those -- those bills on 2nd Reading that will be the first up on page 13 will be -- will be House Bill 3, Senator Fawell; House Bill 90, Senator Karpziel; House Bill 197, Senator Raica -- I'm sorry. There's a -- there's a fiscal note request on that. House Bill 315, Senator Clayborne. House Bill 320, Senator Cullerton, and the list goes on from there. So, give you just a few moments to get prepared here, and then we'll move to House Bills 2nd Reading. All right. Ladies and Gentlemen, top of page 13, House Bills 2nd Reading. House Bill 3. Senator Fawell. Senator Fawell on the Floor? House Bill 90. Senator Karpziel. Senator Karpziel, on House Bill 90. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 90.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 315. Senator Clayborne. Senator Clayborne on the Floor? Senator Clayborne. House Bill 320. Senator Cullerton. Senator Cullerton on the Floor? House Bill 323. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 323.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 413. Senator Madigan. House Bill 413. Senator -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 413.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 507. Senator Peterson, on 507. House Bill 513. Senator Fawell. Senator Fawell on the Floor? House Bill 567. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 567.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate <sic> Bill 573. Senator Cronin. Senator Cronin on the Floor? Senator Cronin. Senate <sic> Bill 603. Senator Woodyard. Senator Woodyard, 603? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate <sic> Bill 603.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 648. Senator Clayborne. Senator -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 648.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Top of page 14. House Bill 653. Senator Trotter. Senator Trotter on the Floor? Senator Trotter. House Bill 731. Senator Cronin. Senator Cronin? House Bill 760. Senator Fawell. House Bill 801. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 801.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 868. Senator Mahar. Read the bill,

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Mr. Secretary.

SECRETARY HARRY:

Senate <sic> Bill 868.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 956. Senator Berman. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 956.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1002. Senator Dudycz. Senator Dudycz? House Bill 1089. Senator Mahar. House Bill 1108. Senator Raica. I'm sorry. There's a fiscal note request on that. I apologize. House Bill 1202. Senator Woodyard. Senator Woodyard? House Bill 1320. Senator Walsh. House Bill 1322. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1322.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for

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consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1696. Senator Weaver. Senator Weaver. House Bill 1698. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1698.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1755. Senator Madigan. Senator Madigan, on House Bill 1755. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1755.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1791. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1791.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

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3rd Reading. House Bill 1843. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1843.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1868. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1868.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1931. Senator Tom Dunn. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1931.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1968. Senator Berman. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1968.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1977. Senator Raica. Senator Raica on the Floor? Senate <sic> Bill 2204. Senator Raica. Senate <sic> Bill 2278. All right. With leave of the Body, we'll return to House Bills -- House Bill 1977. Senator Raica. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1977.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2204. Read -- Senator Raica. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2204.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2278. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2278.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2331. Senator Madigan. Senator Madigan? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2331.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

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PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2334. Senator Butler. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2334.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bill -- 3rd Reading. House Bill 2349. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2349.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration, Mr....?

SECRETARY HARRY:

Also, Committee Amendment No. 2, Mr. President. No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2401. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2401.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2407. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 2407.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2419. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2419.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2429. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2429.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Ladies and Gentlemen, with leave of the Body, return to House Bills 2nd Reading, top of page 14. House Bill 653. Senator Trotter. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 653.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Ladies and Gentlemen, we're going to move to the Order of 3rd Reading. House Bills 3rd Reading, top of page 5. Senator Shadid, you will be up first. Senator Geo-Karis. Senator Watson. Senator Ralph Dunn. All right, Ladies and Gentlemen. Top of page 5. House Bills 3rd Reading. House Bill 5. Senator Shadid. House Bill 8. Senator Geo-Karis. House Bill 23. Senator Watson. House Bill 23. No? House Bill 25. Senator Ralph Dunn. Senator Ralph Dunn. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5 -- or, 25, that is.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. House Bill 25 provides that if the assessment on a residential partial is lowered by a court pursuant to an appeal, then that reduced assessment shall remain in effect for the remainder of the general assessment period, unless either, one, the parcel is sold or the court decision is reversed or modified upon review. Does not apply to Cook County, I might add. And I'd urge -- be glad to answer any questions and urge passage.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate -- shall House Bill 25 pass. Those in

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favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, 1 Nay, no Members voting Present. House Bill 25, having received the required constitutional majority, is declared passed. House Bill 41. Senator -- 41? Okay. House Bill 119. Senator Geo-Karis. House Bill 150. Senator Klemm. House Bill 166. Senator DeAngelis. House Bill 175. Senator Garcia. House Bill 178. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 178.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. House Bill 178 amends the School Code to do the following: Requires the Lieutenant Governor's Office to conduct a survey of local school board presidents each year, on the nature and quality of services provided by the State Board of Education and the regional offices of education; reduces the bond amount for school treasurers to twenty-five percent of all moneys, bonds, notes, et cetera, in the custody of the treasurer; and clarifies the -- the -- that regularly certified teachers may serve as substitute teachers without getting a substitute certificate. I'd be pleased to answer any questions there may be.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 178 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record,

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Mr. Secretary. On that question, there are 55 -- 55 Yeas, no -- no Nays, no Members voting Present. House Bill 178, having received the required constitutional majority, is declared passed. House Bill 185. Senator Syverson. Senator Syverson? House Bill 186. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 186.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is very similar to something that has passed out of this Chamber already this year. And -- this amends the Counties Code to allow a county to have a boot camp program for eligible inmates incarcerated in a county jail and sets out the minimum requirements for the impact incarceration program. Basically, this is for counties outside of Cook to operate a boot camp program. This bill also allows the Department of Corrections to place some of their inmates that are eligible for a State boot camp in a county boot camp with an agreement from the State Department of Corrections and the county. I think we've all passed on these types of boot camp bills before. They give us some degree of flexibility with dealing with violent offenders. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 186 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, no

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Members voting Present. House Bill 186, having received the required constitutional majority, is declared passed. House Bill 193. Senator Raica. Read the bill, Mr. Secretary. Ladies and Gentlemen, the noise level is getting a little -- little heavy here. This is 3rd Reading, final passage, and I would hate for any Member to have a bill passed over because they couldn't hear the debate. So, please give the Senators your undivided attention. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 193.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Members of the Senate. House Bill 193 was put in by myself and Senator Viverito, and what it does, it requires the Department of State Police to report missing children information to the Department of -- DCFS. Requires DCFS to check their computer network to determine if the child's description matches any description of a child who's been reported abandoned or missing with -- or, abandoned within the last two months. Basically, this is because, in our district - in Bridgeview - there was a juvenile who used a false name and the child went into one of the foster homes, was reported missing for two months, and it didn't show up on the State Police LEADS. And this just means that both organizations have to work together. This was agreed-to legislation. I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 193 pass. Those in favor will vote

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Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 193, having received the required constitutional majority, is declared passed. Top of page 6. House Bill 206. Senator Cronin. Senator Cronin? House Bill 207. Senator O'Malley, do you wish this bill returned to the Order of 2nd Reading for the purpose of amendment? Senator O'Malley seeks leave of the Body to return House Bill 207 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 207. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Shaw and Palmer.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President, Ladies and Gentlemen of the Committee <sic>. This is an amendment encouraging the -- encouraging charter schools to teach the Holocaust, Black History, and the Study of -- of Women History. I ask for its adoption. Move for...

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Shaw has moved the adoption of Floor Amendment No. 3 to House Bill 207. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

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3rd Reading. House Bill 252. Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 252.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 252 takes care of a problem that came to us through the Audit Commission, and that was that there were no real specific State policies regarding housing that was owned by the State that had employees residing in it. So the bill does three things. First, it directs specific State agencies to come up with housing policies that address certain criteria. In other words, any agency that has housing has to come up with a program. Two, provides for the designation of disposal of property when a State agency goes out of business. And number three, changes the filing deadlines for each agency's semi-annual report of officers' and employees' official headquarters to July 15th and January 15th. Urge your support. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

If I might. Senator DeAngelis, we don't have the constitutional officers in here. Are we excluding them for a specific purpose, or we're just not addressing them at all in this bill, or -- for what reason were they not included?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

SENATOR DeANGELIS:

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No, Senator Demuzio. We're only dealing with State agencies.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? The question is, shall House Bill 252 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 252, having received the required constitutional majority, is declared passed. House Bill 300. Senator Smith. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate <sic> Bill 300 - in Cook County only, funds retained by the County for the drug assessment imposed upon person convicted or placed on probation, conditionally discharged or supervision for a violation of the Act shall be used for community-based treatment of pregnant women who are addicted to alcohol, cannabis, or controlled substance, in addition to the needed care of minor or unemancipated children of these women. This is -- proponents of this bill is the Public Welfare Coalition, Voices of the Children, Cook County Board, the Illinois Public Health Association, the Legal Assistance Foundation of Chicago, Illinois Maternal and Child Coalition, the Illinois Caucus on Adolescent Help, and the Illinois Primary Health Care Association. This came out on the Agreed Bill List, and I ask for your favored support.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Is there discussion? If not, the question is, shall House Bill 300 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 300, having received the required constitutional majority, is declared passed. House Bill 358. Senator Hawkinson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill amends the Environmental Protection Act to require the EPA to develop and implement a program to collect hazardous educational waste from schools and school districts. We have some legislative intent and questions that we need to have read into the record if the Chair would yield to Senator Mahar.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I, first of all, rise in support of the bill, and for the purpose of the legislative intent. If the sponsor would yield.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Mahar.

SENATOR MAHAR:

Is the -- is the intent of this bill to have school districts deal with clean-up contractors directly?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

No. The districts are to work solely with the Illinois EPA. The IEPA will hire contractors and -- and arrange for a schedule for pick-ups from districts to make the collection more efficient and economical.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Is it correct that the phrase "school district hazardous waste", used in paragraph (c) of Section 22.47, means the same thing as "hazardous educational waste" that is defined in paragraph (d) of Section 22.47?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Is this program intended to pay the -- for the disposal of all the wastes a school would generate?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

No. It is limited to the hazardous type wastes that may be generated from an educational program. The best example is the hazardous waste from a chemistry laboratory, but there could be other educational waste types. Waste from maintaining the school grounds, even if that waste is hazardous in nature, would not be eligible for this program.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Is this program open to private schools?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Yes. The funding is not from the State's education funds, but from the General Revenue Fund. Removing these potentially dangerous wastes from any school is a good step toward improving Illinois' environment and reducing the risk of harming a student.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Does this program cover colleges or junior colleges?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

No. Only primary and secondary schools are covered.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

And the final question: Will the schools have long-term liability for the disposal <sic> (disposed) waste?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

The State will assume long-term liability when the contractors pick up the waste for destruction or disposal.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

SENATOR WELCH:

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I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Hawkinson, does this include incinerator waste, since the burning of garbage is considered to be toxic waste under recent court decisions?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

No.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

SENATOR WELCH:

Does it include demolition debris if a school is -- tears down part of the building or the building -- the school is torn down itself?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

No.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR HAWKINSON:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 358 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, no Nays, no Members voting Present. House Bill 358, having

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received the required constitutional majority, is declared passed. House Bill 398. Senator Butler. House Bill 410. Senator Dillard. Senator Dillard, on House Bill -- House Bill 438. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 438.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, President -- Senate President and Members of the Senate. Senate Bill -- or, excuse me. House Bill 438 amends the Township Code. It requires that petitions to abolish townships shall be signed by ten percent of the legal voters of a county, in order to make it consistent with some of the provisions we have in the other Statutes. It also requires, at the request of Senator Bowles, that a majority of the votes in at least three-quarters of the townships and containing at least a majority of the population of the county be necessary for the question to pass. I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 438 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 438, having received the required constitutional majority, is declared passed. House Bill 481. Senator Ralph Dunn. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 481.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. Senate -- House Bill 481 amends the Illinois Athletic Trainers Practice Act. Requires licensure instead of -- of athletic trainers instead of registration. It also changes the name of the Illinois Board of Athletic Trainers to the Illinois Committee of Athletic Trainers. Increases their license, renewal and other requirements and fees. Requires forty hours of continuing education for renewal. Several other things. I'll be glad to answer any questions about it, and urge passage of House Bill 481.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 481 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 50 Ayes, no Nays -- 4 Nays, no Members voting Present. House Bill 481, having received the required constitutional majority, is declared passed. House Bill 532. Senator Smith. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 532.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The purpose of House Bill 532 - the recommendation of DCF

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<sic> - is to protect the health and safety of child, and to prevent persons with certain criminal backgrounds from obtaining child care licenses or being employed at a child care facility. House Bill 532 is a compromise between the proponents of the bill and DCFS. Another intent of House Bill 532 is to reduce the bureaucracy for child care industry in relation to licensure and inspection. This -- the proponents are all of the facilities of child care industry and it came out on an agreed bill. I ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? The question is, shall House Bill 532 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 532, having received the required constitutional majority, is declared passed. House Bill 539. Senator Fawell. Senator Fawell? Senator Fawell? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 539.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This bill is a direct result of -- of a tragic accident that happened in -- in my county, where a gentleman went around a school bus and killed a twelve-year-old child who was leaving the school bus. What it does is it raises the amount of the -- of the penalties, and to -- and it's a mandatory hundred-and-fifty-dollar fine for the first conviction and a five-hundred-dollar fine for the second or subsequent

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conviction. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 539 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 52 Ayes, no -- 1 Nay, no Members voting present. House Bill 539, having received the required constitutional majority, is declared passed. House Bill 544. Senator Mahar. House Bill 549. Senator Stan Weaver. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 549.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 549 establishes licensing requirements for geologists. Also adds to the Private Detective and Private Alarm and Private Security Act locksmiths as a classification for licensure. If there's any questions, I'll be happy to try to answer them. If not...

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there -- I'm sorry, Senator Weaver. Is there discussion? If not, the question is, shall House Bill 549 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 51 Ayes, 2 Nays, no Members voting Present. House Bill 549, having received the required constitutional majority, is declared passed. Top of page 7. House Bill 553. Senator Klemm. Read the

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bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 553.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President and Members of the Senate. House Bill 553 allows for the appointment of two alternate members to the board of appeals by the county board. Those alternate members can only serve in the absence of regular members so that the continuity could continue and there wouldn't be any delays on these appeal -- appeals that come before the county board. It's similar legislation that we'd adopted some time before. I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 553 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 <sic> (55) Ayes, no Nays, no Members voting Present. House Bill 553, having received the required constitutional majority, is declared passed. House Bill 560. Senator Donahue. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 560.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

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SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 560 does one thing, and it allows for students who are enrolled in regular schools or eligible for regular schools can apply for the School for the Visually Impaired only after all the slots have been accepted there, if they have -- minor visual impairment. So I would move for its acceptance.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 560 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, no Nays, no Members voting Present. House Bill 560, having received the required constitutional majority, is declared passed. House Bill 561. Senator Burzynski. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 561.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This bill will allow for insurance policies sold by agents who are nonresidents of Illinois not to have to be countersigned by an Illinois agent. This is an agreed-to bill and, also, it's an initiative of the Professional Independent Insurance Agents.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 561 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 <sic> (55) Ayes, no Nays, no Members voting Present. House Bill 561, having received the required constitutional majority, is declared passed. Senator Welch, for what purpose do you arise, sir?

SENATOR WELCH:

...(microphone cutoff)...of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR WELCH:

Mr. President, according to my records, we've passed eleven bills; the vote has been six hundred Yes and four voting No. I -- I was wondering if it's possible for us to consider having an Agreed Bill List for tomorrow or the next day, since these are -- you know, almost everybody who stood up said this is agreed to. Is it possible for us to consider that for tomorrow so that we can get out of here on time? By the date that we promised?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch, I will take that to a higher power. House Bill 572. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 572.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President, Members of the Senate. House Bill 572 changes the number of copies that municipalities must maintain when they're establishing ordinances. The current law requires three copies of rules and regulations. This bill will allow them to have one copy. It is permissive legislation and the reason is

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because many times when the municipalities are amending say their BOCA code, or other large documents, that's very costly for them to have three copies available. This would allow them at least to have one. They can have more if necessary, and I know of no opposition. I ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 572 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 572, having received the required constitutional majority, is declared passed. House Bill 583. Senator Karpziel. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 583.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR KARPIEL:

Thank you -- excuse me. Thank you, Mr. President. House Bill 583 simply limits the second-class wine-makers' license to selling no more than ten thousand gallons of wine directly to a retailer.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 583 -- I beg your pardon. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Just to slow things down just a little bit, and make some inquire on these bills, I'd like to ask the sponsor, if she'll yield, whether she went on a fact-finding trip for the purposes of this -- this Act?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR KARPIEL:

No, Senator, I have not been on a fact-finding trip, but I have been to the winery. It's in Roselle, and it does sell wine in -- in places, such as Marshall Fields and shops in Geneva. So anyone who would like to taste of the Lynfred Winery wines be my guest. But unfortunately, No.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a follow-up question, if I might. If you did not go on a fact-finding meeting, why -- why didn't you?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR KARPIEL:

I wasn't invited. Is this my first bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Well, I think this would be a good bill to hold and put into a subcommittee, and then we could all go on a fact-finding mission to see whether or not this is something that should be done or not.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? The question is, shall House Bill 583 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 583, having received the required constitutional

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majority, is declared passed. House Bill 610. Senator Peterson.
Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 610.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 610 requires the Department of Children and Family Services and the Department of Alcoholism and Substance Abuse to develop a community-based system of integrated child welfare and substance abuse services, and to provide protection for children, improve adult health and improve family outcomes. Requires DCFS and DASA to develop case management protocols for DCFS clients with substance abuse problems. Authorizes establishment of pilot programs. Both DASA and DCFS support this legislation. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 610 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 610, having received the required constitutional majority, is declared passed. House Bill 632. Senator Madigan. Senator Madigan, on -- House Bill 661. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 661.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President, Members of the Senate. House Bill 661 amends the State Mandates Act. It asks DCCA to review applications from local governments for mandate reimbursement if the funds have been appropriated for that purpose. When DCCA does not hear a claim, there is never an official determination whether that Public Act is, in fact, creating a reimbursable mandate, and therefore, when the Public Act is never officially recognized, obviously, the local governments have to follow that action. Plus there's no appeal if DCCA refuses to hear a claim. House Bill 661 sets the mechanism to allow that to happen. I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 661 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 661, having received the required constitutional majority, is declared passed. House Bill 679. Senator Dudycz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 679.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. House Bill 679 amends various Acts

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to expand the definition of "food for human consumption" to include certain vending machine items. Under current law, "food for human consumption" is taxed at two different rates and this distinction is causing some confusion as to the taxability of items sold from vending machines according to the location of the machine. For example, those within a dining facility may be taxed at a different rate than those that are being -- in mobile vending machine areas. House Bill 679 clarifies that all food sold from the vending machines shall be taxed at one percent, except for products that are dispensed hot, as well as soft drinks, which shall continue to be taxed at 6.25 percent. I know of no opposition to this bill. This -- it was on an Agreed Bill List in the House and -- and in the Senate committee, and the Department of Revenue supports this, and I would seek your affirmative support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

House Amendment No. 4, according to the digest, says that this amendment said that "food for human consumption" doesn't include soft drinks or products that are dispensed hot from vending machines. What -- why are -- why are those being excluded if this bill is necessary? I don't understand why you would limit it to cold products.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

Senator Welch, this was a distinction that Department of

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Revenue wanted to -- to put in the legislation. I couldn't explain what was their -- what was their rationale for that, but they -- they felt it was -- it was for their purposes to be able to clarify the taxing rates of the various food items.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Well, this is going to raise the price of all items in vending machines, other than soda pop, because you are now imposing a sales tax on potato chips and other items you get from a vending machine?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCH:

Senator Welch, apparently the -- the Department of Revenue has determined that food which that is dispensed hot will be eaten on the premises, and that food which is dispensed cold is taken away. And that's the reason for the -- the varying tax rates.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

That was the answer to the question before the one I just asked. The one -- the one I just asked was, this is going to increase the cost of those cold food products, such as potato chips and candy bars, and that's going to be passed down to the consumers, I assume.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCH:

The answer is no and no.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

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SENATOR WELCH:

Well, if the cost is not going to be passed on and you are now including additional items under the tax, the assumption then is that the vendor is going to assume and -- and pay for those costs. That's a great assumption, I would say.

PRESIDING OFFICER: (SENATOR MAITLAND)

Was that a question, Senator Welch? That was -- Senator Dudycz.

SENATOR DUDYCZ:

I'm sorry. I -- could he -- could you repeat the question again, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Repeat the question, Senator Welch.

SENATOR WELCH:

Well, if you're going to increase the tax on cold food in the vending machine, which is the purpose of this bill, to include additional items under the tax, you're saying that it's not going to increase the cost of the food. I don't understand how that's possible, unless the vendor or the supplier assumes those costs, which is -- which is going to reduce their profit. I don't understand. Why would they do that, and is that the case here?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

Well, Senator Welch, it's been determined by those who had crafted this legislation in the vending industry, as well as the Department of Revenue, that there will be no increase in any tax. All this does is clarify the language of -- of -- of the food that is being taxed at what rate, and that includes the -- the products that are dispensed hot and soft drinks -- are determined -- I -- I don't know how else I can answer that question, Senator, other than talk to the Department of Revenue if you have any specifics.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Collins.

SENATOR COLLINS:

Senator, I -- looking at my staff analysis here, I'm not clear whether or not, you know, just what you're doing. Are you raising the taxes or are you taking the tax that you pay now and making it differential, or just what -- what are you trying to do?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

The Department of Revenue has determined that this language will clear up the confusion that the field auditors are facing with. Now when they go to the field to audit the locations and what food is being consumed at what rate, at many times they spend six or seven hours per location counting each food item. This is, according to the Department of Revenue, a way to -- to expedite the process. There is no increase in any taxes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

So you -- so you're basically trying to bring some consistency the -- the way they tax food in the vending machine?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

That's correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

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SENATOR JACOBS:

Yeah. Just real quick. I stand in strong support of this legislation. What it does, as I see it, it puts it in effect that when you buy potato chips out of a vending machine, you're going to pay the same as you would pay for potato chips if you buy them from a grocery store; Whereas, currently, you're paying a full six and a quarter percent. And I think it's a good bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dudycz, to close.

SENATOR DUDYCH:

Just seek your affirmative support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 679 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 679, having received the required constitutional majority, is declared passed. House Bill 708. Senator Tom Dunn. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 708.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Child protection investigators are the first caseworkers that are assigned by DCFS to initially investigate whether a child has been abused or neglected. This bill would allow those investigators to inspect and copy law enforcement records on those minors. I urge a favorable vote.

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Happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. I rise in strong support of this bill. If our investigators are going to be able to do the job that we insist they do early on, they need to have access to these law enforcement records, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 708 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 708, having received the required constitutional majority, is declared passed. House Bill 729. Senator Rauschenberger. House Bill 780. Senator Hawkinson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 780.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill will allow school boards to expel students for a definite period of time, not to exceed two school years, as determined on a case-by-case basis, which is a requirement of federal law. We did propose, and -- and the Committee on Education adopted, Amendment No. 1. The intent of which is to make clear that this will apply to all school districts, including special charter districts and districts

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organized under Article 34. Someone raised a question, later if this would apply to Peoria, which, in effect, has its own charter, and we think the language "all school districts" clearly means that it will apply to all school districts in the State wherever they're located. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 780 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 780, having received the required constitutional majority, is declared passed. House Bill 781. Senator Madigan. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate <sic> Bill 781.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. House Bill 781, as amended, amends the Residential Mortgage License Act. It places into statutory form the current examination and application fee of eighteen hundred dollars, and allows the Commissioner of Savings and Residential Finance to raise that fee by rule. Also makes a change in the makeup of the five members of the Mortgage Board, in that the two members that are from the profession, one would be from the Mortgage Banking Trade Association and one would be from the Mortgage Broker Trade Association. I'd be glad to answer any questions on House Bill 781, as amended, and otherwise would ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 781 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 781, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose do you arise, sir?

SENATOR TROTTER:

Thank you, Mr. President. A personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR TROTTER:

Wanted -- Senate -- House Bill 780, it was my intention to vote No for -- on that bill, and I would like the record to reflect as such.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will so indicate your intention, Senator Trotter.

SENATOR TROTTER:

Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bill -- 878. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 878.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

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

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House Bill 878 amends the Vehicle Code and deletes the provisions that forces or allows the Illinois Department of Transportation to determine standards for glasses, goggles, and transparent shields on motorcycles, or for motorcycle riding. And what we do is we put it right into the Vehicle Code. It's there so there's no ambiguity. If a police officer pulls over a motorcyclist, it's in the Vehicle Code. The police officer doesn't have to look at the Illinois Administrative Code, and we put it right into the Statute. Twenty-five states have a very similar type of Act that allows for windshields, which we've added as one of the -- the things to this Act in the Statute, which was not there in the Administrative Code or regulations by IDOT. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Dillard, was there any opposition to this bill in the committee? Did anybody register in opposition?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

To -- to my recollection, Senator Welch, and I'm not the Minority Spokesman or the -- the -- the Chairwoman of the Committee: I cannot -- yes there was. IDOT. IDOT was opposed, although I -- to be very frank, it was somewhat of a milk-toast opposition. And -- and the reason they were opposed is -- is, quite frankly, we are adding a windshield as one of the things that is not in their -- their regulations as acceptable, I guess,

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apparatus for riding a motorcycle, but half the states in the country have that windshield. I will say this, in our definition, Senator Welch, we have defined it so it must be high enough above the eye so one cannot lay down on the gas tank of that particular bike. So it's drafted in a somewhat conservative manner. But IDOT was in a milk-toast fashion, so to speak, or to use Senator Philip's language, they oppose the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Well, I'm not sure how a milk-toast opposition differs from normal opposition, but did any motorcyclists -- motorcycle riders show up? And I doubt that they had milk-toast opposition or support, knowing those guys.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

They had marine-like support of this legislation, including the group ABATE, which I believe is the American Bikers Aimed Towards Education.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? The question is, shall House Bill 878 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 878, having received the required constitutional majority, is declared passed. House Bill 897. House Bill 901. Senator Mahar. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 901.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. A couple years ago we passed House Bill 300, which changed the way that we handled leaking underground storage tanks in this State. The U.S. EPA took exception to some of the language that we had in that bill. This bill seeks to clarify a number of those provisions to put us in conformance with what the U.S. -- U.S. EPA wishes. Committee Amendment No. 1, in addition, at the request of the Petroleum Marketers, effective July the 1st of 1995, opposes <sic> a sixty-dollar environmental impact fee per load on tank truck deliveries of petroleum for retain sales. This will generate forty-six million dollars a year to the Underground Storage Tank Fund. Floor Amendment No. 1 -- or, Floor Amendment No. 2 sunsets this fee in the year -- rather, December the 31st in the year 2002.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Weaver. Discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President and -- and Members. I'm going to support this legislation, and I feel that this is probably a responsible response to the problem. But I -- I got to tell you, and I've made this speech and you've -- you've heard it before, I mean, we have a -- a federal government who's come in and told us that we have a major, major problem. A real threat to society. A real threat to the communities that we represent, and that's the underground tank problem, which was not a problem until the federal government intervened. Here we have a situation where you go in and you sell your property. Can't sell it - underground

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tank. You want to sell your business. You want to have a new dealership come it. Anything that you want to do is dictated by this federal law that we were told to pass on to the people of this State in dealing with underground tanks. I've got a situation, and I know we've got them in every single district in this State, and I don't know how many I've got, but I got one and it's the reason I get up and talk about this every single time that this legislation comes before the -- this Body. Here we have a dealer in my district who sells his business and has to take the tank out. So they go down, look to see if there's any contamination or leakage and then find a leak. A real threat to the community, I'm sure, and the -- and the groundwater. And that leak occurred in the very southwest corner of the property. Very southwest corner. We've got a hundred and fifty feet of frontage and probably about a hundred and twenty feet back, and over here, in the southwest corner, was the leak. They had to remove six feet of dirt out of the entire parcel of property. But did they go to the State highway and take anything out from under there that was only, maybe, ten feet away from the -- the leak? No. Did they go to the property owner on the south who -- who obviously had -- no. There's -- this is ludicrous what this has done. I talked to the Director of the Department of EPA the other evening, and I hope she'll -- she says I'm -- I agree. She said, "uncle, Frank". You know, I've -- I've talked to her. I've talked to anybody that'll listen. I've written our congressional delegation. The answer to all these problems is throw more money at it. Forty-six more million dollars. Where should that money be going? That ought to be going into the Road Fund. That ought to be out there helping them to repair our roads and build new ones. It just -- like I said, every year I've got to get up and give this same speech. I'll support the legislation, but somehow we have to bring some sanity to the federal government that

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continues to dictate policy on to us that really -- and create a crisis in which there really isn't one. And maybe somewhere, sometime there may have been a problem. And I've sure that there probably was to -- to create this kind of legislative effort by the -- by our Congress. But the vast majority of the time, there is no problem. It costs three hundred thousand dollars - three hundred thousand dollars - to remediate this piece of property in my district. Total waste of money. Where did that money come from? Out of the LUST Fund. Taxpayers. And what do we do? We come back to them and ask for more and more and more. I -- and I know that -- and I don't mean to be critical at all of -- of the sponsor, because he's doing what -- what needs to be done and that's find a solution to paying those bills, but if there was anyway at all we could send a strong message to -- to Congress, it ought to be done. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, I guess have to somewhat agree with the previous speaker in some respects. I've got senior citizens who have purchased these old filling stations in these small communities, in these small towns. They have no intention of continuing to sell gas. They just want to find a place in which to live. All of a sudden now the tanks are there. They bought the property; it's their responsibility. And I've had a number of them, more than I can count on my fingers and my toes, that have virtually gone bankrupt over this -- over this LUST Fund business. I think, obviously, we have to continue to do something. I sponsored the first bill around here that provided the three-tenths of a gallon gas tax for the first initial phase of -- of this problem, and it's been a continuing escalation every since. I guess -- this is

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one way, I guess, in which we have to address it, but there has to be some other mechanism that has to come by -- down the pike. There has to be some other criteria by which that we can change to alleviate this problem for these individuals who have no money, who have now gone bankrupt, and those who had some little savings that they have set aside that they no longer have. This, obviously, will help in some respects. It is certainly not the solution at all to this entire problem. There's got to be more done with the criteria. There has to be more done with flexibility. There has to be more done and common sense written into the Act. And whether or not that's us or the feds, I don't know. But this will help, but this is not going to be the answer, 'cause I suspect in two or three years, we're going to be right back here where we are, without any changes, looking for more money.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dillard.

SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Mahar, in -- in a year where I've read in the newspapers that some of us on this side of the aisle, and across in the House of Representatives, have somehow tried to penalize Chicago -- or, the City of Chicago, either through Midway Airport or O'Hare Airport for certain things that have happened concerning a regional airport. I just want to make sure that, in this bill, we have specifically excluded the airlines who use O'Hare, as well as the City of Chicago Aviation Department, which would be O'Hare and Midway, from this type of fee.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

That is correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

SENATOR WELCH:

Mr. President, I'm not sure if Senator Mahar deserves all this tremendous support he's getting behind this bill. I would hate to see what people would say if they actually opposed it. I think Senator Watson raised an interesting point. There's a little part on the southwest corner of a constituent's farm that has a gasoline spill underneath it. Well, where is the groundwater supply on that farm? Is it in the southwest corner? It might be. Is the neighbor's water supply coming from that corner next door, in the -- in the northwest corner of his farm? You know, it's easy to say the federal government imposed this mandate on us and -- and this is terrible. We've got to -- by God, we've got to clean up underground gasoline that would be awash under the cities of the State of Illinois if we didn't have a federal requirement that we clean it up. Many of us in small cities have had incidents where the entire downtown area has gasoline spilled underneath it, and if the federal government didn't say you've got to clean it up, guess what, this Legislature over the past several years would not have done anything about it and we'd be living on a bubble of explosive gasoline. Now, that's the alternative. It's easy to give a speech criticizing federal bureaucrats and saying the government's terrible, and we're spending all this money, but, hey, I'm glad they did it. Otherwise, we would probably have a lot of property that was unusable. Secondly, if any of us went to buy a building and were not told that there had -- been a gasoline leak underneath it, what would we end up with?

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We'd end up with some property that you couldn't do very much with. And I would certainly -- certainly think the one benefit of Senator Watson's position that you not have a program to clean up spilled gasoline in the State of Illinois is this: You'd probably have to ban smoking in the State of Illinois so you wouldn't blow yourself up throughout the State.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just rise to join a couple of the previous sponsors <sic> that talked about the concerns for our constituents in trying to deal with underground storage tanks. And I think we do have mechanisms in place today if we'll utilize them and keep the pressure on the Illinois EPA to look at each of these sites on a risk-based analysis, and use this risk-based criteria to determine how we're going to clean up that site. The second thing we can do is work with that agency to assess these sites in such a way that we can come -- make even more progress coming forward with site-specific remediation, and there are many things that can be done in terms of site-specific remediation that are much less costly to the property owner, that are much less lucrative to the people that profit in this industry of cleaning up sites. So let's utilize risk-based assessment and then site-specific remediation on our sites. I do have one question for the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Sieben.

SENATOR SIEBEN:

Senator Mahar, now that the sunset amendment has been added as a provision of this bill, could you inform me as to the position of the Illinois Farm Bureau on this bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. We were told at the Senate Environment and Energy Committee that, if this amendment went on, they would be in support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in support of this legislation for a lot of reasons, but the biggest one -- Senator Watson made a comment about three hundred thousand dollars for one of his people in his area. I just wonder if it's been paid for yet, because I have one in my area for four hundred and sixty-seven thousand dollars that's been there since January 1 of this year, and even with this increase will probably not get paid until January of this year. And they are number two hundred and sixty-seven out of six hundred and forty-some claims that are available out there. I think we have to get more -- as long as we're going to do this, we have to get the money in there in order to pay these people, 'cause otherwise we're buying a pig in a poke, and I stand in strong support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Mahar, to close.

SENATOR MAHAR:

Well, thank you, Mr. President. And first of all, I certainly appreciate the support of Senator Watson. I would hope that he would hold off further support of my future bills. But in the past we've -- or, a year and a half ago, we -- we passed House Bill 300. Prior to that time any spill -- any leak from an underground tank was treated the same. Whether it was -- whether we were -- whether the spill was a hazard to public health or not. House Bill 300 added three sections of classification - depended

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on risk, as Senator Sieben said. I do agree with Senator Demuzio; we need to reexamine those criteria, because I think that that can be improved, but the -- this -- the -- the program, as it is today, as it's constituted, has only been in effect about a year and a half. I think this is a reasonable approach. We do need more work on it, and I would ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 901 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, 1 Nay, no Members voting Present. House Bill 901, having received the required constitutional majority, is declared passed. Senator Petka, for what purpose do you arise, sir?

SENATOR PETKA:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR PETKA:

It is, indeed, my high personal privilege to introduce my home parish from Plainfield, Illinois, St. Mary Immaculate, along with Jim -- Dr. Jim Waldorf, the Principal of St. Mary's Immaculate, the eighth grade class and the chaperons. They're in the President's Gallery. I ask that we welcome them to Springfield.

PRESIDING OFFICER: (SENATOR MAITLAND)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield.

END OF TAPE

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PRESIDING OFFICER: (SENATOR MAITLAND)

House Bill 929. Senator Walsh. House Bill 934. Senator Geo-Karis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 934.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill -- I mean, House Bill 934 amends the Local Record Act in the Counties Code. It adds to the definition of "public record" any digitized electronic material. Amends the Counties Code to require that appeals from final zoning decisions of the county board must be filed within one year, unless a shorter filing period is required by another law. In regard to a county zoning ordinance, a map amendment which is intended to correct an error may be passed at a county board meeting by a simple majority, rather than three-fourths, or two-thirds from a three-member board, as required for other amendments. Finally, the bill permits multi-county health departments to hire attorneys to advise them on matters that are not within the exclusive jurisdiction of the State's attorneys of one of the counties. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 934 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 934, having received the

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required constitutional majority, is declared passed. House Bill 940. Senator Woodyard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 940.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. House Bill 940 was suggested by the Regional Superintendent of Vermillion County, and it's more of a clarifying than anything else. When they charge a fee for a GED test, at the end of the year there sometimes are monies left over. They in the past have been using whatever surplus was in that fund to award scholarships to GED students who would continue further education. There auditor indicated that they probably ought to have legislation to be able to do that, and that's simply what this bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 940 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 940, having received the required constitutional majority, is declared passed. House Bill 942. Senator Woodyard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 942.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This bill was suggested by Day Care Home Providers, now supported by DCFS and the Red Cross. And what it says is that in a day care home or group day care home, that there must be someone on the -- on the premises who is certified in first aid, Heimlich maneuver and in CPR. And that seems to me to make pretty good sense to -- to have a person like that on the premises. That's what the bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 942 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, 2 Nays, no Members voting Present. House Bill 942, having received the required constitutional majority, is declared passed. House Bill 955. Senator Karpziel. House Bill 989. Senator Weaver. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 989.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 989 is the salary adjustment for the regional superintendents of school. They have not had a salary adjustment since 1989, and with the reduction in numbers, it will not cost the State any new monies. The reduction will be from fifty-six to forty-five this August. If anyone has

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any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. Senator Weaver, I had the concern in the committee, while I do not object to some reasonable pay increase for the regional superintendents, I think the perception of giving that size of a raise at a time when we don't money for major and critical, life-sustaining services for -- for citizens of the State of Illinois, particularly children and the elderly, I don't think that we can make the -- the citizens of Illinois believe that we are acting in the best interests of the people of this State, even if there is a legitimate need to bring the regional superintendents' salary into line. Now, it as suggested in committee that maybe what we ought to do is -- is sort of phase in this raise over a period of time so that they can be brought up. It's not doubt about it that they are not -- their salaries are not competitive with other superintendents at this time, and -- and we do need to upgrade their salaries. But fifteen thousand dollars at one time, Senator, is the same -- same kind of perception that you got from the alderman who raised -- give themselves a twenty-thousand-dollar raise in the City of Chicago. And what you tried to do here is you tried to repeal their raise. And now you're coming back offering a fifteen-thousand-dollar raise to regional superintendents. Whether it's justified or not, the basic reality is, we cannot afford it, and I don't think we should vote on this bill at this time.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Weaver, you wish to close, sir?

SENATOR WEAVER:

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Well, thank you, Mr. President. The regional superintendents are taking on much more responsibility both in the service centers and enlarging the districts. I think that you'll find that most local superintendents receive an annual adjustment in their salaries. These gentlemen get an adjustment every four years. So in that context, I think it's deserved. They've been underpaid in the past in comparison with regional -- with other superintendents locally with much less responsibility. I don't know -- with the reduction in total numbers, there will be no further obligation to the State Treasury than what we now have. And I appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? The question is, shall House Bill 989 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 30 Ayes, 20 Nays, no Members voting Present. House Bill 989, having received the required constitutional majority, is declared passed. House Bill -- Senator Rauschenberger has requested verification of the affirmative roll call. Will all Members please be in their seats. The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen, Burzynski, Butler, Clayborne, Cronin, Dillard, Dudycz, Ralph Dunn, Fawell, Geo-Karis, Hasara, Jacobs, Karpziel, Klemm, Madigan, Mahar, Maitland, O'Malley, Peterson, Petka, Raica, Rea, Sieben, Smith, Walsh, Watson, Weaver, Welch, Woodyard, and Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger, do you question the presence of any Member?

SENATOR RAUSCHENBERGER:

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Senator Barkhausen.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Barkhausen? He's in his seat.

SENATOR RAUSCHENBERGER:

Senator Smith.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Smith? Is Senator Smith on the Floor? Senator Smith on the Floor? Strike her name. All right. On a verified roll call, there are 29 Ayes, 20 Nays, no Members voting Present. House Bill 989, having not received the required constitutional majority, is declared lost. Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

Postponed Consideration, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Postponed Consideration. Senate Bill <sic> 991. Senator Watson. Senator Watson on -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 991.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This defines the type of psychological services that may be provided by certified school psychologists. This particular piece of legislation passed the House overwhelmingly. We amended it here to tighten up some of the language that -- concerns of the regional -- or the School Board Association and the Alliance groups. I know of no opposition. The Nurses' Association are in support of it. Has nothing to do with underground tanks, and I would ask for your

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favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Tom Dunn.

SENATOR T. DUNN:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Dunn.

SENATOR T. DUNN:

Senator Watson, would this prevent licensed clinical psychologists from performing the same task?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

The amendment took care of that provision and it does not. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? The question is, shall House Bill 991 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 991, having received the required constitutional majority, is declared passed. House Bill 1045. Senator Madigan. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1045.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Members of the Senate, House Bill

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1045, as amended, does just what it says on the Calendar. It makes a change in the dual agency disclosure to clarify that it may be incorporated into any written brokerage agreement. I'd be glad to answer any questions on House Bill 1045.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 1045 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 1045, having received the required constitutional majority, is declared passed. House Bill 1048. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1048.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President and Members of the Senate. House Bill 1048 is language that increases the unauthorized parking-in-handicapped-spaces fine to be increased from fifty to one hundred dollars. And it does allow municipalities to increase their fines by ordinance, again, for the unauthorized use of handicapped parking places. I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 1048 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 51 Ayes, no Nays, no

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Members voting Present. House Bill 1048, having received the required constitutional majority, is declared passed. Top of page 9. House Bill 1116. Senator Dillard. Senator Dillard on the Floor? Senator Dillard? House Bill 1130. Senator Woodyard? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1130.

(Secretary reads title of bill)

3rd Reading of the...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

Yes. Thank you, Mr. President, Members of the Senate. This bill was suggested by the Health Facilities Planning Board, but it would allow the Board to promulgate their own rules, where presently they are promulgated through the Department of Public Health. The Department itself does support this, as well as the State Medical Society, and that's all the bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 1130 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1130, having received the required constitutional majority, is declared passed. House Bill 1132. Senator Parker. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate <sic> Bill amends the Transient Merchant Act of 1987. Requires a person who sells, offers for sale, or knowingly permits the sale of certain products at a flea market to keep available for public inspection an identification card identifying the person as an authorized agent, manufacturer or distributor of the product offered for sale. This is a consumer-safety issue and will help prevent retail theft. I will be happy to answer any questions, and I ask for favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Welch.

SENATOR WELCH:

Senator Parker, you represent the Winnetka area, is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Parker.

SENATOR PARKER:

I represent a large section of northern Cook County, which includes Evanston all the way up to a little bit of Highland Park. I actually have a flea market in my district on Willow Road in Prospect Heights. So I have a very varied district.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

I was just wondering if you could tell us when the next flea market sale will be in Winnetka? We may be able to get some

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bargains there.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? The question is, shall House Bill 1132 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 51 Ayes, 2 Nays, 3 Members voting Present. House Bill 1132, having received the required constitutional majority, is declared passed. House Bill 1156. Senator Walsh. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1156.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. House Bill 1156 increases from two to three the number of Northeastern Illinois Planning Commission members, who are elected municipal officials representing Cook County, and redefines the portion of the county represented by each. This bill is supported by the Northeastern Illinois Planning Commission and also the West Central Municipal Conference, and I'd be happy to answer any questions that anybody might have.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1156 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1156, having received

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the required constitutional majority, is declared passed. House Bill 1197. Senator DeAngelis. House Bill 1200. Senator Walsh. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1200.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. House Bill 1200 came from a constituent of mine. It prohibits public aid recipients from cashing public aid checks at a racetrack, inter-track wagering facility, inter-track wagering location facility, or on a riverboat on which -- on which a riverboat gambling operation is conducted. We had spirited debate in committee on this, and I would just ask for a favorable vote and be happy to answer any questions that anybody might have.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I voted for this bill in committee, but I just wanted to also go on record here on the Floor as indicating that I'm sure that many individuals if given the choice of cashing a check at a wagering facility with no check-cashing fees or paying that hefty fee that they're charged at a currency exchange where they really have no choice but to pick up their check, they would probably go to the riverboat facility and -- and cash the check. So, let the Members beware that we continue to rip off the taxpayers by allowing the check-cashers in this State to have a virtual monopoly on the cashing of public aid checks and charging the very, very hefty fees.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, when people are on public aid, they should use those checks for the necessities of life like food and clothing and their shelter. And if they want to take -- themselves to go and cash them at gambling establishments, then they are depriving the rest of us taxpayers of the proper use of the money. And I think this is a good bill and I urge favorable support, 'cause they have no business gambling when they're on public aid, until they get on their feet. Then they can do what they want to do. And I support this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would also like to mention that in committee it was pointed out that no way is this some kind of practice that somebody came to a riverboat facility in Senator Walsh's district and cashed his check. I think that's it's an unfortunate situation. I do support the legislation, but I just wanted to make it very clear that this is not a pattern, that people on welfare do not do this every day or every evening. And we should support the legislation, and hopefully we can accommodate Senator del Valle's problems too.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Welch, you wish to close -- Walsh, you wish to close? I -- I beg your pardon, Senator. Senator Shadid.

SENATOR SHADID:

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

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Indicates he will yield, Senator Shadid.

SENATOR SHADID:

Does this legislation also include where they sell lottery tickets?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

No.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Walsh, you wish to close?

SENATOR WALSH:

Thank you, Mr. President. I appreciate Senator Farley getting up, because this is...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator -- Senator Walsh, just a minute. Gentlemen, now let's be on our toes. Your lights were not on, okay? Senator -- Senator Shaw.

SENATOR SHAW:

Maybe I have a defective switch, Mr. President. But will the -- will the -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR SHAW:

Senator, why wouldn't we include -- if we want to make sure that people -- those recipients use the money as it's -- as it's intended to be used, why wouldn't we include anywhere that lottery is being sold -- the lottery tickets are sold?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

Senator, lottery tickets are -- as was just pointed out, lottery tickets are sold in -- in many more different locations.

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And again, this bill is in no way going to stop people that are receiving public aid from possibly using that money to buy lottery tickets, to -- to wager on riverboats, to -- or to gamble on riverboats or wager at race tracks. All we want to do, and I think it's the right thing to do, is set a policy where they cannot cash the check there. We can't dictate exactly how they use the -- the money, though.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw.

SENATOR SHAW:

Certainly I agree with in you principle, Senator, but they could do the same thing at the -- at the - to the bill - at the lottery station. And we have hundreds and thousands of places in Illinois where lottery tickets are being sold. And it's my understanding that -- by some reports, that an awful lot of people are spending money buying lottery tickets, and certainly I -- I also support the lottery - I want you to know that - and the way -- in light of the money going to education today. But I don't believe that we should go half way if we're going to try and make sure that those children who the money is intended to go to take care of, I don't think we should go half -- go ahead.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Walsh, you wish to close, sir?

SENATOR WALSH:

I'd just like to point out also to Senator Shaw's question that lottery tickets are also sold at -- at Osco and Jewel Food Stores, which -- which we'd be restricting them from -- from cashing checks there, where those checks may be used to buy food and whatever other necessities may be needed. So I just bring that up. And I -- I would just ask for a -- for a favorable vote, and before I do that, I want to thank Senator Farley for bringing up a good point. This is an isolated incident, and I know of -- I

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don't know of any great problem with this, but I think that this is good public policy.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1200 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, no Nays, 1 Member voting Present. House Bill 1200, having received the required constitutional majority, is declared passed. House Bill 1209. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1209.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. House Bill 1209 amends the Motor Vehicle Theft Prevention Act. It changes the membership of the -- of the Prevention Council but the total number of members remains the same. This is a duplicate of Senate Bill 733, which passed the Senate earlier this year 55 for and 0 against. I'd appreciate any support I could get, but be happy to answer any questions you may have too.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1209 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1209, having received

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the required constitutional majority, is declared passed. House Bill 1212. Senator Peterson. House Bill 1221. Senator Geo-Karis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1221.

(Secretary reads title of bill)

3rd Reading of the bill

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 1221 makes numerous changes in regards to placement and adoption of children, and it requires the Department of Children and Family Services adoption rules prohibit agencies from discriminating against any child or prospective adoptive parent on the basis of race. This bill has been sponsored not only by a biracial group in the House, but also bipartisan. And I've had many sponsors here in the Senate. I think this is a good thing, because rather than let a child just flounder and flounder, if there is no -- no relative, no individual of the same racial or ethnic heritage who wants to adopt this child, that child should be adopted if another race wishes to adopt that child. I think the best interests of the children -- the child should govern, and I ask for a favorable report on this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Chamber. I rise in support of this legislation. As pointed out by Senator Geo-Karis, it's been sponsored not as a partisan issue nor as a -- a black and white issue. It is a issue for the children, and I stand in full support of it.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the question is, shall House Bill 1221 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 1221, having received the required constitutional majority, is declared passed. House Bill 1267. Senator Donahue. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1267.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This House bill requires the State Board of Education to create a School to Work Teaching and Training Institute, and it establishes a thirteen-member board, trying to help train our teachers to work with the business community to see how our students can be -- in this school-to-work type programs. And I know of no opposition, except for possibly the State Board of Education, but everything -- everyone else is very much in support of this, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1267 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1267, having --

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having received the required constitutional majority, is declared passed. Senator Syverson, what purpose do you rise, sir? All right. Senate <sic> Bill 1268. Senator Hawkinson. Senate <sic> Bill 1363. <sic> Senator Garcia. House Bill 1489. Senator Watson. Senator Watson, on 1489? Read the bill, Madam Secretary.
ACTING SECRETARY HAWKER:

House Bill 1489.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This particular piece of legislation amends the Southwestern Illinois Development Authority Act and gives quick-take provisions to the -- to the Authority, provisions -- quick-take provisions they had for a period of seven years that expired June 30th, -- I beg your pardon - September 20th, 1987 when enacted it, and that went on for a period of seven years. We are now saying that the quick-take provision will go on from June 30th, 1995 from one year to that date. We also have -- this is the amendment which actually becomes the bill. And we also have a provision in there that would allow for the local input -- or they have to sign off. They shall sign off - local authorities - on the quick-take powers. In other words, if they're in the municipality within the Madison-St. Clair County area, the municipality must sign off on those quick-take powers. If they are in an unincorporated area, then the county must sign off, and this only impacts Madison-St. Clair County, which, of course, is the purview of which Southwestern Illinois Development Authority has its responsibility. I'd be glad to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Is there discussion? If not, the question is, shall House Bill 1489 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 50 Ayes, 4 Nays, no Members voting Present. House Bill 1489, having received the required constitutional majority, is declared passed. House Bill 1490. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1490.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This legislation creates the new Illinois Grain Code by combining three existing Acts: the Grain Dealers Act, the Public Grain Warehouse and Warehouse Receipts Act, and the Illinois Grain Insurance Act. In Illinois, we have over thirteen hundred grain-handling facilities, and for the last two years, we've been in a process of negotiating a new Grain Code for Illinois. And this legislation represents that agreement that's been worked out by the Illinois Department of Ag, who administers the Act, and they reached that agreement with the Illinois Farm Bureau, various agricultural groups and the Illinois Bankers and Community Bankers. And for those of you who appreciate being recognized as a friend of agriculture, this is definitely one that you want to vote for. So I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Lauzen.

SENATOR LAUZEN:

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A question for the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Lauzen.

SENATOR LAUZEN:

Senator Sieben, on pages 15 and 16 of the bill where it talks about getting an extension for the filing of certain information, there's a reference to financial statements reviewed by a CPA. The CPA Society was concerned about this language, because to CPAs, these words are terms of art; they mean something different to CPAs than to laymen - you know, normal people. Do I understand that these are used here not as words of art but are used in their common, ordinary meaning that what the Department is really looking for is a balance sheet that is either prepared or examined by a CPA?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

SENATOR LAUZEN:

And the Department has agreed to clarify that in regulations?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Yes, Senator, the Department has agreed to do that.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? The question is, shall House Bill 1490 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no

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Members voting Present. House Bill 1490, having received the required constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned to committees: Referred to the Committee on Education - Senate Amendment 1 to House Bill 2123; to the Committee on Environment and Energy - motion to concur with House Amendment 1 to Senate Bill 461; to the Committee on Insurance, Pensions and Licensed Activities - Senate Amendment 3 to House Bill 2177; to the Committee on Public Health and Welfare - Senate Amendment 1 to House Bill 175, Amendment 2 to House Bill 653; and the motion to concur with House Amendment 1 to Senate Bill 452; to the Committee on Revenue - Senate Amendments 4, 5 and 6 to House Bill 1212, Amendments 1 and 2 to House Bill 1510, and Amendment 2 to House Bill 1893; to the Committee on State Government Operations - the motion to concur with House Amendment 1 to Senate Bill 458; to the Transportation Committee - motion to concur with House Amendment 1 to Senate Bill 122; and Be Approved for Consideration - Senate Amendment 6 to House Bill 3 and Senate Amendment 1 to House Bill 632.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

For the purposes of an announcement. The Transportation Committee will meet as soon as the adjournment is over. If everybody will get up there, we can get out of there. It's in Room 400.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. We are -- let me just -- let me just mention, we are not -- we're going to go back to 3rd Reading for now though,

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but your -- your point is well taken, Senator Fawell. All right, Ladies and Gentlemen. Top of page 10, House Bills 3rd Reading. House Bill 1493. Senator Woodyard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1493.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. 1493 does approximately four things, but mainly, it will allow the State Fair and Department of Agriculture to sell advertising in their premium books and -- and so on where we don't presently do that. This is similar to what Department of Conservation has now. It's expected it would generate about thirty thousand dollars. Also, people who violate rules while at the State Fair would be subject to expulsion, rather than some kind of a business expense, and it also, for county fairs, provides and clarifies language that would allow for the disbursing of the rehab funds to the -- to the county fairs, in which it specifies in writing that they can use a certain percentage of that rehab fund for liability and casualty insurance, as well as rehab on the grounds. And it also clarifies the rehab fund spending procedures, and that's the four things that the bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 1493 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 1493, having received the

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required constitutional majority, is declared passed. House Bill 1502. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1502.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President and Members of the Senate. House Bill 1502 expands the Adopt-a-Highway Program to all State routes, except the interstates and tollways. As you know, a few years ago, you were kind enough to pass a bill that allowed municipalities, counties and townships to do it, and after a two-year or three-year trial program, we're expanding the program today. Also, it allows for the placement of appropriate plaques along the Illinois River Road, and it really allows the local agencies, which would be the cities, to erect the plaques along the route within their jurisdiction. I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 1502 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, 1 Member voting Present. House Bill 1502, having received the required constitutional majority, is declared passed. House Bill 1510. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1510.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. House Bill 1510 amends the Department of Veterans' Affairs Act, the State Finance Act and the Illinois Income Tax Act to create a new checkoff on the individual income tax return for the Women in Military Service Memorial Fund. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator O'Malley, could you tell me, how many checkoffs do we have on the income tax return now, and how many have we created this year of all the bills that we've had go through here pass? What...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

I'm checking with staff here. There apparently are nine currently and none of them which have passed this year have been signed yet by the Governor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

SENATOR WELCH:

Are there -- is there a provision on this checkoff that is a sunset provision, so if it doesn't reach a certain amount of money, it is eliminated? And secondly, what is the cost of this

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memorial?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

To your first question, the -- the sunset is -- is applicable by Statute to all of these; that if they do not create a certain volume of dollars, then they automatically do fall off. To your second question, the -- the goal in connection with the memorial fund is to -- find a dollar from every -- for every state based on the number of female veterans residing in that state. Since Illinois currently has thirty-six thousand seven hundred female veterans, it is the goal of Illinois to raise thirty-six thousand seven hundred dollars, one way or another, hopefully by this method.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

I was wondering if you would accept an amendment, because I've had two proposed. One, Senator Demuzio wanted a checkoff for regional superintendents' salaries, and Senator Watson was looking for one for underground storage tanks. Would you accept those?

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Further discussion? Senator O'Malley, you wish to close, sir? The question is, shall House Bill 1510 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1510, having received the required constitutional majority, is declared passed. House Bill 1511. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 1511.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1511 amends the Historic Preservation Act, includes the Korean War Memorial among other sites under their -- jurification <sic>. They have -- we have appropriated four hundred and fifty thousand. They have raised on their own a hundred and ninety thousand. And basically what this does is allows the Historic Preservation Agency to -- maintain the facility once it's built. Be happy to answer any questions and like to see a lot of green votes up there.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1511 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1511, having received the required constitutional majority, is declared passed. House Bill 1530. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1530.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

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

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This legislation would allow the Department of Conservation to establish and maintain and Adopt-a-Park Program similar to the popular Adopt-a-Highway Program. Individuals and groups of volunteers would be used in an effort to reduce and remove litter from our parks and parklands, as proposed by the Department of Conservation, supported by the Illinois Environmental Council and the Illinois Wildlife Federation. Ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Palmer.

SENATOR PALMER:

Senator Sieben, when you say volunteers, are they taking positions away from paid staff to carry out their functions?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

No, they would not.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? If not, the question is, shall House Bill 1530 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are there are 54 Ayes, no Nays, 1 Member voting Present. House Bill 1530, having received the required constitutional majority, is declared passed. House Bill 1633. Senator Sieben. House Bill 1651. Senator Sieben. Read the bill, Mr. Secretary. 1651.

SECRETARY HARRY:

House Bill 1651.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Criminal Code of Illinois to make unlawful any changes to the hour meter of a used farm implement with intent to deceive another. Similar to somebody who turns back a odometer in a car, the same thing can happen with a tractor or a combine, and this would add the penalty of a Class A misdemeanor if somebody did that intentionally to defraud the buyer. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Yes, Mr. President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Senator Sieben, in committee, wasn't there an amendment that we're going to try to work out on those vehicles that may be too old to really participate in this program? And if so, are we going to do that in the House, or am I mistaken on that?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Yes, Senator Jacobs, that issue was raised by Senator O'Daniel in the committee, and he asked that the Farm Bureau check with their members and see if -- if it was necessary to have any exemption for old -- old tractors. And they felt that the possibility of somebody defrauding a purchaser could apply equally

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as well with -- with a ten-year-old tractor as it could with a two-year-old tractor, and it was their feeling - and Senator O'Daniel had agreed to that - let the bill go as it's written. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? If not, the question is, shall House Bill 1651 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1651, having received the required constitutional majority, is declared passed. House Bill 1653. Senator Hawkinson. House Bill 1693. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1693.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Administrative Civil <sic> Code to direct DCCA to develop and implement a small business safety loan program and provide loans and assistance to small businesses trying to come into compliance with safety requirements after DCCA has done an on-site audit. Supported by the Chamber of Commerce, the IMA, the Management Association. I know of no opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1693 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1693, having received the required constitutional majority, is declared passed. House Bill 1711. Senator Cronin. Senator Cronin on the Floor? Senate Bill 1721. Senator Cullerton. Senate Bill 1730. Senator Palmer. Senate Bill 1731. Senator Palmer. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1731.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President, Members of the Senate. This is one of several Legislative Reference Bureau annual bills, and all this does is allow them to change various long and short titles in various Codes and to amend Section 540 of the Clerk of Courts, where the Supreme Court can charge twenty-five dollars for all services, to insert "except the making of a complete record, or copies of records, papers, or orders." I'll be happy to answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1731 pass. Those in favor will vote Aye. Opposed, No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1731, having received the required constitutional majority, is declared passed. House Bill 1732. Senator Palmer. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 1732.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. This, too, is one of the annual LRB bills. It recodifies the Criminal Jurisprudence Act. There are various criminal Codes in the -- under -- since 1874 contained in virtually all of the laws. This brings them under their proper Sections and cross-references them and removes those that have been superseded. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1732 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1732, having received the required constitutional majority, is declared passed. House Bill 1733. Senator Palmer. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1733.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. Again, this is an LRB revisory. It allows LRB to prepare our final -- in the final months, revise and make whatever technical changes they need to make to complete our work at the end of the Session. I ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1733 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1733, having received the required constitutional majority, is declared passed. House Bill 1788. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1788.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President and Members of the Senate. House Bill 1788 simply codifies a current practice of CMS. It places a 24-month cap on noncontributory health benefit coverage. I would be glad to answer any questions and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1788 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, 1 Member voting Present. House Bill 1788, having received the required constitutional majority, is declared passed. House Bill 1790. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1790.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Members of the Senate, House Bill 1790 allows the Department of Professional Regulation to deny or suspend licensure if a person is -- defaults on a scholarship, and it also continues the practice of funding nurse scholarships through the Nursing Dedicated and Professional Fund. I'd be glad to answer any questions on House Bill 1790. There is no opposition.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Severns.

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Severns.

SENATOR SEVERNS:

Senator, would you consider an amendment to this bill? And I know it's late. But an amendment that says if someone defaults or fails to pay a loan back in time, that they're also subject to denial of, for example, riverboat licenses, too?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan?

SENATOR MADIGAN:

I don't know. Take it out of the record.

PRESIDING OFFICER: (SENATOR MAITLAND)

Out of the record. Out of the record. House Bill 1793. Senator Karpel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 1793.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 1793 amends the Environmental Protection Act and provides that the Water Pollution Revolving Fund <sic> shall consist of two interest-bearing programs known as the Water Pollution Control Loan Program and the Loan Support Program. This will establish a second account for the Waste Water Revolving Loan Program, which allows the EPA -- IEPA to continue funding the State's Water Pollution Control Program. It also allows EPA to use a small amount of the interest portion of the loan repayments for the administration of the program, and it will also allow them to continue the successful loan program to local governments for -- for water projects. The bill was supported in committee by the Illinois Municipal Leagues, the IMA, the Chemical Industry Council and the -- Illinois Association of Waste Water Agencies.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator.

SENATOR DEMUZIO:

Senator Karpel, is the revenue stream for the creation of the Water Pollution Control Loan Program that interest bearing that's coming off the bonds now in the previous Build Illinois Program?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpel.

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SENATOR KARPIEL:

I didn't hear the last -- the interest bearing from what program?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

The Build Illinois Program.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpriel.

SENATOR KARPIEL:

I don't know that it is the Build Illinois Program. What it is, it's the low-interest loans that we loan to municipalities for water treatment projects, and it's the interest that's coming in on those loan repayments.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, is that not the original revenue stream that was created when we revised the sales tax revisions of about five years ago, and we created this fund by using the downstate revenues flowing into a separate account to fund revolving loan programs and grants for waterworks, at the same time we gave Chicago all of their increased sales tax revenues that was created by the revisions of the Act? What's the revenue source?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpriel.

SENATOR KARPIEL:

Senator Demuzio, first of all, Build Illinois was a different program. This has nothing to do with that. The sales tax, I don't think it has anything to do with that. This has to do with what is now called the -- the Water Pollution Control Loan Program, and it has to do with the -- when a municipality gets a low-interest

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loan from the State for water -- their water projects, and it has to do with the interest on the loans that they're repaying. I don't think it has anything to do with sales tax or anything else.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, there had to be a bond program whereby it was created by the State of Illinois to create a revenue stream so that the State could get these monies in order to provide for these low-interest loans, and now the interest is now coming back and apparently we have an overflow of interest; therefore, we are using now the interest over and above the -- the debt repayment to the bonds to use for the creation of this program. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR KARPIEL:

I'm sorry. I'm just having a hard time hearing you, Senator Demuzio.

PRESIDING OFFICER: (SENATOR MAITLAND)

Do you want the question repeated? Senator Karpziel.

SENATOR KARPIEL:

Eighty percent comes from the federal government. The twenty percent that we put in comes from the interest on the loan repayments on the - if I could get the name of the fund - Anti-pollution Control Bond Fund. And the interest on those bonds that we're being -- that are now being repaid is -- is the money that we're talking about.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

I -- I don't think that's right, but -- and I'll tell you why: Because according to what my analysis says is that so far the

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program has given out four hundred and sixty-two million dollars in grants to a hundred and sixty-four projects. What -- what -- in essence, what we are doing here is that we are using now the interest off of the program as I described earlier as a means to fund additional water projects. I guess the quarrel that I had was -- is that -- is that all of -- all of non-Cook County revenue was going -- flowing into this fund, and Cook got their money -- their sales tax money direct. We -- the State of Illinois and the Governor came in about three years ago and took the excess interest payments to balance the budget. Now it appears that we are now going back to pick up the interest in order to create new programs, but now all of the State of Illinois is involved. And -- you're shaking your head no. This program is a statewide program? There's no exclusions?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpiel.

SENATOR KARPIEL:

Yes, it is. It's a statewide program.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Then it is as I described. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise in support of the bill. I understand -- it's critical that at least 3.2 million replacement funding be available for FY'96 to provide for continued support of existing base program activities, such as permitting, compliance monitoring and enforcing the Water Pollution Control Program. Otherwise, it'll be in jeopardy. I certainly rise in support of it and ask for strong votes on it.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Karpziel, to close.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I hate to stand here and act like a -- a dunce, but I just don't really have any idea what you're talking about, Senator. This does not involve sales tax revenues. It doesn't involve, as far as I know, anything to do with Cook County getting paid and the rest doing it. He keeps saying it does, but I have no information to that. Our staffer says no and a member of the liaison for the EPA says no. This does just as I said it does, and I think it's important for all our local municipalities for us to continue the funding on these low-interest loan programs.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is...

SENATOR KARPIEL:

Thank you. He's saying...

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1793 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1793, having received the required constitutional majority, is declared passed. House Bill 1800. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1800.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

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Thank you, Mr. President. This comes to us from the Associated Beer Distributors of Illinois, and it amends the Liquor Control Act to clarify that a manufacturer, distributor or importing distributor may furnish only one temporary outside sign per brand to a retail license. I know of no opposition. It passed out 104 to nothing in the House. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1800 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 <sic> (57) Ayes, no Nays, no Members voting Present. House Bill 1800 -- 1800, having received the required constitutional majority, is declared passed. House Bill 1802. Senator -- just a minute, Senator Fitzgerald. Little problem up here. House Bill 1802. Senator Fitzgerald. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1802.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1802 is also an initiative of the Associated Beer Distributors of Illinois. It amends the Liquor Control Act of 1934 to provide that a distributor or importing distributor for beer is not prohibited from establishing purchase requirements unless those requirements have the effect of excluding a majority of the retail licensees in the designated geographic area from purchasing the beer. The bill passed unanimously out of the

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House. It was on the Agreed Bill List in committee here in the Senate. There's no known opposition. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1802 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1802, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Purpose of a -- purpose of a -- for the purpose of introducing one of my constituents, if I may have...

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, ma'am.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in the President's Gallery up there is Charles Willms, who is a member of our Waukegan School Board, in Waukegan, and one of our constituents. And I ask you to welcome him.

PRESIDING OFFICER: (SENATOR MAITLAND)

Will our guest in the gallery please rise and be recognized for the Senate. Welcome to Springfield. Welcome to Springfield. House Bill 1810. Senator Peterson. House Bill 1827. Senator Hawkinson. House Bill 1842. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1842.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This provides that registered firms must report changes in personnel responsible for the firm's compliance within thirty days of the change and that each such personnel must be an officer or director of the corporation. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1842 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1842, having received the required constitutional majority, is declared passed. House Bill 1854. Senator Stan Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1854.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 1854 would amend the Housing Authority Act and the Housing Cooperation Act <sic>. It would authorize two or more home rule municipalities within the same county to create a housing authority. It provides that in a county between a hundred and seventy and five hundred thousand inhabitants, the county board may cede power of appointment, confirmation and removal of housing authority commissioners to one

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or more municipalities within the county. There were two amendments put on. One amendment would -- it was requested by the Downstate Housing Authority Association. This language removed the additional two members on housing authorities created by intergovernmental agreements between two or more municipalities. The other one is -- was requested by the Chicago Housing Authority, and it modifies the language to say that the CHA police subject to amounts appropriated for the purpose shall strive to eliminate or reduce those illegal activities within the authority. Appreciate a favorable roll call. If anyone has any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1854 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1854, having received the required constitutional majority, is declared passed. House Bill 1876. Senator Syverson. House Bill 1893. Senator Lauzen. Senator Lauzen on the Floor? House Bill 2070. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2070.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. House Bill 2070 provides that persons aging out of special education programs, if they have severe mental disabilities and other

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characteristics required for participation in the home-based support services program, will be enrolled in the program. This would begin in Fiscal Year 1997, and would require a separate line item appropriation in the DMHDD budget. This provides for elimination of the program if a court declares it to be an entitlement for all persons with the same characteristics. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Would the speaker yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Walsh, does House Bill 27 <sic> create an entitlement program?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh

SENATOR WALSH:

No, it doesn't.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The information that the Department of Mental Health provided was estimated that if this were to be viewed as an entitlement, the fiscal impact would be approximately four million dollars a year. Do you know that to be fairly close to correct, Senator Walsh?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

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Yes, but as I said before in -- in the -- the last line that I read, if -- if a court declares it to be an entitlement for all -- that -- that it -- it would provide for the elimination of the program.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Am I correct, Senator, that the home-based support program is oversubscribed now by, I think, eighteen hundred applicants?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

I'm not exactly sure of the number, but it is -- yes, there is a -- a waiting list to get on it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Just a comment: I think the intentions of the bill are very good. I'm just concerned about creating a false hope in a -- in a program that we've had difficulty funding for those who are already entitled to, but I certainly recognize the sponsor's good intentions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Parker.

SENATOR PARKER:

Will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Parker.

SENATOR PARKER:

If this does not get put into the budget, as far as the money goes, next year, will that then just sort of eliminate that program, or will it take away from monies already spent on

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home-based care?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

This would enhance the home-based support services program. There is a separate line item for home-based support services. This would add another line for -- for those persons that were coming out of special education classes to be eligible to get into this program. But this would only be for person with severe disabilities that were coming out of special education programs, so that there wouldn't be any type of lapse in their education from what they have learned in -- in the special education programs. But this would in no way hurt the funds that are already in the line item for the home-based support services.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Parker.

SENATOR PARKER:

So it will not take away -- I'm still not clear. It will not take away from the -- the people who are already in that program. It won't be another pool to draw from. It will be a separate line item, and if the money isn't there, then it just won't be funded.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

This is -- this is in no way going to hurt the home-based support services program as it exists right now. This would -- this would enhance it, and again, it would be a separate line item in the budget that would be for those persons with severe disabilities that were -- that were getting out of a special education course.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Smith.

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SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in strong support of House Bill 2070, and I think that it's a very good bill. It's been well worked with, and I'm sure that Speaker Daniels and Mrs. Krause -- Representative Krause and them have worked very hard for that bill, and I want to support. Let us here in the Senate support 2070. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Lauzen.

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Lauzen.

SENATOR LAUZEN:

Our analysis says that this bill would allow the State to purchase a certain amount of goods and services from businesses with integrated supported employment programs without advertising and competitive bidding requirements. Could you describe that, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

Senator, that -- that portion of the bill, it -- it -- it pertains to, I think, goods and services that were -- were produced by persons with disabilities, and that's why it would be a no-bid. A certain percentage, and I -- I'm not positive of the percentage, but a certain percentage of those goods and items would be -- would have been produced from persons with disabilities, and they would not have to be competitively bid.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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Thank you very much. In DuPage County, we have a -- a program going on where some of the -- the mentally ill and the developmentally disabled actually have a -- a program -- it's a catering program. I know I've used them and the county has used them, and certainly it is a program that keeps these -- these adults active, keeps them in the community, gives them something to do and -- and allows these programs to be funded through the -- through the catering program. I think this is an excellent bill, and we ought to all be for it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Walsh, to close.

SENATOR WALSH:

Just quickly, to respond to Senator Lauzen, there are -- there are also very strict restrictions as to who is eligible or what's eligible for the -- the no-bid contracts. And other than that, I would just -- I would just ask for favorable support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2070 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 51 Ayes, 1 Nay, 2 Members voting Present. Senate -- House Bill 2070, having received the required constitutional majority, is declared passed. House Bill 2080. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is just a clean-up bill for

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Secretary of State Ryan. What it does, it takes the four plate categories that have been created and allows the additional registration and renewal fee to be deposited in a special sum -- fund to recover the start-up and the administration costs. Obviously the additional monies that are raised for the environmental plates and what have you will continue to go where, indeed, they were originally scheduled to go. There are no fee increases in this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Welch.

SENATOR WELCH:

Senator, did you say that the environmental plate fund stays with the Department of Conservation? According to the -- the Digest, it would go to this fund, instead of going to the separately -- I think it goes to the Department of Conservation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

...that would go to this fund are the start-up costs - you know, the -- the ones that -- the cost that it requires to make these plates and what have you, the original plates. The additional fees that are charged for the -- for instance, for the Conservation plates, of course will still continue -- to go to the Department of Conservation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator -- Senator Welch.

SENATOR WELCH:

Does that mean that it goes to the Department of Conservation

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after the cost of creating the plate is deducted? It's a -- the net difference goes there? I wasn't sure.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Let me give you an example. It says in response to the popularity of the environmental plates, twenty-nine thousand six hundred of them have now been issued, which has raised seven hundred and forty thousand dollars for State plates. This would continue this money to go there, and in fact, this -- this bill also increases the -- so that the recreational vehicle owners could also get Conservation plates.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Further discussion? Senator Fawell, you wish to close?

SENATOR FAWELL:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2080 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2080, having received the required constitutional majority, is declared passed. Top of page 12 is House Bill 2123. Senator Karpziel.

END OF TAPE

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PRESIDING OFFICER: (SENATOR MAITLAND)

...(machine cutoff)...Karpel on the Floor? House Bill 2138.
House Bill 2141. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2141.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Property Tax Code in areas relative to the selling of tax delinquent property. It's an initiative by the Illinois County Taxpayers' <sic> Association. Passed out of the House on an Agreed Bill List. There was no opposition in committee. The most significant thing, or one of the significant provisions that you may want to note there, that it does rename the Senior Citizens Tax Freeze Homestead Exemption as the Senior Citizens Assessment Freeze Homestead Exemption. Clears up that issue. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. The other significant aspect of this bill is it contains a provision whereby if an incentive is given by a taxing body and that individual or company leaves that area, they are obligated to pay back those incentives, which has been an idea that I had on another bill and it's passed over to the House.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? The question is, shall House Bill 2141 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2141, having received the required constitutional majority, is declared passed. House Bill 2142. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2142.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you -- thank you, Mr. President. This legislation amends the School Code to raise the level that can be purchased from two thousand to five thousand dollars by <sic> a business owned by a member of the school board, if those items are not available elsewhere in the district. Simply raise the level of purchase agreement from two thousand to five thousand.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

Well, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

If the school board members can discuss this among themselves, what's the point of raising it from two thousand to five thousand dollars? I -- I don't see how this expedites anything, and opens the door for controversy, I would think, especially in small town, small school districts.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

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SENATOR SIEBEN:

Well, the situation that was brought to my attention happened in Cambridge, Illinois, where they wanted to buy something for the school district at the local lumberyard, and the man who owned the lumberyard is on the school board. They could purchase things up to two thousand dollars without any prohibition, but the Statutes prohibit them from buying anything from his lumberyard if -- if the amount of the purchase is over two thousand dollars. Whether they can discuss it among themselves at the board or whatever, they're strictly prohibited. So in this situation, they can't buy it in Cambridge; they have to go to Senator Jacobs' district in -- in Rock Island and buy it at the Wal-Mart store in Rock Island County. And they just wanted to raise the level so they could make some of those purchases in Cambridge, in -- in their district.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

So, if this bill passes and the school board wants to buy six thousand dollars worth of lumber, they'd still have to go to Senator Jacobs' district. Is that what this bill does?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

At that level, if it's over five thousand -- but now, we may want to bid for it in Geneseo and get them to come to the Wal-Mart in Geneseo. But, yes, they -- they would not be able to buy it at -- at their local lumberyard where that member is -- that board member is an owner.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

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Wouldn't it be easier to leave the limit at two thousand dollars and pass a law that says the school board can buy amounts above two thousand dollars from a school board member's business if the vote is three-fifths, or something like that, as long as it's a public process?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Your -- your idea has merit, I think, and I would suggest that maybe there's a -- a bill still alive here that you could attach that -- that idea onto as an amendment, and I'd be happy to support it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Well, unfortunately, you're not on the Rules Committee, so that probably -- that support probably wouldn't do me much good. But thanks anyway.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? The question is, shall House Bill 2142 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2142, having received the required constitutional majority, is declared passed. House Bill 2177. Senator Madigan. House Bill 2202. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the Secretary of State's annual Vehicle Code clean-up bill. It deals with staggering registrations, multi-year plates, mileage tax, registration fees, and semitrailers. And proponents are the State Police, the Mid-West Truckers, and the Illinois Transportation Association.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator del Valle.

SENATOR DEL VALLE:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

She indicates she will yield, Senator.

SENATOR DEL VALLE:

Senator Fawell, the provision regarding the use of tinted plastic or tinted glass plate covers, could you explain what -- what we're changing in the law with this language regarding...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

The -- the tinted license plates covers? I -- was that your bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator del Valle.

SENATOR DEL VALLE:

No -- no, it's your bill. It's in this bill. There's a provision regarding penalties for the use of tinted license plate covers. I did have a bill regarding clear covers, but this language doesn't pertain to that. The language is -- in this bill, as I read it, establishes an increase in penalty for the use of tinted covers.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Fawell.

SENATOR FAWELL:

...I believe was a request of the State Police. There are some "not clear" license plates, which is what your bill was and -- and which is acceptable. It's the ones that are tinted to the point where it is very difficult, if not impossible, to read the license plate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

What -- what is the change in -- in penalty here for the use of the tinted covers? Because it's already against the law to use tinted license plate covers. We're making a change here, and I'm trying to get at what it is that we're changing, in terms of the penalty for changing -- for using a tinted cover.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

I -- I have not got the bill right in front of me. This is strictly supposed to be a clean-up bill. That's all. Putting things in different order and that type of thing. I don't think we are...

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Fawell.

SENATOR FAWELL:

My -- my staff says it's strictly a clean-up bill. We're not doing much of anything.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? The question is, shall House Bill 2202 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record,

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Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2202, having received the required constitutional majority, is declared passed. House Bill 2227. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2227.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2227 creates the Foster Parent Law and the Statewide Foster Care Advisory Council Law. Provides foster parent rights and responsibilities. It establishes a Statewide Foster Care Advisory Council to be appointed by the Director of DCFS and to advise the Department with respect to all matters involving or affecting the provision of foster care to abused, neglected, or dependent children and their families. I would be glad to answer any questions, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2227 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2227, having received the required constitutional majority, is declared passed. House Bill 2245. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2245.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. House Bill 2245 authorizes the Department of State Police, in consultation with the CMS Department, to enter into an intergovernmental agreement with the City of Chicago with regard to hiring, classification, compensation, merit, fitness, and conditions of employment of former employees of the Police Department Crime Lab Division who are hired by the Department of Police in the Department of Chicago Forensic Science -- Science Lab in connection with the supervision of forensic scientists or the analysis of physical evidence. And it provides that the agreement may include exceptions to the State's Personnel Code, specifies minimum requirements for the agreement that address issues such as unused and uncompensated sick leave, background investigation, seniority, and et cetera. And for the Chicago Crime Lab -- Laboratory employees who become State employees, the bill allows participation in the State Employees' Retirement System as non-coordinated <sic> employees, those who do not participate in Social Security. It also removes the six-month probationary period that usually applies before membership in the pension fund, and it makes minor changes needed to ensure that these individuals could immediately qualify, if necessary, for disability benefits, pension reciprocity, and survivors' benefits. This legislation will finalize the 1993 agreement between the State and the City of Chicago to transfer the City's Crime Lab to the Department of State Police. I know of no opposition. I would seek your affirmative support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the

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question is, shall House Bill 2245 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2245, having received the required constitutional majority, is declared passed. House Bill 2248. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2248.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2248 deals with the Comptroller's Office, and it does three things, all of which are good. It increases from six to twelve months the length of time in which a warrant can be cashed. Example: If a public aid check was not cashed, now they have to go through a whole formal thing in order to get it cashed after six months. This increases it to twelve months. Secondly, it goes from three years to five years for replacement of a warrant. And the third, under current law, most affidavits for replacements need a -- a notary, and now you'll only need it if it's less <sic> than five hundred dollars. So, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 2248 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no

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Nays, no Members voting Present. House Bill 2248, having received the required constitutional majority, is declared passed. House Bill 2273. Senator Welch. House Bill 2332. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2332.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 2332 is a Department of Revenue bill. I believe it has one amendment in committee that -- that the DOR lien must be recorded in the county or counties in which the property is located before the lien is in effect. There's twenty different items in the bill. As I said before, it's a Department bill. Ask for your favorable roll call on House Bill 2332.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 2332 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2332, having received the required constitutional majority, is declared passed. House Bill 2337. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2337.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This does create the Interstate Insurance Receiver -- Receivership Compact Act. It's an initiative of the Department of Insurance. The Commission shall promulgate rules which shall have the force and effect of law; oversee, supervise and coordinate the deterrents -- deterrents of receivers; and act, upon request of a member state, as a receiver of an insurance company; borrow, accept, or contract for services of personnel; lease, purchase, accept gifts or donations; establish a budget and make expenditures; borrow money; act as receiver if requested to do so; and perform such other functions as may be necessary. This is, I think, fairly agreed to. I think Senator Berman does have some questions, as far as the intent of the legislation. Be more than happy to answer those.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I apologize for taking everybody's time, but it's important that we set some legislative intent here. Senator Burzynski, as you know from our debates on other bills, I do not believe that insurance receivers should have immunity for their wrongdoing. Calling your attention to Article V, Section D, subsection (1) of this bill, can you explain whether the bill is intended to confer such immunity upon the Interstate Compact Commission, when it acts as a receiver?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

No, it is not intended to confer such immunity on the Commission. In the first place, it is not expected that the

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Compact Commission will often serve as a receiver. About the only time this would happen is on the request of the insurance commissioner in the state where the troubled insurance company is domiciled, and after the Compact Commission has agreed to that commissioner's request.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Berman.

SENATOR BERMAN:

Senator, suppose that happens and the Commission does serve as a receiver. Does the Commission have immunity under subsection (1) for its receivership activities?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

No, it does not, Senator. The first nine lines of that subsection - in fact, lines 14 through 22 - bestow a qualified immunity on the members of the Interstate Compact Commission for their administrative and oversight activities. However, that grant of qualified immunity is limited by the following proviso in two important ways. The first clause of the proviso states that no such immunity is available in cases of intentional, willful, or wanton misconduct. More importantly, for purposes of your question, the second clause of the proviso, lines 26 and 27, state that there is no immunity, qualified or otherwise, when the Compact Commissioner acts as a receiver of a troubled insurance company.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Berman.

SENATOR BERMAN:

So the intention of the drafters is to leave unaffected any person's right to bring a claim based on the wrongdoing of the Compact Commission, when it acts as a receiver. Is that correct?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Yes, Senator Berman, that's precisely correct. As you know, this bill was developed jointly by NCOIL and by the various insurance commissioners of the National Association of Insurance Commissioners in the Midwestern Zone. At one point, the state insurance commissioners proposed an immunity provision like the one in the NAIC Receivership Model Act, which would have conferred qualified immunity on the receivership activities of the Compact Commission. However, NCOIL rejected that proposal, based on arguments like the ones that you have made in the past. As a result, this bill does not immunize receivership activities under the Compact.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Berman.

SENATOR BERMAN:

Thank you, Senator Burzynski. I urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? The question is, shall House Bill 2337 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2337, having received the required constitutional majority, is declared passed. Senate <sic> Bill 2339. Senator Parker. House Bill 2343. Senator Woodyard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2343.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This bill was suggested by Department of Commerce and Community Affairs, and I think it's somewhat in response to looking forward in the possibility of block grants coming down from -- from Washington in the future. So part of the bill, the language in here mirrors what the federal language is for the works for system development. And it actually changes the title of the Illinois Job Training Coordinating Council to the Human Resource Investment Council, which is evidently what the federal government wants us to do. The lack of having this Human Resource Council would put our federal funding in jeopardy; there's no question of that. And the establishment of an HRC will enable the State probably to capture any block grants a lot more effectively and efficiently, and that's what the bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Garcia.

SENATOR GARCIA:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Garcia.

SENATOR GARCIA:

Thank you. Senator Woodyard, I'm a member of the Illinois Job Training Coordinating Council, and I understand what you are trying to accomplish with this bill. I support that. However, several questions come to mind, and I want to make sure that I understand them. The new entity that is created, the name change, et cetera - how many members would it consist of?

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Senator Woodyard.

SENATOR WOODYARD:

I don't see that right now, but it's my understanding that it -- there would be more members than there are presently on the Job Training Coordinating Council. And I apologize. We can get that figure for you though.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator -- Senator Garcia.

SENATOR GARCIA:

I -- I'd like to ask you to -- to do that, please. My second question is: Under the changes which the bill would cause to take place, what would happen to the guaranteed representation that the Senate and the House have through appointments by our respective Leaders to that Council? Because I think I can say that Leader Jones on this side would like to ensure that a representative would -- from our side of the aisle would be there participating actively, as I seek to try to do. Do we have a guarantee that that would be possible?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding that -- that Leadership would still be appointing Members as well as -- as other members to this new Council.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Garcia.

SENATOR GARCIA:

But, Senator, isn't that permissive legislation, in that, if I read it correctly, it's up to the Governor to make such appointments, whereas it was codified previously that the Leaders could appoint individuals to serve?

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Senator Woodyard.

SENATOR WOODYARD:

I believe you are correct on that, yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Garcia.

SENATOR GARCIA:

Well, I'm sort of concerned, not because I want to protect my own position - I know there's at least one other Member who serves on it - but I think it's important that Members of the General Assembly be on there and that we have at least a guarantee that someone, whomever it will be. My last question is regarding veterans. Is the new -- the new change and the process for the formation of the new entity which replaces the Job Training Coordinating Council, does it not guarantee that veterans will also be represented there?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

I believe the correct answer was -- would be that, as we understand this, veterans would not be guaranteed on, but it certainly would be permissive.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Garcia.

SENATOR GARCIA:

Well, I appreciate your -- your honesty, Senator. I'm not sure what I'm going to do. I want to vote for it because I understand that we get more money and this is the way that we ought to move. Unfortunately, I don't know all the specifics of why we're moving and the impact. I'd just like to ask you to just consider possibly making any further changes if they would be amenable to you. I think it makes sense. I'll probably vote for this, but I just wanted to get that out, for my own use. Thank

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you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Woodyard, to close.

SENATOR WOODYARD:

Well, I think in closing -- and I certainly understand some of the concerns that Senator Garcia has, but I would reiterate that this is the -- is the type of language that mirrors what the federal government would want us to do, and I think it will allow us to capture additional funding in -- in the block grant programs that we anticipate will happen. And, Senator Garcia, you have my word that I'll do everything possible to make sure that -- that we do retain legislative membership on these -- on this Council.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2343 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2343, having received the required constitutional majority, is declared passed. House Bill 2463. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2463.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 2463 does make various changes in the Liquor Control Act to bring the State Statute into compliance with federal law. I'd be happy to answer any questions. There is no opposition to 2463.

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Is there discussion? Senator Farley.

SENATOR FARLEY:

Just a quick question, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Farley.

SENATOR FARLEY:

Thank you. I have a question about the private function Section of the bill, Senator. Does the private function Section have -- or let me -- let me ask this way: Does that part of the bill supersede any local licensing regulations or ordinances?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Senator Farley, the answer is no.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Farley.

SENATOR FARLEY:

A situation where, for instance, there was a promotional party, giving -- given at a -- a -- an auditorium by, for instance, a radio station - they would still have to comply with any ordinances and licenses that that municipality might have in place?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? If not, the question is, shall House Bill 2463 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, no

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Members voting Present. House Bill 2463, having received the required constitutional majority, is declared passed. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 49, offered by Senator Fawell.

It's substantive, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, 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 774, with House Amendment No. 1.

We have -- that passed the House, as amended, May 12th, 1994.

We have a like Message on Senate Bill 866, with House Amendment 1.

Passed the House, as amended, May 15th, 1995.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cronin, for what purpose do you arise, sir?

SENATOR CRONIN:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement, please.

SENATOR CRONIN:

The Education Committee shall convene at 4 p.m. - 4 p.m. - in A-1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any further announcements? Any further business to come before the Senate? If not, Senator Lauzen moves that the Senate stand adjourned until 11 a.m. Tuesday, May 16th. Senate is

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adjourned.

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