

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDENT PHILIP:

The regular Session of the 88th <sic> (89th) General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? Our prayer today will be given by the Reverend Joseph H. Eby, Westminster Presbyterian Church, Springfield, Illinois. Reverend Eby.

THE REVEREND JOSEPH H. EBY:

(Prayer by the Reverend Joseph H. Eby)

PRESIDENT PHILIP:

Will you please all rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

WCIA-Channel 3 has asked permission to tape today. Is leave granted? Leave is granted. The Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Thursday, April 20th; Monday, April 24th; Tuesday, April 25th; Wednesday, April 26th; and Thursday, April 27th, in the year 1995, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading of the Journal --- the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 185, 365, 456, 798, 884, 935, 1069, 1197, 1202, 1523, 648, 1303, 1459, 1741, 1850, 1900, 2076, 2140, 2294, 2338, 375, 527, 838, 999, 1171, 1279, 1281, 1461, 1462, 1465, 1470, 1475, 2106, 2108, 2177, 2403, 2404, 2407, 1124, 1322, 2205, 2337, 2345 and 2445.

All passed the House, April 27th, 1995.

We have a like Message on House Bill 2419.

Passed the House, April 28th, 1995.

PRESIDENT PHILIP:

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

SENATOR GEO-KARIS:

Mr. President, on a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR GEO-KARIS:

I'm delighted to have in the President's Gallery today several of my constituents. Michael and Katherine Steplyk - S-T-E-P-L-Y-K - and their son Matthew, and then my Honorary Page, their brother -- Matthew's brother, Jonathon, who's here today from Libertyville, Illinois, part of my district. Like you to welcome them...

PRESIDENT PHILIP:

Would they please rise and be recognized by the Senate. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 3, offered by Senator Fawell.

(Secretary reads title of bill)

House Bill 25, by Senator Ralph Dunn.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

(Secretary reads title of bill)

House Bill 40, by Senator Tom Dunn.

(Secretary reads title of bill)

House Bill 226, by Senator O'Malley.

(Secretary reads title of bill)

House Bill 301, Senator Petka.

(Secretary reads title of bill)

Senator Klemm offers House Bill 314.

(Secretary reads title of bill)

House Bill 318, presented by Senator Ralph Dunn.

(Secretary reads title of bill)

House Bill 323, Senator Madigan.

(Secretary reads title of bill)

House Bill 630, by Senator Collins.

(Secretary reads title of bill)

Senator Cronin offers House Bill 741.

(Secretary reads title of bill)

House Bill 865, Senator O'Malley.

(Secretary reads title of bill)

Senator Karpel presents House Bill 868.

(Secretary reads title of bill)

House Bill 991, by Senator Watson.

(Secretary reads title of bill)

House Bill 1023, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 1131, Senator DeAngelis.

(Secretary reads title of bill)

Senator O'Malley offers House Bill 1209.

(Secretary reads title of bill)

Senator Geo-Karis offers House Bill 1221.

(Secretary reads title of bill)

House Bill 1237, by Senator Petka.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

(Secretary reads title of bill)

House Bill 1486, by Senator Petka.

(Secretary reads title of bill)

House Bill 1489, offered by Senators Watson and Bowles.

(Secretary reads title of bill)

House Bill 1654, Senator Petka.

(Secretary reads title of bill)

Senator Hendon offers House Bill 1662.

(Secretary reads title of bill)

House Bill 1755, by Senator Madigan.

(Secretary reads title of bill)

House Bill 2142, Senator Sieben.

(Secretary reads title of bill)

House Bill 2317, presented by Senator Ralph Dunn.

(Secretary reads title of bill)

House Bill 2339, offered by Senator Parker.

(Secretary reads title of bill)

House Bill 2370, by Senator Barkhausen.

(Secretary reads title of bill)

And House Bill 2439, by Senator Sieben.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

AP has requested to take photographs today. Is leave granted? Leave is granted. On page 2 of today's Calendar, in the Order of Senate Bills 2nd, the Members are advised to move their bills. Senate Bill 16. Senator Karpziel. Take it out of the -- read the bill. 16.

SECRETARY HARRY:

Senate Bill 16.

(Secretary reads title of bill)

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 32. Senator Jacobs. Read the bill.

SECRETARY HARRY:

Senate Bill 32.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted one amendment.

PRESIDENT PHILIP:

Have there been any other Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 114. Senator Madigan. Read the bill.

SECRETARY HARRY:

Senate Bill 114.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any other Floor amendments have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 198. Senator Trotter. Senate Bill 198. Senator Trotter. Take it out of the record. Senate Bill 230. Senator DeLeo. Senate Bill 230. Senator DeLeo. Take it out of the record. Senate Bill 247. Senator Dudycz. Senator Dudycz. Take it out of the record. Senate Bill 287. Senator

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Hasara. Senate Bill 287. Senator Hasara. Take it out of the record. Senate Bill 295. Senator Tom Walsh. Take it out of the record. Senate Bill 336. Senator Sieben. Senate Bill 336. Senator Sieben. Take it out of the record. Senate Bill 337. Senator Sieben. Senate Bill 337. Senator Sieben. Take it out of the record. Senate Bill 340. Senator O'Malley. Senate Bill 340. Senator O'Malley. Run the bill. Take it out of the record. Senate Bill 403. Senator Shaw. Take it out of the record. Senate Bill 438. Senator Cullerton. Senate Bill 438. Senator Cullerton. Take it out of the record. Senate Bill 439. Senator Cullerton. Take it out of the record. Senate Bill 491. Senator Rauschenberger. Senator Rauschenberger. 491. Read the bill.

SECRETARY HARRY:

Senate Bill 491.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 499. Read the bill.

SECRETARY HARRY:

Senate Bill 499.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Top of page 3. Senate Bill 500. Senator Rauschenberger. Read the bill.

SECRETARY HARRY:

Senate Bill 500.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 532. Senator O'Malley. Senator O'Malley. 532. Read the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SECRETARY HARRY:

Senate Bill 532.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any other Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 618. Senator Raica. Senator Raica. Read the bill.

SECRETARY HARRY:

Senate Bill 618.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any other Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. ...Bill 653. Senator Dudycz. Read the bill.

SECRETARY HARRY:

Senate Bill 653.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 656. Senator Maitland. Take it out of the record. Senate Bill 664. Senator Dunn. Take it out of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

the record. Senate Bill 677. Senator Bowles. Read the bill.

SECRETARY HARRY:

Senate Bill 677.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

On a point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR WEAVER:

In the gallery, there are a group of students from Rantoul Township High School. I'd like them to stand and be recognized.

PRESIDENT PHILIP:

Would they please rise and be welcomed by the Senate. Senate Bill 698. Senator Palmer. Read the bill.

SECRETARY HARRY:

Senate Bill 698.

(Secretary reads title of bill)

2nd Reading of the bill. Committee on Public Health and Welfare adopted Amendment No. 1 <sic> (1 and 2).

PRESIDENT PHILIP:

Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 711. Take it out of the record.
Senate Bill 725. Senator Lauzen. Take it out of the record.
Senate Bill 742. Senator Raica. Take it out of the record.
Senate Bill 791. Senator Raica. Read the bill.

SECRETARY HARRY:

Senate Bill 791.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have -- have there been any other Floor amendments been
approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

For what purpose does Senator Jacobs rise?

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the
Senate. Just I'd like to table Amendment No. 1 to Senate Bill
662.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Six...

SENATOR JACOBS:

662.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Bill 798. Senator Lauzen. 798. Take it out of the
record. Senate Bill 882. Senator Severns. Mr. Secretary, read
the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SECRETARY HARRY:

Senate Bill 882.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 945. Senator Petka? Senate Bill 945. Senator Petka? Senate Bill 945. Senator Petka? Take it out of the record. Senate Bill 1050. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1050.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1051. Senator Philip. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1051.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1052. Senator Philip? Senator -- Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1052.

(Secretary reads title of bill)

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1058. Take it out of the record.
Senate Bill 1133. Senator Rauschenberger? Mr. Secretary, read
the bill.

SECRETARY HARRY:

Senate Bill 1133.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1183. Senator Cullerton? Senator
Cullerton? Take it out of the record. Senate Bill 1191. Senator
O'Malley? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1191.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1195. Senator Garcia? Senator
Garcia? Take it out of the record. Senate Bill 1208. Senator
Fitzgerald? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1208.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

2nd Reading of the bill. The Committee on Financial Institutions adopted Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. All right. We're going to go back to Senate Bill 698, but I believe -- because I believe the bill was adopted without mentioning the amendments. Mr. Secretary, Senate Bill 698. Senator Palmer. Senator Palmer, do you wish this bill returned to 2nd Reading for the purpose of amendment? Senator Palmer seeks leave of the Body to return Senate Bill 698 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 698. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

The Committee on Public Health and Welfare adopted Amendment No. 2 to the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor...

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. We're now going to proceed to the Order of 3rd Reading on page 10. We're going to begin where we left off. We're going to start with Senate Bill 1006, 3rd Readings. Senator O'Malley? Mr. Secretary, will you read the bill. 1006.

SECRETARY HARRY:

Senate Bill 1006.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President and Members of the Senate. Senate Bill 1006 raises the limit on fees school districts may charge to students for driver's education courses from the current level of fifty dollars to two hundred dollars. Current law provides that school districts may charge a reasonable fee up to fifty dollars to high school students who take driver's ed. If the student is unable to pay, the district must waive the fee. The fee waiver language that exists in the current law is not changed, so that any student unable to pay the fee would still have his or her fee waived by the school district. When I last presented this bill, there was a question raised about a legal opinion that was shared with one of the Members that called into -- it called into question the constitutionality of driver's ed fee. After reviewing the opinion, I would report to the Body that the -- that the -- the opinion deals with tuition, not fees, and in fact, points out that driver's ed fees are a type that has been allowed under our State Constitution. It is the intent of Senate Bill 1006 that the fee charged for driver's ed courses not exceed the actual district costs beyond State reimbursement. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Is this the same bill that we discussed here about a week and a half ago, Senator?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Yes, it is, Senator Shaw.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Did we figure out yet why we're attempting to raise the driver's ed fee to two hundred dollars from...?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator...

SENATOR SHAW:

It's now only fifty dollars, and now we're going to raise it to two hundred dollars.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Shaw, this does not raise the fee. Again, this is permissive language only, and it is to allow local school districts to make the decision as to whether or not they are covering all their costs. The current limit of fifty dollars has been expressed by some school districts to be too low, and they've asked for authority beyond the fifty-dollar current limit. I think that two hundred dollars is a limit that -- that will allow this question not to be -- not have to come before the Legislature for some time. And I will tell you this: that it is very clear from the legislation, both by its intent and in its writing, that the fees that would be charged would not exceed the actual direct costs that go beyond the State reimbursement for these -- for these programs.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Well, do we have any figure on what the -- the -- I assume that the -- some districts asked you to -- or a district asked you

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

to raise this. Do we have any figures on what the current charges is at the moment and what -- and what is too low? What is the -- if you will, for lack of a better word, what is the going rate for driver's ed in the -- in these school districts at the moment?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Shaw, I don't know the -- I don't have any specifics that I can share with you here today. I just don't have any knowledge of it. All I can tell you is that the school districts that have approached me through their representatives have indicated that the current limit does not allow them to recover their costs.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Let me -- let me ask you this now: Does this affect all students across the State?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

It -- it...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw? Senator O'Malley's trying to respond. Would you respond, Senator O'Malley.

SENATOR O'MALLEY:

Senator Shaw, I believe that it does affect students all over the State. There -- and as I mentioned in my introductory remarks, the language -- or the fee waiver language that is required for students who cannot afford the fee is retained in the law.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Shaw.

SENATOR SHAW:

To the -- to the bill: The only problem that I have with this is we don't have a -- but finally, one question -- one more question of the sponsor. How long has this fifty-dollar fee been in existence? When did we do this?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR SHAW:

And...(microphone cutoff)...before then, if you knew.

SENATOR O'MALLEY:

It was enacted as part of the Education Reform Act of 1985.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Yes. Do you know what the fee was before that, if any existed?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

My understanding is that that -- in 1985, when that law was passed, Senator Shaw, there -- that that was the first time this was permitted. It didn't exist prior to that law being -- becoming public.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

The -- the only thing that I -- I can say about this -- this two hundred dollars, I think it's exorbitant, in terms of the number, and I think it's an arbitrary number that we are coming up with. And I don't see any reason why we should raise it to two hundred dollars. If they're going to be coming back to the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Legislature -- if they saw fit to come to the Legislature to raise -- they needed additional money, then we should raise it to the fee that now is the going rate. I don't believe that two hundred dollars is the going rate. And I heard the sponsor say that this will keep them from coming back. It might keep them from coming back next year, but the year after next, then they will be back because many of them will be out there charging the two hundred dollars that's in this bill here. And I think that's a bad precedent that we are setting here, and I think it'll impact upon all of the students of Illinois, notwithstanding the people that -- that cannot afford to pay under present law, they will not be charged anything under this bill. I understand that. And -- but certainly it will impact those students that are going to private schools and the -- some public schools. Some public schools, this will impact them. This is another two hundred dollars possibly out of your pocket, and you should take a look at this before you vote on it. I would urge you to do that, and I think this should -- this bill should be defeated.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Jacobs. Any further discussion? Any further discussion? Hearing none, Senator O'Malley, to close.

SENATOR O'MALLEY:

Thank you again, Madam President. I appreciate very much Senator Shaw's remarks, and we have talked very briefly after the first time this -- this was presented and -- and after it was taken out of the record. I think I've -- I've addressed the concerns that he has raised, and let me just say to everybody here that this is merely permissive language. It allows local school districts to make decisions not to exceed the limit of two hundred dollars, but it further provides that the -- that the number cannot exceed the actual direct costs incurred by the school

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

district beyond the State reimbursement level. So I think there are adequate safeguards to make sure that -- that this privilege will not be abused. Again, it's merely permissive. I'd request your support. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 1006 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all -- have all voted who wished? Have all voted who wished? Secretary, take the record. On that bill, there are 34 voting Aye, 18 voting Nay, none voting Present. And this bill, having received the required constitutional majority, is hereby declared duly passed. Senate Bill 1007. Senator O'Malley? Senate Bill 1007? Out of the record. Senate Bill 1015. Senator Philip? Out of the record. Senate Bill 1016. Senator Cronin? Out of the record. Senate Bill 1017. Senator Karpziel? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1017.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Senate Bill 1017 was a suggestion of the State Board of Education, dealing with the regional office of education oversight boards. What it does is it changes the name of the "regional office of education oversight board" to, simply, "oversight board". It lengthens the terms of initial oversight board members by one year, so those drawing the shortest terms will serve at least two -- two terms -- two-year terms, and it adds two school board members to the oversight board, making the board a fifteen-member board. And the initial appointment of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

those members will be made by the regional superintendent. And that's all it does.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the -- the question is, shall Senate Bill 1017 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? ...Secretary, take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared duly passed. Senate Bill 1018. Senator Watson. Out of the record. Senator <sic> (10)19. Senator Cronin? Senator -- out of the record. Senate Bill 1022. Senator Peterson? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1022.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 1022, as amended, shortens the tax buyers' take notice filing time to four and a half months from five months, giving the owner a better chance of redeeming his taxes before the first six-month rollover. This is an agreed bill between the Cook County Clerk's Office and the Property Tax Purchase Organization. I ask for a favorable roll call on Senate Bill 1022.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further discussion? Further discussion? Hearing none, the -- the question is, shall Senate Bill 1022 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

open. Have all voted who wished? Have all voted who wished? Have all voted who wished? On that question -- take the record, Mr. Secretary. There are 56 voting Aye, none voting No, none voting Present. And that -- bill, having received the required constitutional majority, is hereby declared duly passed. Senator Maitland, do you wish to recall your bill for purpose of amendment? On -- Senator Maitland seeks leave of the Body to return Senate Bill 1027 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 Senate Bill 1027. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. Amendment No. 1 to Senate Bill 1027 is the language that we promised in committee. It strikes, first of all, some inadvertent language, where we had taken the time in which one could file for action to two years. We're taking that back to one year, as it is now, and also taking out some somewhat ambiguous language: should have known. I move for the adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All those in favor, signify by saying Aye. Aye. All those opposed. The Ayes have it. The amendment's adopted. Are there any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1029. Senator O'Malley? Out of the record. Senate Bill 1032. Senator Raica? Senator Raica, 1032?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Out of the record. Senate Bill 1035. Senator O'Malley? Out of the record. Senate Bill 1036. Senator Syverson? Out of the record. Senate Bill 1060. Senator Butler? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1060.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Madam President. Ladies and Gentlemen, I'd like to explain something about this bill because there's been some propaganda published that is a little misleading, in my estimation. First of all, here's what's happening: Most of our county courthouses are being haunted, if you please, by people who pick up the names and addresses of recently filed mortgages. And that's a good deal, because the prospect that they have picked up has been thoroughly researched and the expense and the trouble and the -- that has gone into proving up that loan has been picked up by the original holder of the loan. So, except for a few minutes copying down a few names, the Company #2 has nothing really invested so far. The next expense is merely a call to the -- to the holder of the loan. All it requires is someone to say, "I've got a better deal for you. I'd like to come and talk to you." And obviously, if the loan is at some discounted rate from the original, the person holding the loan or -- making the loan says, "Sign me up." So, here we have a situation where Company #1 has -- has the expense of proving up a loan, and after a few months, all of that work and expense is out the window. Now, we could say that's tough luck, I guess. It's kind of the -- the nasty, predatory nature of business. But I think there's a sense of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

fairness involved in this, and that's the reason for this bill. This bill says that the person having the loan is free to take their -- their mortgage anywhere they want for as many times as they want, but in fairness - in fairness - the costs involved in being certain they were qualified in the first place may be -- may require a recapture fee, so to speak. Keep in mind that this does not preclude the idea of multiple mortgages. The mortgage -- the mortgagee can have as many loans as they want. All this says, that in fairness, we want to help the original maker of the mortgage to recapture some of their first costs. I think it is -- it's been called many things, but I think it's an act that is fairness -- that brings about some fairness to the original mortgage holder. I -- I really feel that the -- that no one is harmed by this bill. There's some exaggeration about the cost. First of all, remember this is fair -- permissive. It covers only those loans which are five years or more. After -- if the loan is -- is prepaid before twenty-four months is up, the cost is three percent or six hundred dollars, whichever is less. So a person having a fifty-thousand-dollar mortgage, it costs them a hundred and fifty dollars for the -- for the pleasure, I guess you would call it, of -- of capturing thousands of dollars in the future on a lower-cost loan. It isn't -- really until you get a two-hundred-thousand-dollar mortgage that you reach the six-hundred-dollar rate. Think this makes everybody kind of happy. First of all, the mortgagee gets a lower rate, saves thousands of dollars over the life of the loan. Mortgage Company #1 recovers just some of its original cost. Mortgage Company #2 gets a -- a qualified, paying customer that they had no expense in -- in capturing. All they had to do was make one phone call. So in my estimation, everybody should live happily every after. And I would invite your questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you. You know, I guess I'm back to reality. This is Springfield. So if I pay off my -- my loan early, I got to give them three percent or six hundred dollars more. I tell you what: This is fairyland, I guess.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He -- he indicates he'll yield.

SENATOR RAUSCHENBERGER:

Under -- under -- you know, under provisions of this bill, would the -- would the bank or mortgage company who made the loan be required to refund a pro rata share of the points they charge up front for loan origination?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

No. I'm told the -- the points are really a fund to cover bad loans.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

So, in addition to being allowed to keep the points and the application fee and driving the -- the entire application process themselves, you're suggesting they get an additional three percent, or six hundred dollars, whichever is less, for doing us the favor of -- of entering into transaction?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR BUTLER:

Senator, keep in mind the points are to secure a default. It has nothing to do with the original expense.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, if -- if points are to secure defaults, why -- why do a number of mortgage lenders offer to substitute points for increase in rate? So, to assume that points are to support default only begs the issue. I -- I think they're clearly part of the rate structure in -- in lending today, whether you would want to agree with that or not. And I guess I would have to say that I'm reluctantly rising to oppose this bill, although I have a great deal of respect for the sponsor. I don't think it's good public policy for us to carve out another fee for the poor, disadvantaged bankers of the State of Illinois, particularly when you're dealing with mortgage prepayment. And before my colleague, Senator Fitzgerald, rises to explain to me that -- that banking's really an open and free market, just think about the last time you went to get a mortgage loan and how courteously you were treated, and the amount of respect. The only thing close to the banking system in that regard is probably the Cook County court system. So I -- I would request of my colleague, think real hard about whether you're in favor of voting for prepayment penalties on -- on mortgage transactions when -- when borrowers change to take advantage of favorable rates.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Bowles.

SENATOR BOWLES:

Thank you. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR BOWLES:

Senator Butler, is there any provision in this bill that the person be notified that there would be these additional charges made in case of a prepayment, an early payment? And also, whether -- also indicated here on a flyer that I have is that -- that it does not apply if the loan has been partially prepaid. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

To the -- the answer to the last question is, it does not apply on a loan that's partially paid down, if that's what you mean. And, sorry, I missed the first question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler. Senator Bowles.

SENATOR BOWLES:

The first question was: Is there a requirement in this bill that the borrower be notified of the fact that there would be this additional charge, so that it would be a decision on the part of the borrower whether they wanted to pay the additional fee and give up the points, as pointed out by Senator Rauschenberger?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

Senator, it's in the contract. I don't know whether that came through or not.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Cronin.

SENATOR CRONIN:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

State your point.

SENATOR CRONIN:

I'd like to -- just to -- and excuse me for interrupting this good debate. I'd like to direct the attention of the Senate to the -- the gallery over the Republican side. There is a group of students from a very important school in my district, group of students and two advisors from Willowbrook High School in Villa Park. They're here to compete in the VICA Skill Olympics. I need not point this out. All of you know that the Warriors -- the Willowbrook Warriors are the defending State champions in auto mechanics and CAD-CAM manufacturing. We have six boys competing in auto and a team of three in CAD-CAM. Like to introduce the Senate to the Willowbrook Warriors, defending State champs. There they are.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will our guests please rise. Welcome to Springfield. Any further discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. -- Senator Butler, would you yield? He indicates he yields.

SENATOR DONAHUE:

Senator Butler, if I had a -- if I was just entering into a -- a loan with my bank for a mortgage, and there is no prepayment clause or penalty or anything, does this law affect that?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

No, I -- I think the answer would be no, because it'd be a contract -- would have to be in the contract, and be a contract violation.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue.

SENATOR DONAHUE:

So, I mean, I'm -- maybe I'm a little more ignorant of what -- what types of mortgages or loans are made between bankers, but in most cases, is there not -- does not the consumer know whether or not you're going to have a prepayment clause or not a prepayment clause? And if you have a no -- no -- no prepayment clause in your mortgage, then you're -- this is not going to affect you. Is that right?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

Exactly. Well said.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Palmer. Further discussion?
Senator Klemm.

SENATOR KLEMM:

Well, thank you, Madam President, Ladies and Gentlemen of the Senate. Yeah, I had some concerns when this amendment came and the bill came to the Financial Institutions Committee, and I share the concerns that -- that I think Senator Donahue had. My problem tends to be on partial payments where somebody makes a -- an advance payment, if that's a prepayment, or does the loan have to be completely paid off in its entirety, and that's a question to the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

Senator, it does not apply -- I guess this would be your answer: The loan -- if the loan is partially paid down, it does not apply.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler, would you repeat what you said? He didn't hear you.

SENATOR BUTLER:

What I said was, if the loan is partially paid down, which I think was your question, this does not apply.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

The question Senator Donahue had raised was that my loan says that I have the right for prepayment, and that would be in my contract. And that still remains to be true. It doesn't say anything in my contract that I would be charged a penalty or not charged a penalty. Doesn't say anything about it because there is no current law that applies to that, because they can't do it. So my concern is -- as Senator Donahue has raised, is that, all right, this is law that takes effect prior to my prepayment; therefore, does that law apply? It didn't say I couldn't do it. It still doesn't deprive me of my right -- my -- under my contract of paying it off in advance. I have the concern under that, and perhaps you could answer that question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

Senator, that's a good point. I -- if this bill passes out, I guarantee we'll work on that in the House. It's an excellent point.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

I think a second and a third concern that I have and I want to share it with you as long as you're willing to work this out. One

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

of them is the notification, and I think that's an extremely important thing, to allow the consumer the right to know that this will be charged and is part of the contract. You know, sometimes we have the free enterprise system, we want to open it up and allow people to at least function without being legislated all the time, but if we're going to say that you can do this, I think the marketplace will probably find its own. I would probably seek a lender who's not going to penalize me. But I would think that they should certainly have that as one of the requirements, that they be notified that under that, in bold print or something, that that would be a charge and that is part of it, rather than in the small print of a four- or five-page contract. And I would think we would need that. Could you maybe address how you would handle that question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

I -- I think this is similar to your first point, which I agreed to. I think there should be some notification -- some notification in the -- in the original contract, and that's what I meant when I said I think we ought to work on that when it goes over to the House.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Madam President. I wasn't going to speak on this bill until Senator Rauschenberger prompted me to rise and set the record straight. I am not going to be voting on this legislation because I have what could be perceived as a conflict of interest, but I just want to make a couple of points. The terms and conditions of the loan between the borrower and lender should be for negotiation between the borrower and the lender. The borrower

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

may be able to obtain a lower interest rate, if he is willing to accept a prepayment penalty. And I think we should just leave this up to the marketplace, as long as there is full disclosure, and there are numerous federal and State laws requiring full disclosure, most notably the Federal Truth in Lending Act, which is very comprehensive and contains very severe penalties for lenders who do not comply. But the bigger issue here is: Why should the State be involved in fixing or setting the terms and conditions of contracts between borrowers and lenders? And every -- I know a lot of my friends on the political left think that the State should be involved in all contracts between private parties, but for those of you...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Now...

SENATOR FITZGERALD:

Some of my friends on the left. But I ask all of you: What is the public policy rationale for having the State come in and fix the terms and conditions of private contracts? It makes no sense. There's a free market here at work. And I would -- I would encourage all of you to think about that issue along these lines. So, thank you for your attention.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Senator Lauzen.

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR LAUZEN:

Senator, my understanding is that this bill merely allows - it doesn't require - a prepayment penalty. That's, I think, an essential distinction. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Butler.

SENATOR BUTLER:

That's correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Well, then, can you explain why -- why is this law needed? Does -- is the State somehow restricting banks from having this kind of provision in loan contracts?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

It is now prohibited.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Can you -- can you say why? Can you tell me why? Because that doesn't make any sense.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

I have no idea.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

Yes, Madam President, I apologize. I came in late. I'm not sure which bill we were debating, and I saw Senator Fitzgerald debating. Is this the -- are we trying to override the Governor's veto of the bill...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is Senate -- this is Senate Bill 1060, which...

SENATOR CULLERTON:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Oh, okay. I'm sorry. I thought maybe...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...relates to mortgages and what have you.

SENATOR CULLERTON:

...we were overriding the Governor's veto of the bill, and we had to do it by a certain time. I apologize.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Not quite. It's not... Any further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Madam President and Members. Senator Fitzgerald has, in large measure, made the point or points that I'd like to make. He -- he appealed mostly, it seemed, to our side of the aisle in stating a case for this bill on free market grounds. In addition, he made the point or at least the -- the partial point that this is really more than arguably, I think, good consumer legislation. If you were a lender or contemplating going into business as a lender, you'd obviously want to cover your costs and you'd also have hopes of making something of a profit, and you would have essentially two ways of doing that, by recovering monies from those to whom you're lending money. One of them would be by charging a certain interest rate in excess of the rate which you have to pay to secure those funds, and the other would be by charging what are known as points, or loan origination fees. To the extent the lender can recover its costs by some other legitimate means, in this case a -- a regulated, a limited prepayment penalty, payable only, as I understand it, up to a maximum amount of six hundred dollars and, further, only payable during the first two years of the loan, but to the extent the -- the lender can recover that modest amount by this legitimate means, then a lender is in a position, as Senator Fitzgerald sort of said, to perhaps charge less for interest or less for points.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

And those prepayment fees, modest as they are, would only be payable by those who refinance for reasons other than selling their home. There's also an exception, as Senator Butler may have pointed out; there is an exception if you sell your home. Oh, and there is or is likely to be an exception if you refinance with the same lender. So only when you're trying to refinance with somebody else and only when you're seeking to do that within the first two years of the loan could there -- perhaps, if that's what's in the contract, could there possibly be the imposition of this prepayment charge. I -- in my non-legislative life, I'm in the -- in the life insurance business, and I'm very familiar with both life insurance policies and -- and annuities, which charge what is known as a surrender charge or a surrender fee for those who cash in their policies within the first period of time -- several years, in the case of either one -- usually seven years. And this is only two years. But anyway, the folks that are in these financial businesses are obviously looking for legitimate ways to cover their costs, and this is a very modest way of doing that, and I think the bill deserves our support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Shaw.

SENATOR SHAW:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR SHAW:

I'm not too familiar with the -- with these mortgages, but I wanted to ask you a question. If I go and make a mortgage today, is the -- is the cost of doing business already included in this transaction?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Butler.

SENATOR BUTLER:

This part of the cost of doing business is not.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

The -- the -- well, how are they existing today if the cost of doing business is not included in the mortgage today?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

Well, Senator, you hit at the heart of the reason for this bill. At the moment, they are losing money because of their up-front expense, when a -- when a loan is paid off in less than twenty-four months. So this is merely an effort to recapture their initial costs.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Wouldn't you agree that maybe they need to change their own way of doing business, rather than coming to the Legislature, adding a cost such as this in there because you have -- you attempted to pay off your loan early?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

I don't know how to answer that, except to say that keep in mind -- we -- we, the Legislature, limits the number of points they can charge, so that's one avenue that's out of the window.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Shaw.

SENATOR SHAW:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

It just -- it's just seemed to me that this is a backdoor way of trying to -- for -- we're trying to help the lending institutions here through the back door, and this would impact upon young people who are trying to purchase homes in this State. And I think this is a bad public policy. No matter how you put it, this is an attempt to gouge in -- in the consumer's pocket by -- by the Legislature getting involved in this. I think it's wrong. I think you're going to slow down -- slow young people down from purchasing a home and a lot of other people, once they read this language, if you put this into the contract. I've bought several homes, and I've never seen -- I have a full understanding of what the points is up front, and they tell me what the cost is. Here you are -- you're going through the back door, charging these people some -- charging these people some additional money, which I think is wrong, and I don't think the Legislature should get involved in this. And certainly, all of the people that's -- I see that's against this legislation, it should be noted by the -- the Members of both sides of the aisle. And I think we are doing real harm to the -- to public policy here.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I just rise in support of the legislation and I believe it is certainly fair to both the lender and to the borrower and will serve to keep mortgage rates competitive across this State. I also want to state for the record that I may have a potential conflict of interest, since I do serve on a bank board, but I do believe I will be voting my conscience in support of this legislation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Cronin.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR CRONIN:

Thank you, Madam President. I, like Senator Sieben, may have a conflict of interest, but I will be voting my conscience, as always.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you -- thank you, Senator Cronin. Any further discussion? Hearing none, Senator Butler, to close.

SENATOR BUTLER:

Thank you very much. I just want to reiterate that this does not apply under four conditions: if the -- if the loan was refinanced by the original lender; if the loan is paid off through a credit life insurance - that is, through a death; if the loan is paid off through the proceeds of a home sale; and fourth, if the -- if the -- when the loan is partially paid down. So I would ask your favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. The question shall be, shall Senate Bill 1060 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that -- on that vote, are 15 voting Aye, 35 voting Nay, 7 voting Present. And this bill, having failed to receive the required constitutional majority, is hereby declared failed. Senate Bill 1066. Senator Klemm, did you wish this bill returned to 2nd Reading? All right. Senator Klemm seeks leave of the Body to return Senate Bill 1066 to the Order of 2nd Reading for the purpose of -- of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1066. Senate -- Mr. Secretary, read the bill. Are there any Floor amendments, Mr. Secretary, approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Klemm.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm. Ladies and Gentlemen of the Senate, some of these bills are very, very important, and we can't hear the sponsor. It would be appreciated if you would give the Chair your courtesy of listening to the sponsors and to the proponents or opponents of the bills. We're here to give a good, fair hearing. Please keep your tones down. Thank you. Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. Could I inquire of the Secretary if there's Amendment No. 2 been filed also?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Secretary indicates no. Senator Klemm.

SENATOR KLEMM:

The reason I asked is because I had on my desk Amendment No. 2 for that bill, and I -- I'm curious about which one I'm supposed to be debating now.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

What we have is Floor Amendment No. 1. Senator Klemm, do you wish to take this out of the record?

SENATOR KLEMM:

Would it be possible, the Secretary would read the LRB number, so I could be sure that the one that was submitted is the correct one?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

There's -- would you read the LR -- LRB number, Mr. Secretary.

SECRETARY HARRY:

LRB8903056EGcdam01.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

All right. Thank you. Apparently my amendment was mismarked. It must be that Amendment No. 1, so let me explain Amendment No.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

1. What...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Go ahead, sir.

SENATOR KLEMM:

What the amendment does is it places the language into the Ethics Act rather than the Election Code, and it states now what is pretty common practice in the General Assembly: that Members of the General Assembly or a candidate for the General Assembly should not solicit funds during the last eight weeks when we're in Session and to the weeks in Session during the Veto period. And I'd answer any questions you have.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

That is Amendment No. 2 that you're reading. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On the amendment.

SENATOR DEMUZIO:

Thank you, Madam President. What are we on? Amendment 1 or 2?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

It's Amendment No. 2.

SENATOR DEMUZIO:

Well, a minute ago, there was a ruling that said No. 1. Perhaps...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

No, I didn't quite rule, but anyhow I'm ruling now.

SENATOR DEMUZIO:

Is there another amendment to come?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm, this is the only amendment. Is that correct?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR KLEMM:

Actually, that's why I made the inquiry of the -- of the Chair. I'd like to withdraw Amendment 1, and Amendment No. 2, then, becomes the bill, really.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right.

SENATOR KLEMM:

And I did explain Amendment No. 2...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

...which we thought was 1, but it's really No. 2.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm. Senator Klemm, No. -- Amendment No. 1 had already been adopted. You'd have to reconsider. Senator Klemm.

SENATOR KLEMM:

Well then, I want my comments to apply to Amendment No. 2, because that's what I thought I was doing until I was advised that it was not correct. But we are on Amendment No. 2, and that's what I explained, and I'd -- and I'd appreciate your favorable support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

May I suggest you take this out of the record, Senator Klemm, at this time? We'll return -- we'll return to it, so we can get that completely cleared up. Thank you. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Madam President, it was on the amendment, so I'll just...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Next bill. Senate Bill 1083. Senator Cronin? Senator Cronin? Mr. Secretary, read the bill. Yes, sir. 1083.

SECRETARY HARRY:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senate Bill 1083.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill, Senate Bill 1083, was suggested by the Commissioner of Banks and Trusts. It anticipates the advent of federally authorized interstate banking and branch banking. It places Illinois law in a posture to implement those provisions. It seeks to amend -- or it amends numerous Sections of the Banking Act, the Bank Holding Company Act, the Consumer Deposit Account Act, the Corporate Fiduciary Act, the Financial Services Development Act, the Foreign Banking Office Act, and the Interstate <sic> (Interest) Act. It was voted out of committee unanimously. This is, as I say, a bill suggested by the Commissioner. Merely puts us in a posture to -- to -- to implement the provisions that are to come under the Riegle-Neal federally authorized legislation. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? This bill authorizes interstate branch banking. Section 8 of the -- of Article XIII of the Illinois Constitution requires that branch banking be authorized only by law approved by three-fifths of the Members voting on the question or a majority of the Members elected, whichever is greater. Any further discussion? Hearing none, the question is, shall Senate Bill 1083 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

question, there are 55 voting Aye, none voting No, 1 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill...(microphone cutoff)... Senate Bill 1091. Senator Petka? Senate Bill 1095. Senator Severns? Mr. -- is that a recall? Do you wish this bill returned to 2nd Reading? The -- Senator Severns seeks leave to -- of the Body to return this bill to 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1095. Are there any Floor amendments approved for consideration?
SECRETARY HARRY:

Amendment No. 2, offered by Senator Severns.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. Amendment No. 2 is a technical amendment which clarifies intent and cleans up the language. It's the recommendation of the Department of Nuclear Safety, Department of Public Health and the Illinois Radiological Society. I know of no opposition. Move its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. There any -- any discussion on this amendment? Hearing none, all those who are for this amendment will say Aye. All opposed will say -- Nay. In the opinion of the Chair, the Ayes have it, and the amendment is adopted. Are there any further Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1097. Senator Severns. Is that -- let's see. Do you wish this bill returned to 2nd Reading for

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

purpose of an amendment? Senator Severns seeks leave of the Body to return Senate Bill 1097 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1097. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Severns.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. It was the sense of the Public Health Committee, and certainly my concurrence, that the amount discussed should be lowered. Working with the Department of Public Health, we lowered the self-sufficiency account amount from ten thousand to five thousand. I know of no opposition. Would urge its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, all those in favor, say Aye on the approval of -- adoption of the amendment. All opposed, say No. In the opinion of the -- the Chair, the Ayes have it. The amendment's adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Klemm, I think we clarified the position of your amendment on Senate Bill 1066. Senator Klemm seeks leave of the Body to return 1066 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1066. Mr. Secretary, read the bill.

SECRETARY HARRY:

Amendment No. 2, offered by Senator Klemm.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. -- Senator Klemm, would you -- would you explain the amendment.

SENATOR KLEMM:

Thank you, Madam President. I did explain just previously what Amendment No. 2 does. It does become the bill, and if needed, I'll answer any questions. Basically what it does is, places the language into -- from the Election Code into the Ethics Act, and also states that -- what is now common practice, I think, here in Springfield, that Members of the General Assembly or candidates for the General Assembly should not solicit funds during the last eight weeks when we're in Session and to the weeks when we're in the Veto Session.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any discussion? Any discussion? Hearing none -- Senator Hendon.

SENATOR HENDON:

I'll -- I'll wait till -- to speak on the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Hearing no further discussion, all those in favor of adopting the amendment, signify by saying Aye. All opposed, say -- signify by saying No. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1106. Senator Weaver. Senate Bill 1106. Senator Weaver? Senate -- out of the record. Senator, Senate Bill 1107? Out of the record. Senate Bill 1113. Senator Rea? Mr. Secretary, read the bill. 1113.

SECRETARY HARRY:

Senate Bill 1113.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rea. Senator Rea.

SENATOR REA:

Thank you, Madam President, Members of the Senate. Senate Bill 1113, as amended now, because the amendment actually becomes the bill, it deletes the original bill which requires Department of Public Aid to conduct a permanent statewide family responsibility program for all AFDC clients and becomes the bill. This amendment is a follow-up to a Senate bill which requires the Department of Public Aid, in cooperation with the Department of Public Health, to devise and implement a demonstration program to furnish immunization for Medicaid-eligible children on a walk-in basis at local Public Aid offices. And it came out of committee 10 to 0. I know no opposition to the bill and would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1113 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary -- Madam Secretary, take the record. On that question, there are 58 Ayes, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1115. Senator Rea? Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Rea.

SENATOR REA:

Thank you, Madam President, Members of the Senate. Senate Bill 1115 authorizes a unit school district in my area to issue bonds not exceeding twenty-five percent of the equalized assessment valuation of the district if the bonds are issued to construct a new school building to replace an existing school building that is more than sixty years old, the cost of constructing the new school building is less than sixty percent of the cost of repairing the existing school building, and the sale of bonds would occur before July 1st of 1997, which has a sunset. There was no opposition in committee. It came out of committee 9 to 0.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question shall be, shall Senate Bill 1115 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Madam Secretary, take the roll. On that question, there are 53 voting Aye, 4 voting Nay, 1 voting Present, 1 not voting. And this bill, having received the required constitutional majority, is hereby declared passed.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Bill 1122. Senator Sieben. Madam Secretary, will you read the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

ACTING SECRETARY HAWKER:

Senate Bill 1122.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 1122 is the -- the initiative of the Illinois Chamber of Commerce and the Illinois Manufacturers concerning education reform. And as introduced, this legislation was very controversial, contained a number of provisions that were hostile to the Teachers' Union. But after several weeks of negotiations between the Illinois Chamber of Commerce, the Manufacturers and the IEA, on those issues, the bill now has been amended so that all the controversial Sections of the bill have been removed, and is agreed to and supported and endorsed by the IEA, the Manufacturers and the Chamber of Commerce, and represents a starting point for discussions and negotiations about educational reform. The bill does three very simple things now. The first one, it gives school boards the authority to exercise all powers necessary and proper for the maintenance, operation and development of their schools, provided those powers are not in conflict with any provisions of the School Code. Secondly, it allows school districts to utilize noncertified personnel for school-sponsored extracurricular activities. And third, it repeals a whole list of obsolete Sections that the -- the three groups that were working the bill all agree are obsolete. Ask for your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1122 pass. Those in

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 59 Ayes, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1123. Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1123.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. Senate Bill 1123 is the -- hopefully, the vehicle by which we can place the Metropolitan Airport Authority in, when and if we ever reach an agreement. Be happy to answer any questions. If not, I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill -- I'm sorry. Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR COLLINS:

Senator, do -- do you have any idea what -- what you hope to do with this bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

I hope to engage in a high level of diplomatic conversation with the Mayor, and that we reach an agreement on this very critical issue. It affects the livelihood of all the people of the State of Illinois and its economic well-being.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Collins.

SENATOR COLLINS:

So why do we need more State bureaucracy to -- to do this?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

I -- I -- I've looked at the bill. I didn't see any State bureaucracy in it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Collins.

SENATOR COLLINS:

Why -- with all of the discussion in reference to the Airport Authority and -- and the new airports, if there going to be this, somehow, new level of consciousness where sober minds come together and work out a rational compromise and agreement that you're talking about, why don't we just wait and let that happen? And then we have plenty of time before this Session end to enact it into law, after the agreement has been written, rather than having this thing keep floating around, sort of as a hammer over the heads of -- of those of us on this side of the aisle.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Collins, I know why you may have said that, because I don't think there's been an awareness that for nine years we have been engaged in a process of not only determining the need, but also to determine the site and then to evaluate the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

site and look at the financial. I know that, based on the actions the Mayor took, he probably thought that wasn't going on. And yet, you know, I know that he did try to put an airport in play, so there must have been a need some place. But essentially, if there is no agreement with the Mayor, this airport will simply -- Authority will simply take care of the third airport. I mean, if it's going to be built, there has to be an authority. So, what's so sinister about that?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Collins.

SENATOR COLLINS:

Well, I -- I just think we should vote this bill down and, you know, just let it -- if we need an airport authority, then let's wait until there's some decisions as to whether or not there going to be a third airport in Illinois. And I don't think that decision is -- is no where near, probably won't be dissolved -- resolved this Session. And at that time, we can talk about an authority. So I just ask everyone on this side to vote No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you very much, Madam President. I -- I personally don't see anything wrong with this. It's clearly a -- a need to expand aviation in the region. If we can cut a deal with Gary, Indiana, and take taxpayers out of the pockets of people of Illinois and the suburbs, then I don't know what's going on in Illinois. I thought this was Illinois and not Indiana. So, I don't see what's the big deal. There should be some accountability at all the airports in the State of Illinois, beginning at O'Hare and Midway, and I don't see it as a hammer over my head, even though I'm on this side of the aisle, at the moment. I -- I just simply can't understand why we would -- are more comfortable with sharing our

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

revenues with Indiana than sharing it with the suburbs. I mean, what's -- what's the problem. When the Bulls win, the suburbs, they cry, they're happy too. When the Bulls lose, the people in the suburbs are sad too. When the Bulls lose, the people in Indiana are happy. So we need to get our priorities straight and stick with Illinois.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel. Senator Karpiel. Senator Karpiel, is your microphone working? Try the next one. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR KARPIEL:

It really isn't all that earth-shattering, I mean, that you all have to be so quiet. I just want to make sure that this is on the record. Senator DeAngelis, I could ask you this personally, and I know this came out of our committee, but you're calling this -- I mean, this bill creates a Metropolitan Airport Authority, and the DuPage Airport is now really called not the DuPage Airport Authority; it is in reality the Metropolitan Airport Authority. And so, that has already been created. Is there any intent to put the DuPage Airport Metropolitan Airport Authority under this particular Authority and with the same board of directors?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

No. This -- this Authority name will probably be changed.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

This is nothing more than something that's out there that says there's a third airport someplace coming. There is an authority going to be needed. Let's try to figure out at the end what the best type of structure there is, including dealing with the airspace problems in that area.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel.

SENATOR KARPIEL:

Senator DeAngelis, then why is it that this name was chosen for the Authority that will be the third airport? One that's already been taken by the DuPage Airport?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

I can't tell you, except that it was an -- inadvertent. If there is an error, it was inadvertent. But I can assure you that that will not be the name of the Authority.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel.

SENATOR KARPIEL:

Well then, Senator DeAngelis, just calm my fears and when it -- when, in fact, this bill does blossom into a real bill with some substance on it, could we change the name to a different kind of Authority?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Madam President. I would like to pose a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

question to the sponsor, if I may.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR DEMUZIO:

Senator DeAngelis, this is a vehicle bill for the Metro Airport Authority Board. Is this the -- is this the same board that the Audit Commission commissioned to audit the other day and have it returned back by May of 1995?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I guess I was listening to Senator Hendon, I guess, going through all of his evaluations of this bill. I guess we ought to nickname this bill "wheels up".

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will yield.

SENATOR LAUZEN:

Does this bill take a significant step closer to building a Peotone Airport?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Hopefully.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Lauzen.

SENATOR LAUZEN:

Second question then. How much will the -- how much will it cost to do the planning -- the -- whatever is envisioned in this bill? How much money are we talking about?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lauzen, we have not formulated anything beyond the fact that there's a need for an authority. Discussions are going on right now as we speak. I'll get back to you when the time comes that an amendment has to be placed on it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Jones.

SENATOR JONES:

Yes. Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR JONES:

Senator, I recognize this is just a vehicle bill, and looking at all accounts as -- as it relate to the Peotone site that you discussed and in building the airport, I see the major -- all the major airlines are opposed to this, wherever that site is. So, could you tell us how much money in -- in your -- how much money will come out of the downstate Road Fund to build this airport in Peotone?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't have an answer, 'cause I don't know that any would. We haven't -- this bill is simply nothing more, as you indicated yourself, Senator Jones, a shell bill to put in place an

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Authority. And when the time comes that that Authority has some substance in the form of an amendment, I'll be more than happy to provide you with whatever information you request and even more.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jones.

SENATOR JONES:

Well, under previous questions -- one of the other Senators asked you the question; that's what prompted me to ask the question. And reading the news accounts, major airlines indicating that they're not going to be supportive. So the only source of funding for the shell would be the -- the Road Fund. And a Member's got to be very careful in voting on something, because it may leave here as a shell, but it may come back as a big tanker, when it comes rumbling back across the Rotunda. So, what I suggest very strongly, that Members either vote No or Present on -- on this bill, because it could have detrimental effect, especially to the DOT Road Fund downstate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR SHAW:

I've heard a lot of talk about this vehicle that have no driver yet. Could you tell me, when do you plan to put the driver in the seat of this...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR SHAW:

...of this vehicle?

SENATOR DeANGELIS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Well, this bill will be going over to the House. Somewhere between now and the end of the Session, hopefully, we can have some type of discussion. If we can't, then we would move forward without that discussion, but there will be something before the end of the Session.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis. Senator Shaw.

SENATOR SHAW:

How many airports are you planning on dealing with in this vehicle here -- getting in this vehicle?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

It's conceivable but -- that it would only be the third regional airport. Could be also that it would include in it three other airports, and those are the Chicago airports.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis. Senator Shaw. Bring your remarks to a close, please.

SENATOR SHAW:

The -- I -- I just asked two questions. The -- the -- and you say the DuPage Airport -- do you plan to put that in this bill, -- in the -- in the -- if it comes to that?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator...

SENATOR SHAW:

Do you -- do -- wait just a minute. Do you plan to put DuPage Airport in here, and if not, why not?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

I would think not, only because that in terms of the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

interfacing from an operational and a capital standpoint, that wouldn't be necessary.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Just for -- just for the record, certainly I support the -- the Peotone site, but certainly, under the circumstances of this bill, without knowing what's in the bill or what's going to be in the bill, I could not support this because I'm not certain that you're going to put a -- have enough drivers in this -- in this vehicle when it come back over. So therefore, at this time I would urge my colleagues, solely because of the fact that it's not speaking directly to the Peotone site and it might include some other things, as one of the previous Senators said, dealing with the Road Funds or -- and any number of things this -- this bill could deal with. So therefore when you bring a bill back that -- that with the -- with the Peotone site in it, certainly I will be on board if that's all it has in it. But I would hope that you would keep the -- the other airports out of this legislation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Will the speaker yield to a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Indicates he'll yield.

SENATOR VIVERITO:

The question that concerns me very deeply is the Midway Airport. We're very, very concerned, because we have a lot of anxieties there. As you well know, it's in my district.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Viverito, I'm glad you brought that up, because the Mayor of the City of Chicago has made some insinuations that the Peotone site would interfere with Midway. I would ask that you look at the study, and it clearly indicates, even prior to the Mayor coming forward with his arrangement with Gary, that the two airport sites that were named in the study that would have significant impact on the operations of Midway would be Lake Calumet and Gary. So if you're worried about Midway, you better look the other way.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you very much. Ladies and Gentlemen, I think what -- we have to keep in mind two points. One is that as the -- one of the Chicago newspapers pointed out, I think this morning, the airlines are -- are not anxious for any more competition at O'Hare. Two airlines now completely dominate the -- the Chicago market. So they're going to resist any third airport. There's nothing -- nothing that's going to change that situation. Also keep in mind that I think it is -- that New York has five airports, LA has three, and anybody that thinks that the Chicago market by the year 2010 can get along on one airport simply doesn't understand the facts of life, in terms of what the capacity of O'Hare is going to be. There will be a third airport. There's just no question about that. It's only a question of when it gets started. I would bet anybody here that with -- within the next six to eight years, there's going to be a panic button hit, because the Chicago market will be underserved and we'll begin losing business. The same two airlines will control O'Hare. They'll be smiling all the way to the bank, but the market will be heading -- flying elsewhere. So I suggest Senator DeAngelis is on the right track. Let's get started. We -- we have six or eight years of intense

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

planning before this moves ahead, but we ought to know that we're going to move ahead.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I would just like to remind everyone that a shell bill is -- and I understand what it is or I have learned to understand what it is, except that this happens to be a very important bill. Some of the Senators that spoke understand the importance of it. So it doesn't matter whether you want Peotone or don't want Peotone. It will be the will of the Body, and it also will either happen or not happen, maybe, in our lifetime. However, the problem is, we're being asked to vote for something that we don't know what's going to happen, what amendments are going to go on in the House. We may find out that there's going to become with an impact study that to create this and fund it may cost a lot of money, may cost -- have to deal with a money situation that deals with tax increases and everything else. I have no idea what it's going to be there. So what's going to happen in the newspapers maybe a month from now or three weeks from now, and it's in the House, there may be some talk about a bill -- it'll be 1123, as amended, and it will be money or more money and all any of our opponents would have to do is say, "Hey look it. On Senate Bill 1123, these are the Senators who were voting to increase taxes, to -- to go out there and have a cost impact." And I would suggest that before we vote for something of such importance that's just maybe a paragraph or two, that we would hold off on it. There is an identical House bill. Let them pass on it. Let them vote it. We'll amend it over here and let that become the -- the -- the law. I just don't think that a bill of this importance should be voted on that just has a couple paragraphs. Thank you.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator DeAngelis, to close.

SENATOR DeANGELIS:

Well, you know, I'm just a little confused by some of the comments made on the opposite side of the aisle. You know, you can't really, Senator Shaw, have a third airport unless you have an authority. Now, if you want to do the airport first and the authority later, it ain't going to happen. And I also would like to advise the Minority Leader from the other side that if he wants to represent his district properly, he would lend support to the fact that this airport would create three hundred and eighty thousand new jobs coming right through the center of his districts, and if his heart is beating swiftly for the congressional job, he definitely ought to be voting Yes, because, again, without an authority you don't have an airport. I urge a Yes vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 1123 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 27 voting Nay, none voting Present, not voting 3. This bill having -- having failed to receive the constitutional-required majority, is hereby declared failed. Senate Bill 1124. Senate Bill 1126. Senator DeAngelis. Senator DeAngelis, Senate Bill 1126? Senator DeAngelis? 1126? Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1126.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you. Senate Bill 1126 is a bill that was prepared to address the problems of school districts that cross county lines whose classification or assessment of properties are different. It's created a significant amount of interest, but also in the process, there is need for greater debate. So what this bill simply does is it moves into the discussion of how to do these -- how to deal with these situations in which people who live across the street from each other pay significantly different amount of taxes to go to the same school, because they're in different counties that have different classification processes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1126 pass. Those in favor, vote Aye. Those opposed will vote Nay. Voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 6 voting Nay, 3 voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senator Dillard, do you wish this bill returned to 2nd Reading for purpose of an amendment? Senator Dillard seeks leave of the Body to return Senate Bill 1129 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1129. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Thank you, Madam President, Ladies and Gentlemen of the Senate. This amendment is a technical or clarifying amendment that's non-substantive, that just makes it very clear that concealed firearms cannot be taken on the riverboat casinos, horse racing racetracks or hospitals, and also provides guidance with respect to the number of hours of training one would have to have under this bill. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, all those in favor of this -- of adopting this amendment, please signify by saying Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Is there -- are there any further amendments?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Members. This is also a -- or, clarifying amendment that deals with military service and cites that anybody who's been dishonorably discharged from the military cannot apply for a concealed carry permit in Illinois, and moreover, states and makes very clear that the Illinois State Police have unbridled access to military records. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Any discussion? Hearing none, all those in favor of adopting this amendment, please signify by saying Aye. Opposed, No. In the opinion of the Chair, the Ayes have it, and the amendment's adopted. Are there any further Floor amendments?

ACTING SECRETARY HAWKER:

No further amendments reported.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. 1139. Senator Shadid. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1139.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shadid.

SENATOR SHAW:

Thank you, Madam President. Senate Bill 1139 codifies the existing rule requiring the Director of CMS to approve the leases for State agencies under the control of the Governor. Allows for State agencies not under the Governor to secure their own leases. Requires CMS and State agencies to use a request for information method of source selection for most leases. Requires each person responding to an RFI in excess of five thousand dollars to disclose the names of individuals having more than seven-and-a-half-percent interest in the -- in the enterprise.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further -- any discussion? Any -- any discussion? Hearing none, the question is, shall Senate Bill 1139 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1173. Senator Jones. Senator Jones? Senate Bill 1173? Out of the record. Senate Bill 1118. Senator Philip? Senate Bill 1188. Senator Dillard. 1188, Senator Dillard? Out of the record. Senate Bill 1194. Senator Rea. Madam Secretary, read the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

ACTING SECRETARY HAWKER:

Senate Bill 1194.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rea.

SENATOR REA:

Thank you, Madam President, Members of the Senate. Senate Bill 1194 requires a public hearing prior to a river conservancy district establishing a special service area. This bill simply requires a public hearing prior to any district being established in a area. It came out of the -- out of committee on the attendance roll call and would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1194 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 58 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1205. Out of the record. Senate Bill 1206. Senate Bill 1206. Did you wish to have leave to return this bill to 2nd Reading, Senator Barkhausen? Senator Barkhausen seeks leave to return Senate Bill 1206 to the Order of 2nd Reading. Hearing no objection, leave is granted. Senator Barkhausen. On the -- on the Order of 2nd Reading is Senate Bill 1206. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Madam President. Amendment No. 2 is just a technical amendment that was referred back from the Rules Committee. I'd be glad to answer your questions, otherwise request its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor of adopting this amendment, please signify by saying Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment's adopted. Are there any further Floor amendments?

CTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. We're now going back to page 4, 3rd Reading. However, we're going to have the Committee Reports. Madam Secretary, would you read the Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Referred to the Agriculture and Conservation Committee - House Bills 988, 1490, 1650 and 1651; referred to the Commerce and Industry Committee - House Bills 241, 249 and 1693; referred to the Education Committee - House Bills 410, 668, 731, 780, 854, 1267, 2123, Senate Amendment No. 3 to Senate Bill 377, Senate Amendment No. 3 to Senate Bill 403; referred to the Environment and Energy Committee - House Bills 358, 507, 901, 929, 1089, 1793 and Senate Amendment No. 1 to Senate Bill 1058; referred to the Executive Committee - House Bills 90, 447, 661, 1853, Senate Resolution 56 and Senate Joint Resolution 40; referred to the Financial Institutions Committee - House Bill 1596; referred to

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

the Higher Education Committee - House Bills 122, 598, 660, 1119; referred to the Insurance, Pensions and Licensed Activities Committee - House Bills 481, 549, 561, 583, 632, 781, 1800, 1802, 1842 and 2245; referred to the Judiciary Committee - House Bills 36, 115, 119, 153, 497, 587, 589, 613, 652, 686, 855, 1004, 1246, 1458, 1708, 1709, 1721, 1816, 1891, 2453 and Senate Amendment No. 2 to Senate Bill 7; referred to the Local Government and Elections Committee - House Bills 505, 513, 553, 567, 572, 1108 and 1156, and Senate Amendments 1 and 2 to Senate Bill 124; referred to the Public Health and Welfare Committee - House Bills 175, 193, 209, 300, 560, 610, 653, 1363, 1868, 1977, 2066, 2070, 2227 and Senate Amendment No. 2 to Senate Bill 662; referred to the Revenue Committee - House Bills 614, 1212, 1510, 1810, 1827 and 2332; referred to the State Government Operations Committee - House Bills 252, 370, 823, 1493, 1653, 1788, 2248, 2343, and Senate Amendment No. 2 to Senate Bill 336, and Senate Joint Resolution 36; referred to the Transportation Committee - House Bills 1502, 1633, 1711, 1878, 2202 and Senate Resolutions -- 38 and 51; Be Approved for Consideration - Senate Amendment No. 4 to Senate Bill 354 and Senate Joint Resolution 41.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We're going to start back on 3rd Reading. Page 4. Senate Bill 11. Senator Butler. Madam Secretary, will you read the bill.

ACTING SECRETARY:

Senate Bill...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

11.

ACTING SECRETARY HAWKER:

Senate Bill 11.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Butler.

SENATOR BUTLER:

Ladies and Gentlemen, Senate Bill 11 is an unemployment insurance vehicle bill. I'd like to move it over to the House where there are some discussions going on, just to keep the dialogue going. Appreciate your vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 11 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Take the record. On that question, there are 32 Ayes, 23 voting No, 1 voting Present, 3 not voting. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 15. Senator Cronin. Out of the record. Senator O'Malley. Senate Bill 18. Out of the record. Senate Bill 21. Senator Butler. Senator Butler. Senate Bill 21. Did you wish to recall that bill? All right. Senator Butler seeks leave of the Body to return Senate Bill 21 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 Senate Bill 21. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Butler.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

The amendment, Ladies and Gentlemen, turns this into a labor relations vehicle bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

all those in favor of the amendment, signify by saying Aye. All opposed, No. In the opinion of the Chair, the Ayes have it. The amendment's adopted. Are there any further amendments -- Floor amendments, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 57. Senator del Valle. Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 57.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This bill, as amended, does three things. It repeals -- or, it deletes the repealer date, the 1-1-96 repealer date, for the Office of Inspector General of the Department of Mental Health and Developmental Disabilities. It requires the DMHDD Inspector General to report to the Governor and also requires and allows the DMHDD Inspector General to investigate reports of suspected abuse or neglect of patients or residents in any facility operated or funded by DMHDD. Currently the Inspector General looks at facilities operated by DMHDD. This bill will be amended. In committee, I did make a commitment that the bill would be amended based on an agreement reached with the Governor's Office and the Department. I have had contact with the Governor's Office. My understanding is that the final language is still not available, but I ask that we move this bill to the House and assure the Body that we will be seeing it again.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

And you're saying that there will be amendment in the House. Is that correct? Senator -- Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Madam President. Senator del Valle, before -- or, one of the reasons that this bill was let out of committee was that there was negotiations and ongoing negotiations, assured by yourself, going on. And you told the committee you would not move this bill; you would hold it. Now we're choosing to move it over to the House. That was not agreed to. I understand negotiations are still going on, and I would just ask the Members on my side of the aisle to vote Present or No on this bill, because we did have an agreement in committee.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator del Valle.

SENATOR DEL VALLE:

Well, Senator Raica, I do recall the agreement, and the agreement was that -- that I would amend the bill and that I would amend it based on the agreement. We cannot do that, because the language is not available yet. And so what I'm saying here is that it will be done in the House. It's extremely important that we continue to -- to negotiate and to discuss this very important issue. We have an Inspector General's position that comes to a close - the position will be repealed 1-1-96 - and so it's important that we have a bill out there to deal with this very critical issue. I don't recall saying in committee that I would not move the bill. I recall saying in committee that we would amend the bill. So, I guess there's a misunderstanding, but I ask the Members that we keep this bill moving so that we can end up with an agreement regarding the role of the Inspector General of Mental Health.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Watson.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR WATSON:

Yes, Madam President. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Indicates he'll yield.

SENATOR WATSON:

Yes. The current Inspector General was in the Audit Commission and was questioned about the current authority that the Auditor General has -- or, Inspector General, excuse me, has in regard to going into private facilities. The response of the Inspector General was that she does not have that authority, but that she does it anyway. Now, what does this legislation do? Does this give the Inspector General the authority to go into private facilities?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Senator Watson. That is exactly what this bill does. It clarifies that the Inspector General can go into a private facility that is funded by the Department of Mental Health and Developmental Disabilities. As we move towards community placements, increasing CILAs, and -- and increasing the number of independent living arrangements, operated by community-based agencies funded by the Department of Mental Health, it is extremely important that we clarify the Statutes so that there is no question about the Inspector General's authority to be able to follow up on reports of abuse and neglect. This is really the most important part of this bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson. Senator Watson.

SENATOR WATSON:

Yes. Thank you. I'd just like to point out, Senator Raica made a request that this -- this side vote Present or No because of an

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

agreement that was reached in committee. I would suggest we vote No simply because of the -- the effort that's gone forth here and the additional authority and responsibility that we'll be giving to some bureaucrat: the Inspector General. The Department's against this. I just would suggest a No vote and let the amendments, then, come forth and maybe we can work out some sort of agreement.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator del Valle, to close.

SENATOR DEL VALLE:

This -- this bill and the language in this bill was negotiated with the previous Director of the Department of Mental Health and with the staff. They helped and they participated in the drafting of the bill as it is worded today. Now, there may be some questions from some of the Members, but the bottom line here is that as we move towards the deinstitutionalization, or increasing the number of community-based facilities - and I'm certainly in favor of that - we've got to make sure that we are protecting the clients in those facilities. This bill was introduced in response to an individual whose daughter - Norma Mateo - whose daughter was found dead - three days; she was dead in her apartment three days - even though that CILA was under a community-based organization and under the supervision of a community-based organization. And it became evident, it became clear, that the authority of the Inspector General to follow up on those reports was not clear in the Statute, and that's why we've presented this, as well as dealing with the fact that it is going to be important to continue that office, because it's going to be important to protect the clients in the growing number of community-based programs that we are encouraging as a result of our effort to move people out of State institutions and into community facilities. And so what I

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

ask is that we keep the bill going. I've said I will not - I will not - agree to calling the bill in the House without an amendment that's agreed to by the Governor's Office. I met with Howard Peters in my office, and made that commitment. I was waiting for the language, but since -- since the deadline is upon us, I ask that we move the bill. And you're going to see it anyway, again, and at that time, if you're not satisfied with the language, then you certainly can vote the bill down. So I ask for an Aye vote just to keep the bill moving.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 57 pass. Those in favor will vote Aye. Those opposed -- opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 27 voting Aye, 12 voting Nay, 19 voting Present, 1 vote -- not voting. And this bill, having not received the required constitutional majority, is hereby declared failed. Did you wish Postponed Consideration? The -- the sponsor wishes Postponed Consideration. Senate Bill 81. Senate Bill 100. Senator Dudycz. Madam Secretary, will you read 100.

ACTING SECRETARY HAWKER:

Senate Bill 100.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. The contents of Senate Bill 100, as amended, contains -- contains provisions that were agreed upon between the City of Chicago, the Chicago Firefighters' Union and the -- the paramedics. And what it does is the following: It gives paramedics the ability to purchase pension credits from the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

date of hire through 1989 at four-percent compounded interest with a payback window to the year 2000. Firefighters will also be able to buy back at four-percent compounded interest per year. The second provision, it allows widows of firefighters who died before reaching the age of fifty with twenty years of service of non-duty injury or illness and who are currently receiving three hundred and twenty-five dollars a month will be brought up to parity with all other minimum annuity widows through the other pension systems, and they will now receive seven hundred dollars per month, rather than the three hundred and twenty-five. Widows of firefighters killed in the line of duty will be allowed to remarry without loss of benefits. Annual cost-of-living increases of three percent to retirees who have attained age fifty-five is being changed, instead of the current age sixty, and also it applies to only those retirees who were born prior to January 1, 1945. This was brought about in part because of the large amount of annuitants being met with rising medical costs, insurance costs. This is also a provision which was provided to the retirees of the Chicago Police Department who -- who have also had these provisions in Senate Bill -- Senate Bill 99, which we passed earlier out of this Chamber. It also provides for a change in the current State Statute -- which will allow the City of Chicago to fund the Firemen's Pension System with other funding sources rather than the property tax. And at this time, I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Senator Shaw. Senator Shaw, do you wish to discuss this bill? Your lights on, sir.

SENATOR SHAW:

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

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Yes, the sponsor will yield, Senator Shaw.

SENATOR SHAW:

Senator Dudycz, you -- you say you're going back to 1989 with a four -- with a four-percent compounded interest for pension pickup?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

That -- that's correct, Senator. This is for the paramedics, allowing them to purchase pension credits. As you know, the paramedics in Chicago have -- or in the emergency services have historically been treated as less than equal to the fire and police officers and this will bring them up to -- to snuff.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

The -- how much is this costing the...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR SHAW:

...the pension?

SENATOR DUDYCZ:

Well, depends which one you want, Senator. I -- I -- I'm not quite sure how I could answer that one. I have two pension impact notes, and the actuary, as you know, is the Firemen's Annuity and Benefit Fund of Chicago. They came up with two separate pension notes on the same amendment and they are drastically different. There is, I think, a -- a difference of like fifteen million dollars for each one. So, I -- I'm not quite sure how I could answer that one.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR SHAW:

The -- now, that's the paramedics' provision; that's what it's going to cost the -- the taxpayers in terms of fourteen million dollars. The taxpayers pick that up, is that -- is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Well, depends upon which impact note you're reading. One of them says that the costs are not determined, and the other one says that the liability is 14.1 -- or 1. -- 14.1 million and an annual cost of 1.25 million. Again, like I said, that this -- this pension impact note, both of them were -- were issued by the Illinois Economic and Fiscal Commission through their actuaries which were -- in this instance, are the Firemen's Annuity and Benefit Fund of Chicago, in both -- in both of these notes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

Is -- is yours dated April 24th?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Yes, Senator, one is dated April 24th and the other one is dated April 20th. And they both of -- they are both almost identical in content of language, except for the figures. And they are both issued by the same actuary for the same amendment, for the same bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further -- Senator Shaw.

SENATOR SHAW:

That's -- that's with exception of the paramedics' provision, that's the same.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

No. No, that's different.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Palmer. Oh, I'm sorry. Senator Shaw.

SENATOR SHAW:

What -- what I'm saying here is that -- and in the one that I have, it's -- it's dealing with fifteen million dollars that are going to the taxpayers, that -- that the taxpayers will have to pick up. And I think -- in light of the budget restraints that we have in this State, I think this a bad time that we should put this type or ask the taxpayers of the State of Illinois to pick up this type of benefit, where that you could've went back to 1977 and let them pay their own pension fund, as every other group does. And when -- when this is all said and done, we can't fund Medicaid, but we can give people a windfall profit, in terms of pension pickups, as it relate to trying to help one or two people. I think this is a bad public policy that this Body have. I don't think it should happen. I think that those of you on that side of the aisle, you should look at this. The budget is going to be coming up here very shortly and there's going to be major cuts in the budget. But at the same time, in this bill, Senate Bill 100, you're going to ask the taxpayers of this State to pick up an enormous amount of money for a few individuals, and I think it's bad. I think that this bill should be defeated.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

The sponsor indicates he'll yield, Senator Palmer.

SENATOR PALMER:

Senator Dudycz, does this still contain the part of the bill that allows paramedics to buy back credit for which they never made any original contribution to the pension fund?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Yes. Senator Palmer, I'd like to answer Senator Shaw's statement, as far as the State funds first. Senator Shaw stated that we should not use State dollars because of the tight budget we are -- we are faced with, and he's absolutely correct. We should not use State dollars and this has nothing to do with State dollars. This affects over three hundred people in the Chicago Fire Department, which are paramedics. This is something that the City had agreed upon. And, Senator Palmer, as far as the -- the paramedics buying into the pension fund, the paramedics have been trying to buy into the pension fund for years now. The fact is that since 1983, there have been over three million dollars sitting in the Municipal Employees' Pension Fund, and the pension fund itself refuses to ask for these dollars to be transferred in, and they're losing interest on these monies as well. Apparently, there's some sort of a -- a political wrangling going on in Chicago between certain people within the pension funds that favor fire department personnel, who -- which are not paramedics, and others that favor fire department personnel which are paramedics, and I would not wish to get into that discussion here. This is something, like I said, that yes, I agree, the -- the pension fund has a problem with it, but they came up with two different figures for the same amendment. This is something that the City of Chicago and the Fire Union have agreed upon, and I would hope that we would support it. I hope that answered your question.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. To the bill: No, Senator Dudycz, that doesn't answer the question. Let me just say specifically what this bill does. We're kind of skirting around it. This is not a political football; this is a question of whether people should be able to purchase benefits from an underfunded public pension fund in which they did not originally make contributions. Current law allows them to buy back the years that they are owed. The question here is the amount that they will be allowed to pay back. The fact is that the court already decided on this, and disallowed their buying back at a reduced cost since they had not contributed in the first place. And I think it's a little unfortunate that we would have widows in this same bill, because the Chicago Firefighter Fund has the worst funding ratio of any public pension fund in the State: forty-five percent. So we are contributing to the worsening of the unfunded mandate in this bill, an unfunded liability, by about 14.1 million dollars. I think this is the wrong thing to do. If the paramedics want to buy into the pension fund, then they should buy in in the same way that all other people have to buy in. This was brought to my attention when retired -- some retired firefighters visited my office and were very concerned about what was going to happen to their pension and to that of widows. They have no problem with that. But this is grossly unfair. We are giving an average break to people of about twenty-one hundred dollars and some would save as much as four thousand dollars. That is grossly unfair.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

May I point out the trouble -- one of the troubles with this bill is that it has been amended to do some worthwhile things for some worthwhile recipients of the Firemen's Pension Fund, but it still takes care of a group that has refused to follow the rules, and that's my problem with the bill. The bill provides that -- even though, going back to 1991, paramedics could have bought back their time with interest, as with every other group, one group filed a lawsuit. The lawsuit went up to the Supreme Court. The Supreme Court ruled against that group, and now they're coming in and try to save themselves some dollars. They're trying to save themselves the kind of obligation that every other pension group in the State has followed and get a special exemption for themselves. This is very, very special legislation, Ladies and Gentlemen. And regardless of the good parts of this bill, I would suggest to you, if you're voting Yes, you're going to be subject to ridicule. As to the paramedics, seventy-three percent -- I'm sorry -- seventy-three members of that group paid in the amount of money plus interest that they were supposed to. A small group of those paramedics refused to, and they've still refused to follow the mandate of the Illinois Supreme Court. And they've come to us to give them a special treatment where they don't have to pay any interest, or a reduced interest, or special consideration. It disturbs me when we're asked to give that kind of a break to a group. They're not destitute; they're not hungry. They do a great job for the services that they're asked to perform, but that has nothing to do - nothing to do - with what we're being asked to do in this bill. They're being asked for a waiver of interest. None of us get a waiver of interest. We didn't give judges a waiver of interest. We haven't given anybody a waiver of interest when they refused to pay their money. Why should we do it for this group? So I strongly urge a No vote. The good parts regarding widows and others will find their way onto some other bill that will be

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

addressing other parts of the Pension Code. The -- the Firemen's Annuity and Benefit Fund are still strongly opposed to this bill.

I urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

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

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor indicates he'll yield, Senator O'Daniel.

SENATOR O'DANIEL:

Senator, is this an unfunded State mandate?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

No, Senator O'Daniel. This is something that the City itself has asked for, something that they had to come to agreement with the Firefighter's Union.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Yes. According to our analysis, it says that it would -- said the Chicago Firefighter's Pension Fund liability would increase by 20.2 million, the annual cost of 2.55 million, and it says it's an unfunded State mandate.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones. Senator -- I beg your pardon, Senator O'Daniel, were you -- okay. Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jones.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR JONES:

Senator Dudycz, you cut off the interest payment in - what year? - 1989. How come that doesn't go up to the current date or till such time that the dollars are paid? Why are we giving such a windfall, if you will, or money that's got to be assumed by the taxpayers of the City of Chicago, when these members are making a decent salary? How -- why did you cut off the date at 1989?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz. Senator Dudycz.

SENATOR DUDYCYZ:

Hello. Yes, good question, Senator Jones. And I don't know if I can answer that question. I think the -- the more appropriate person that can answer that would be Mayor Daley. This is something that he and the Firefighter's Union had agreed upon.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

Well, I was at the swearing in of the Mayor. He didn't mention this. So therefore, he's no longer a Member of this Body, nor is he sponsoring this legislation. So, what I'm saying to you, there are many good parts to this bill - many good parts - but the bad part about this bill is the part where you have members who can afford to pay, you -- you allow them to get off with about six or seven, maybe eight, years of not paying interest to the pension system. So what you're doing is giving them a windfall. No one gets a big windfall like that, and I -- I -- I haven't seen the Mayor of the City of Chicago fingerprints on that. So what I am saying to you is that why don't you take this bill back to 2nd Reading, sponsor an amendment to take this portion out, because I don't think no Member on your side of the aisle, nor on this side of the aisle, will want to be voting and giving someone a big windfall, far as a pension system that is only about forty-three

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

percent funded. You will increase the accrued liability. So why are you -- I can't understand. Why are they getting such a big break, when they -- they have the money, they have the capability of paying into the system? Let them pay up until the time -- the interest should be up until the time that they pay it, not cut it off and give them a six-, seven- or eight-year break. So what I'm suggesting to you, Senator, you could get strong support for that bill, if you would take that portion out and let's take care of the widows who should be taken care of, because it's very unfortunate. You're putting Members in a tough bind, especially on your side of the aisle equally as well.

PRESIDING OFFICER: (SENATOR WATSON)

Is there further discussion? Further discussion? If not, Senator Dudycz, to close.

SENATOR DUDYCZ:

Well, thank you, Mr. President. Senator Jones, Senator Shaw had an amendment to take those provisions out in committee and, you know, not one Member of that committee voted for the amendment, not on this side of the aisle or not on your side of the aisle. The opportunity was there. Nobody decided to support it, and that's how it was presented, and it was reported out of committee with no dissenting voices. You know, Mr. President, you know, I resent some of the statements that this legislation takes care of a group that refuses to follow rules. The fire paramedics, not only in Chicago, but throughout the State of Illinois, follow the rules very -- very adequately and admirably, and I would -- I'd like to add that, you know, there is no waiver of interest on that. There is a four-percent compounded interest that they are putting in annually. Under the State Mandates Act, if the -- if the local authorities -- if the local government asks for it, it is not a mandate. And then, finally, I -- before I close, I'd like to say, you know, for those of you who stood up or

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

-- and mentioned that this is special legislation - special pension legislation - well, all pension legislation is special. Remember something, Senator Jones, that you used to sponsor every year called the omnibus pension bill? When it takes care of a retiring Member of the Illinois General Assembly, that's not special legislation; that's the right thing to do. But when it's taking care of hundreds of fire paramedics who have been denied the ability to join the pension fund for years and finally they are getting that ability, now that's special legislation. This is something that has been agreed upon between the police -- the fire department, the City of Chicago and the fire unions. There is a -- there is a -- a problem with the pension board, who, by the way, comes up with two different impact notes for the same amendment, for the same bill. They can't even agree among themselves what is the right figures. And I -- and I believe that there's something more to it than meets the eye, as far as the pension board is concerned. I would just hope that everybody would support this bill. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 100 pass. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? ... (microphone cutoff) ... the record. On that -- on that question, there are 29 voting Yes, 14 voting No, 10 voting Present. Senate Bill 100, having not received the required constitutional majority, is declared failed. Senate Bill 124. Senator Dillard. Out of the record. Senate Bill 133. Senator Peterson. Do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Peterson seeks leave of the Body to return Senate Bill 133 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Reading is Senate Bill 133. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson, to explain your amendment.

SENATOR PETERSON:

Thank you, Mr. President. Amendment 1 to Senate Bill 133 would allow -- which currently allows all counties except Cook to assess parcels as open space, would allow those acreages ten acres or more, in Cook County, to be defined as open space. And that would be as a purpose defined as wetlands, golf courses, forests, wild preserves -- wildlife preserves, et cetera. This is currently being used in all hundred and one counties except Cook. We would like to extend that to Cook County. Ask for your favorable vote on Amendment 1.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. And the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 134. Senator Peterson wishes to return Senate Bill 134 to the Order of 2nd Reading for the purposes of an amendment. Leave is granted. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 134. Madam Secretary, will you please read any Floor amendments that have been approved for consideration.

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Peterson.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Amendment 1 amends the Property Tax Extension Limitation Law to provide that newly taxable, formerly exempt property shall be counted as new property when it goes on the tax rolls. Ask for your favorable vote on Amendment 1.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, No. The Ayes have it. And the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 135. Senator DeAngelis. Senator DeAngelis. Senator DeAngelis seeks leave of the Body to return Senate Bill 135 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 Senate Bill 135. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment -- No. 1, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This is the -- the bill originally was the TIF shell. The amendment puts the language in. We still have a long way to go, but I'd urge the -- I'd urge the Body to support this amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, No. The Ayes have it. And the amendment is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 137. Senator Raica, on 3rd Reading. Senate Bill 141. Senator Woodyard. Senator Woodyard, do you seek leave of the Body to return Senate Bill 141 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 Senate Bill 141. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. Senate Amendment No. 2 actually becomes the bill, and I realize that this has been a very controversial bill, and we don't have agreement among all the parties at this point in time. I do want to attach the amendment, and hopefully, tomorrow or the next day, be able to pass it over to the House, where we can continue some further discussions, negotiations. These are things that I have discussed with Senator Berman. As of right now, though, this -- the Senate Amendment No. 2 contains four provisions. By the way, the underlying bill deals with behavioral intervention, and I think a lot of you were contacted over what had occurred as a result of a Public Act. The State Board of Education adopted guidelines, which in essence became law, and -- in this behavioral intervention. And this bill -- the amendment actually would undo some of the things that -- that were in those guidelines,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

primarily putting the effective date off approximately a year. And in addition, the school boards themselves would have a lot more to -- to do with writing and adopting their own policy. So that's kind of what the amendment does. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor. Do we have a commitment that this will be amended in the House so that discussions will be carried on?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Senator Berman, I cannot give you a commitment that it's going to be amended over there. I discussed the -- the -- this with the sponsor of House Bill 717, and I presume he would probably pick this up, but I told him it was our hope that we could reach agreement over in the House and amend it over there and send it back.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

Well, Senator Woodyard, you -- you've given us -- you've -- you've given those of us that have some concerns about this, and -- and -- I recognize and you recognize the sensitivity of this subject. You're dealing with severely handicapped -- disabled children, and the question is what do you do when they act up, and how do we protect them and how do we protect other students, and how do we do the right thing.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR BERMAN:

I'm -- I'm...

PRESIDING OFFICER: (SENATOR WATSON)

Oh! I beg your pardon.

SENATOR BERMAN:

I'm sorry. What -- what I'm concerned about, I -- I thought that you had indicated that we could make sure that there was an amendment. If there -- let me just make this suggestion to you: If there's a House bill coming over on the same subject, why don't we hold this, and -- and carry on our discussions with the House bill and we'll make sure that that one's amended. I just -- I'm concerned that the people who represent disabled children, and there -- there's a long list here - The ARC of Illinois, the Autism Society, the School Psychologists, Family Resource Centers, Springfield Legal Services Support Center. We've indicated, you and I have indicated, that they are going to be around the table to try to address and work something out. I would hate to see this thing get rushed through the House, and then you and I are embarrassed. I'd like your comments on that concern.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Senator Berman, I think you said it best in committee hearing. We may never have agreement on this particular issue. I don't know. I -- I can only tell you, and here again, remember that we're just on the amendment. And quite frankly, before we do vote on it on 3rd Reading, I'm going try to make sure we have that commitment. I can only tell you we don't at this time. And also, I do believe that the portions of 717, which are identical to this bill, were attached to another bill and it's still in our Senate Rules Committee. So, we may not have anything coming over from the -- further from the House.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

I'm sorry. Let -- Let me make a different suggestion. Amendment 2 allows the schools to disregard, totally, the guidelines. That concerns a lot of the advocacy groups. Why don't we move Senate Bill 141 out without this amendment? Then I'm sure it will get amended in some way or other, because nobody will be happy with 141 without an amendment, and that way we know that we'll continue to talk in -- in a meaningful way. And I apologize to my colleagues for -- for this dialogue here, but I think it's important.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? Senator Woodyard, would you care to close?

SENATOR WOODYARD:

Well, thank you for the recommendation, Senator Berman. At this point in time, I'd like to adopt the amendment. If we -- there is agreement to do that with the House sponsor, who is very involved with this same situation, we would still have time, that's my understanding, to withdraw this tomorrow.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none - I guess the Senator was closing - all those in favor, say Aye. Opposed, No. And the Ayes have it. And the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator -- 143. Senate Bill 143. Senator Hendon. Do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Hendon leaves -- asks leave of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

the Body to return 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 Senate Bill 143. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Hendon.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Amendment No. 2 is a welfare reduction bill. It simply sets up a pilot program to help people get off public aid in a meaningful way, with a -- a job. And I ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any -- any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 145.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR WATSON)

Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senate Bill 145.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 145 extends the statute of limitations in the Criminal Code for designated sexual crimes against minors to twelve years following the minor's eighteenth birthday. It also establishes a twelve-year limitation period on a civil action based on these sexual crimes. I want to thank the many, many individuals and groups who testified in behalf of this bill and also particularly the Illinois Coalition Against Sexual Assault, Turning Point, and Senators Petka and Hawkinson, for their assistance in crafting this agreed bill, and I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 145 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 145, having received the required constitutional majority, is declared passed. Senate Bill 181. Senator Tom Dunn. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 181.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Dunn.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR T. DUNN:

Thank you, Mr. President. This bill attempts to take cash out of the process in dealing with individuals who receive public aid and substituting a voucher system so that they may obtain clothing and school supplies, and cribs and diapers, and things of that nature. I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 181 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 181, having received the required constitutional majority, is declared passed. Senate Bill 189. Senator Smith? Senator Smith seeks leave of the Body to return Senate Bill 189 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 Senate Bill 189. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Smith.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Smith.

SENATOR SMITH:

Thank you, sir. Mr. President, this amendment permits the -- the Department of -- becomes the bill and simply rewrites the bill as Senate Amendment No. 1 with slight revisions. What the bill does now, it permits the Department of Public Aid, by rule and subject to appropriations, to provide assistance for more than twelve months based upon the former client's financial needs. I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Is there any discussion? Any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 213. Senator DeAngelis. On 3rd Reading. Out of the record. Senate Bill 253. Senator Maitland? Senator Maitland seeks leave of the Body to return Senate Bill 253 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 Senate Bill 253. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Floor Amendment No. 3 to Senate Bill 253 grandfathers in all people employed by the State on and prior to June 30th of 1997, and then would suggest that anyone hired after July 1, 1997 would be under the -- under the components of the change - in other words, would not receive pay for -- pay for accrued sick leave days. We change this to July 1, '97 because it's the date that generally reflects the -- the expiration of the State's largest collective bargaining agreement. And I think this is a -- is a -- an amendment that we can accept and makes the bill a better bill, and I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Collins. Senator Collins

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

withdraws. Senator Maitland, do you wish to close, or do you just wish to move your amendment? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 281. Senator Woodyard? Out of the record. Senate Bill 346. Senator Madigan? Senator Madigan seeks leave of the Body to return Senate Bill 346 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 Senate Bill 346. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

I'm sorry, Mr. President. We have not adopted this amendment previously then. I'm sorry. All right. To the Floor Amendment No. 1: This addresses the concerns of the Municipal League. It combines all the IMRF reserve funds into one and caps the total reserve at twice the projected interest requirement for the next year. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, No. The Ayes have -- have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further adopted -- no further amendments reported.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 354. Senator Barkhausen wishes to -- seeks the leave of the Body to return Senate Bill 354 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 354. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, Amendment No. 2 makes it clear that this particular proposal would exclude matters before the Department of Employment Security, and I move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

Amendment No. 4, offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment No. 4, Mr. President, is a technical amendment to clarify the issue of jurisdiction, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 355. Senator Barkhausen? Do you wish to return this bill 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 Senate Bill 355. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that Amendment No. 2 be tabled.

PRESIDING OFFICER: (SENATOR WATSON)

The motion is to table the amendment. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is tabled. Any further Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR WATSON)

Amendment No. 3, Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. Amendment No. 3 takes out some provisions in this bill dealing with the imposition of attorneys' fees that were -- that some Members in the committee had questions about. And it added some provisions dealing with providing protection for employers who hire those who have -- have or might have criminal records. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 357. Senator Barkhausen? On 3rd Reading. Out of the record. Senate Bill 359. Senator Fawell wishes to return Senate Bill 359 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 359. Are there any Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is an amendment that was agreed to by the Medical Society. It merely says that if a senior is suffering from any kind of dizziness or ill health, that she must be examined by a physician before entering in the pilot project.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Fawell, on Senate Bill 361? Please take that out of the record. Senate Bill 368. Senator DeAngelis, do you wish that bill returned to the Order of 2nd Reading for the purpose of an amendment? Leave is granted, hearing no objection.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

On the Order of 2nd Reading is Senate Bill 368. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 2 is, in fact, the bill. It is a extensive list of things that are taxpayer-friendly in regard to the protesting of your property taxes.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 393. Senator Peterson? Out of the record. Senate Bill 397. Senator Philip. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 397.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Yeah. Thank you, Mr. President, Ladies and Gentlemen of the Senate. And you're probably wondering why I got -- or how I got into the gambling business. Because, as you know, I have not been

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

very supportive of bingo, Lottery or riverboats. I don't happen to think it's a -- it's a very good habit. And what has happened in Illinois since we got into that business - and I'm talking about the Lottery, I'm talking about riverboats - we have hurt some of the fraternal organizations in this State who do a lot of good. And when I talk about those fraternal organizations, I'm talking about the KCs. I'm talking about the American Legion. I'm talking about the VFW. I'm talking about the Moose, the Elks, et cetera, who in my judgment, in my community anyway, do a lot of good. Therefore -- they're there for the Vietnam memorials, for parades, for crippled children, for Mooseheart. I can go on and on and on and on and tell you what they do good in our community. But since we have authorized gambling in Illinois, their revenues are down. I happen to have the second-largest VFW in the State of Illinois, in Bensenville, in my district, is about ready to file bankruptcy. They came to me and said, "We would like to have limited gambling in our existing facilities." So I have introduced Senate Bill 397, which authorize the State Lottery to issue video gambling up to five units in existing facilities. The application <sic> (license) fee for manufacturers is ten thousand, distributors ten thousand, operators five, establishment a hundred, terminals a hundred. Twenty percent net for two years. Twenty-five percent to the State after that. It allows them to -- to wager up to two dollars per game and the payout is limited to five hundred dollars. You have to be a nationally franchised fraternal organization. We think it'll probably be about two hundred clubs statewide. I'd be happy to answer any questions, and happen to think, at this point, it's a good thing to do.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

You know, it -- it appears always whenever you get up and speak on these type of bills you either have to be for gambling or against gambling, and I don't think that's really the case, because at this point, the State of Illinois is the third-largest gaming state in the union. I think what Senator Philip is attempting to do here is right. I think it's just. I think it does give those organizations an opportunity. If I could give one criticism, I just don't think it goes far enough. I think if we're going to give it to those clubs, we ought to give it to all the taverns in -- in the State, and liquor establishments and everything else, and let the competition take care of it. But I'm very glad to stand up and say that I think we ought to -- on this side of the aisle, ought to consider giving an Aye vote to those organizations that truly need it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill is very carefully structured. It really applies to the legitimate - and I say legitimate-fraternal organizations, and also to the veterans. And let me tell you, as a veteran myself, I'm -- I don't gamble, but I'll tell you right now, if they can pass the time at their -- at their veterans' homes to do these things and in their veterans buildings, what's wrong with that? The stock market is the biggest gamble in the world, and I never heard anyone in this house criticize it. So I don't think we're doing so badly by trying to help good organizations like the veterans' organizations who certainly proved themselves - the members - for years, and also good fraternal organizations. I speak in favor of the bill and urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Viverito.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

SENATOR VIVERITO:

Thank you, Mr. President. I rise in favor of this bill, because it's an extremely important one to my particular area as well. In fact, just recently our VFW was just about ready to close and our Mayor of the City of Burbank made an appeal to the people in our community if they would please send a little money over to them. They couldn't even make their mortgage payments. So I thank Senator Philip's -- Philip in -- for making this particular bill possible.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says he will yield, Senator Lauzen.

SENATOR LAUZEN:

Certainly all of us want to support different veterans organizations, and I remember listening to the debate during the committee -- the Executive Committee, and it made good sense and I remember going home thinking, well, this is a good one to support. I've been contacted by different organizations since that time who have worried that it's possible that having this type of gambling available in the veterans' organizations will put other bars and saloons and taverns out of business. Could you help us understand -- how would you respond to those concerns?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Well, I -- I have been led to believe that we do have some video gambling in bars throughout the State of Illinois, and are illegally paying off those machines. As you know, under the present law, it is illegal to pay money for those video gambling.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

It happens to go on. In my area - in DuPage County - to my knowledge, there are none of those machines, and they are not paying off illegally.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion?

SENATOR PHILIP:

But -- but I know, for instance, in the county that we're -- we're in today that there are machines in some of the local taverns, and they are paying off. It's illegal. They shouldn't do it. And I -- I would say this, that other than -- than drinking and having a few employees, they don't do much good for community. Where I would suggest to you, the American Legion, the KC, the Moose, the Elks, do something good for community -- they put a lot back in the community. This is in a -- a small way to help them keep afloat, and I think if I remember correctly, we have had like thirteen or fourteen of those organizations fold up in the last year in Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just to state that I certainly have the highest degree of respect for the sponsor of this legislation, but as he well knows, I have consistently opposed the expansion of legalized gambling -- statewide gambling in Illinois. And I think this legislation is bad legislation. I think it sends the wrong message to the people in this State to -- for the sanctioning of another form of legalized gambling in Illinois. And I certainly would support the veterans' organizations in my district and throughout this State. I happen to be a Vietnam veteran myself. I hold a life membership in the American Legion and a life membership in the VFW, and I've strongly supported the activities of the service organizations in

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

my district, and we have many, many ways that we can raise money in our veterans' organizations, and they do a lot of things to generate funds for the ongoing operation of the purpose of their clubs. But I think it's a step in the wrong direction to legalize this type of gambling in Illinois. Think may of you have received information from the Illinois Lottery - one of our own sanctioned forms of gambling - who strongly oppose this legislation, and as they indicate in the information that they put out, video gaming is highly addictive. Probably the most of any of the forms of gambling that are now authorized in the State. It's considered to be the crack cocaine of the gambling industry. And do we want this gambling legalized in the State of Illinois? Do we want to take another step down the road to making Illinois a big gambling state? Do we want to open the door for other forms, or for other places? And you know, once this is done with the service organizations then the bowling alleys are going to want it. Then the taverns. Then the pool halls are going to want it, and there will be no way or no -- no basis on which we can deny legalized video gaming to other groups and organizations in this State. So all due respect to the sponsor, I would stand in -- in opposition to the legislation and ask for a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shadid.

SENATOR SHADID:

Yes. To the sponsor, I...

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Shadid.

SENATOR SHADID:

I don't know if I heard you correctly, Mr. President, but -- and I respect you and respect your judgment, but did you say that the taverns use these for gambling and pay off and the clubs don't? I hope I heard you wrong.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have been -- it all depends on what county you're in, but I have been led to believe that there are taverns downstate where they do pay off. I've also been led to believe -- and I -- I have been in one that I saw them pay off.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion?

SENATOR PHILIP:

And -- and I think also, in some VFWs, American Legions and some of those clubs, I have been told that in some instances, which are pretty rare, that they're doing it to some extent already.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Farley. Oh! I beg your pardon. Senator Shadid.

SENATOR SHADID:

As a former law enforcement officer of about forty years, I can assure you that, wherever these machines are, they're paying off, and what I'm trying to say is, I -- I have a problem that the corner tavern in my area gets involved in a lot of fund-raisers for people who are sick, who are injured and they do this constantly. And I think what we're doing here is I think we're penalizing the corner tavern in this. We're not giving him a -- a fair, and I don't think we're giving them a level playing field.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would rise in support of this bill. I think it's a reasonable

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

idea to present this bill and let these VFW halls and let these other groups, which are a limited number, be able to provide a means of -- of funding some of their -- their activities. I know in my area that these VFW halls have a declining enrollment, and it's tougher and tougher for them to -- to have a wherewithal to -- to raise funds to provide for some of the needed activities that they take part in. And I think it's reasonable that we allow them to -- to be able to have this capability. I don't see any overwhelming numbers of people going to a VFW hall. I think that, as was explained here, there are those taverns that pay off. Illegally or not, they do do that. I don't think it's going to draw those people away from those -- their favorite tavern to go to some other location. And -- and in -- and in regard to the -- to the VFW halls and so forth, I think it's a good means for them to -- to provide some funds that they -- they -- they need, and I would support the measure, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor indicates he will yield, Senator Jones.

SENATOR JONES:

Yes. Senator Philip the proceeds from the video lottery, would they go into the Education Assistance Fund?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

They would -- they would go in the General Revenue Fund.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip, would you please repeat your answer.

SENATOR PHILIP:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

I'm sorry. They go into the General Revenue Fund.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

Well, I know many of us here and I'm quite certain that most people are sympathetic to the various charitable organizations, be it the American Legion, the VFW, the Moose, you name them. However, if this legislation is enacted, it's going to have a fiscal impact on the current Lottery. And those Lottery dollars all go to the Education Assistance Fund. This would be a drain on those dollars, and these dollars are going to go into the General Revenue Fund. So, I mean, those of us on the Floor who are concerned about education, we are concerned about the shortfall in -- in educational dollars throughout the State of Illinois, and while we -- we may be sympathetic, I -- I don't think it's in the best interest at this point. If the bill were to be amended to see that these dollars are directed back into the Educational Assistance Fund, rather than pull dollars out of there and shift those dollars into General Revenue Fund. So while -- the sponsor has good intentions, and I'm glad to see that he's amenable to expanding gaming in Illinois, and I trust that in the very not to distant future, we'll look forward to that same cooperation as we move to expand gaming to the County of Cook, and -- and give that county what the rest of the counties have throughout the State of Illinois. But as it stands, for this bill, Senator, you're going to pull money from the schoolchildren of Illinois, and shift them into the General Revenue Funds, and I wish you would amend the bill to require all the dollars go into the Educational Assistance Fund.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Philip, the Lottery filed a fiscal note saying that the Lottery would lose 1.4 million dollars because of your bill. What is your estimate as to how much money the bill would raise for general revenue funds, and do you have an estimate as to the Lottery loss?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Yeah. Very honestly, it's absolutely unknown. We don't have any idea. We're not sure how many people will do it. And very honestly -- and we -- we don't agree with the Lottery's estimate either. We think that is way, way out of line.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

Yes. Your -- what percentage of the amount gambled would go to the General Revenue Fund, and how did you arrive at that percentage?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Twenty percent the first two years, and then twenty-five percent from there on. And -- and let me say this, those terminals are -- go right into the -- the Department of Revenue. So there'd be no way of cheating on -- on how much they're betting. Those will be connected right to the Department of Revenue, and automatically will go in there.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Welch.

SENATOR WELCH:

Senator, would you be willing to put an amendment on the bill to have the money go to the Education Fund, instead of the General Revenue Fund?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Yeah. And of course, the simple thing to do is just to appropriate more money to education. Now, you know that and I know that. I mean, it's the same old story - smoke and mirrors. And we have increased, quite frankly, the Education Fund every year for about twenty years. The school aid formula is the problem. You know that and I know that.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Senator, that's exactly the point. I agree with you one hundred percent, except I think that the only way you're going to make sure the money gets to education is by having it directly going there. Have it, you know, a dedicated tax revenue for the Education Fund. I think that's the only way to make sure it'll get there, because if we rely on General Revenue Funds it's going to be eaten up by Medicare or Medicaid, or it's going to be eaten up by some other department. That always happens.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. To the bill, Ladies and Gentlemen of the Senate: It has been my experience and -- and I think there are studies on it, one of the most addictive forms of gambling that we have are video poker games. A lot of people in taverns

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

that lose their checks, come the following day they come home, they don't have the bills <sic> to pay it. What I would suggest, because as crazy as this sounds, I'm going to vote Yes on this bill, but what I would ask the sponsor if he would consider - he doesn't even have to answer this now - what I want to make sure happens is that when we give these licenses out, and if it does pass the House and the Governor has the wisdom to sign it, and it does pass, that sometime when it gets to the House we could put on an amendment that any fraternal organization - let's take the corner VFW or American Legion Post - that they be precluded from going out inside their premises when they have these machines, to go out and make a deal with an ATM or one of these cash card things. Tell you what these cash cards are. When you go and you put your credit card through, and if you want three hundred dollars, not only do you have to pay the interest on your credit card, they also charge you a ten- or fifteen-percent fee to get the three hundred dollars. And what's going to be happening in these VFWs where there's drinking allowed, going to have these guys playing this video poker, they're going to get carried away, 'cause they're half bombed from drinking, they're going to go to their credit cards. They're going to keep getting more money and putting it in these machines. So I don't mind if someone does get their check or walks out with a hundred or two hundred dollars, and winds up doing it, if we could at least ban those -- those crazy cash card machines from going into these VFWs. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he will yield, Senator Collins.

SENATOR COLLINS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Senator Philip, is there anything in this bill, as it is drafted now, that would prohibit a veterans' organization from -- a VFW hall from leasing or renting that hall to any other group who wished to have a fund-raiser at that facilities where you have the -- the video poker machines?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

They will be licensed to have those machines only for their own operation, their own facilities.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none -- Senator Collins.

SENATOR COLLINS:

So that is stipulated in the bill, and -- and you are sure that -- that the language is -- is clear to ensure that they cannot lease out or rent out, because sometime now you know that they do rent out those halls. They do make money by renting out their halls for other kind of charitable and community events and even political events. So now what would prohibit me from - on the west side of Chicago there's a VFW hall - from renting or leasing that hall in order to have a political fund-raiser, and I would like to -- to make very sure that it's very clear that you're not allowing that so if -- if so, all you're -- you know, you might as well just open it up to everybody, because then everyone can go on and have fund-raisers at those halls.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, Senator Philip, to close.

SENATOR PHILIP:

Yeah. Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would suggest this to you, that -- that these fraternal organizations are the good guys that help their local communities. And most of them are in financial -- have a financial problem. I

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

would hope that the Lottery board, with their authority, would make sure that they only use it in their own facility. And as you know, you have to be a member. It doesn't affect the local tavern across the street, if he has one illegally. You have to be a member to go to the KCs or the American Legion, or a VFW. So if those people with taverns are doing it illegally, it wouldn't have any effect on them whatsoever. So I happen to think it's a good idea, and I'd like to see a lot of green votes up there. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 397 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Take the record. On that question, there are 27 voting Yes, 20 voting No, 10 voting Present. Senate Bill 397, having not received the required constitutional majority, is declared failed. Senator Philip.

SENATOR PHILIP:

Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR WATSON)

Postponed Consideration. Senator DeAngelis, on Senate Bill 401. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 401.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 401 does several things. The first thing that it does is it exempts alternate bonds from the tax caps. Now, for those of you who may not be

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

familiar, alternate bonds are bonds that are funded by sources like sales tax and so forth. What happens quite frequently, the bond companies will require that that bond have included in it also some type of GO backing. Though it's only backing in terms of guarantee, it's not a backing that requires the issuing of property taxes. Alternate bonds, in reality, are a way of lowering property taxes, but because of the fact that there may be a guarantee involved, they are subject to the caps. And item number two - and there's some amendments that have come from other Members, and if they want to jump in when I'm done, it's fine - exempts the School Finance Authority's monies from the transfer -- the transfer monies from the caps. And frankly, from a legislative intent, we have always supported, in the past, that differential between what we, in fact, forced them to levy back when the Authority first was created and the actual amount that -- to be levied, in terms of taking care of the debt service. It deletes the prior year for Cook County. I know that we have debated this rather vigorously. I know that there are people who may not like this, but the fact of the matter is that Cook County is unjustly punished. Item number four exempts life safety bonds. Item number five: There are areas both in the collars and in Cook where enrollment growth occurs but no growth in terms of property. Seniors move out; young people move in. This allows a -- a factor - that doesn't mean they're necessarily going to get it - that is done by taking the actual pupil increases times the average pupil cost and add -- add that to the aggregate base. Apologize to the Body for this cough. And the last thing that it does is it allows the growth rate for the South Quadrant of Cook County for one year only to be 7.5 rather than five. Reason there being is that the last EAV assessment -- the last assessment in Cook County that took place, 1993, because of the prior year EAV, was not permitted in the aggregate extension for the tax caps. This would give it a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

little more fairness in terms of their ability to perhaps catch up with that assessment. They're really, basically, working off a ninety -- 1990 assessment. I'll be happy to answer any questions, and if any of the other sponsors of some of the amendments can answer them, that's fine.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I compliment Senator DeAngelis for being receptive to amendments to this, and what we have here is a bill that makes some fine-tuning to the tax cap bill that we passed earlier this year. Tax caps is an important principle that many of us supported when it came to the Floor regarding Cook County, but we were caught between the arguments and the needs of public bodies, where there'd be libraries and, in particular, schools, versus the -- the perception - the true perception - of taxpayers regarding the overreliance on the property taxes. What we're doing here by Senate Bill 401 is making a few adjustments to the tax cap. It is -- does not undercut the tax caps. It does not repeal the tax caps. It does some fine-tuning to the tax caps, and it does it in a very selective way that Senator DeAngelis already pointed out. And those selective ways are things that I think every one of our property taxpayers can recognize. We're talking about life safety exemption. If there's a need in a school to address the -- the safety needs of those children, they ought to be addressed. That's what Senate Bill 401 does. The prior year EAV - the -- the artificial one-year delay that we imposed in Cook County when we passed the tax caps in the collar counties - that should not continue when we're putting a tax cap on Cook County, and this bill abolishes the prior year EAV. And as Senator DeAngelis spelled out, for the South Triad - the South Triangle of Cook

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

County - this would give them a double hit, if we didn't adjust on a negotiated basis, and that's what this bill does: The negotiated part of a 7.5 rather than a five-percent increase for that South Triad. And the other factor is increased enrollment. In many of the collar counties when we passed tax caps, there was vacant property. So when there was going to be an increased enrollment, that increased enrollment had new construction that brought more money into the schools. In Cook, you have very little new construction. You have a -- a turnover - a gentrification - of our homes. I've got that in -- in the suburban areas that I represent, where older families sell their homes to younger families that have children. There's no new construction. This will allow those communities that are going to be hit with increased enrollments, and that's many of the suburban areas that we all represent, to address those increased enrollments by fine-tuning the tax caps. This is a bill that the DuPage Mayors and Managers endorse. SCOPE, ED-RED, the Management Alliance of Schools, LUDA, IEA, League of Women Voters, the Municipal League, the Library Association - all of them endorse this bill. It's good for the taxpayers. It's good for our -- our public bodies. I strongly urge a Yes vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further consideration? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I too want to rise in support of this bill and to thank Senator DeAngelis for allowing us to put these amendments on the bill. I draw your attention to one in particular. There's been a great deal of discussion about the fate of the School Finance Authority that was created by the Legislature in 1982 or so. One of the consequences of tax caps which we didn't pay any attention to at the time they were imposed is what would happen to the monies that were allotted to the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

School Finance Authority to issue bonds on behalf of the Chicago public schools. We gave them fifty cents per one hundred dollars of EAV. Well, in the -- the subsequent years, the School Finance Authority has had to use less and less of that fifty cents, to the point that the -- that authority will most likely be able to be returned to the Board by the year 2009. But if we do not pass this amendment, that authority will not be returned to the Board, and it is extremely important that the Chicago public schools have all of the capacity that they need in order to function. So I would strongly urge that we vote in favor of this bill, with some very fine amendments attached to it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Thank -- thank you, Mr. President. It's kind of interesting, the previous two speakers, when we tried to go to -- in another amendment that would address some of the concerns of the collar counties, they said, "Shame on you. No, no, no. You have to live with it. That's too bad." And yet, then I sit here and see and listen to the comments that, "Well, wait awhile. This is going to affect us, and it isn't right, and therefore, help us resolve what we think is perceived to be problems." You know, sometimes I think we have to work together to solve the problems and maybe make legislation that, perhaps, had some oversights in it when it was originally crafted, to at least make it right for all of us, not trying to do one section of our State in, while trying to get advantage for the other. And I think that's a shame and that's a problem, and I think a number of the committee Members who heard this debate were as appalled as I was to find out that it becomes more selfish interests, than trying to solve the problems. And I think though the -- and I -- I want to thank Senator DeAngelis for allowing us to at least try to put our amendment on. I thank him

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

for that. And however, I think without those provisions, I don't think any of the collar county legislators should be supporting this amendment without changing other areas that needed to be addressed.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senator DeAngelis, in reading the analysis, it's my understanding that the contents of Senate Bill 401 adds a School Finance Authority exemption from the property tax cap; deletes prior year EAV for Cook County; it exempts all life safety bonds; it adds an enrollment factor for school districts in Cook County and collar county -- counties; it increases the growth factor for the 1994 levy from five to 7.5 percent for one of the triads in Cook County. It's my understanding that this, in fact -- if this passes, this will -- dilute the effect of what we did in the tax cap legislation, which was put that five percent or the CPI. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Dudycz, first of all, the prior year EAV - eliminating that will not affect the cap. It will not affect the cap. What it might affect is the ability for -- when you're working with referenda or so forth, to collect your money a little earlier. The five to seven and a half percent will only increase in those districts whose EAV exceeded that amount - EAV growth exceeded that amount.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

How about the -- the part in Committee Amendment No. 2 which

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

adds the School Finance Authority exemption?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Dudycz, you know, as a resident of the City of Chicago, that we, when we did the School Finance Authority bond bill, allowed them to levy fifty cents. We still do. Now, the -- the -- however, each year less of that fifty cents is needed to turn around and fund the debt service. We permitted by law some years back - and, Senator Berman, correct me if I'm wrong - the city to collect that money. All we're saying right now, since that is an amount of money outside of a different authority, that that not be included in the -- in the -- the aggregate extension.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

I think -- I think your answer is correct. I -- the voters in the advisory referendum in Cook County stated that they overwhelmingly, by eighty-five percent, wanted us to -- to restrict the abilities of local governments to raising the property taxes to five percent or the CPI, whichever is less. That was clear, and we did it with prior legislation. The way I read it, Senator DeAngelis, Senate Bill 401 will dilute the effects of the tax caps, and for that reason, I -- I think we ought to kill this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. I just wanted to mention a couple of concerns I have about this bill. I think a lot of it is premature. We just passed the tax cap, and what we did in that was give the authority and the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

accountability back to the people, and that's what they wanted. And you're right that life safety bonds are important, but certainly the people in the area can vote on a referendum to authorize those life safety bonds up front, and that's what the people voted in the -- on the ballot that they really would like to have the option to do. The second one is the enrollment issue. I had a bill in actually to address the enrollment issue, which I think is important, because there are a lot of other areas that just have the generational turnover. However, what this bill is missing is it's missing a decrease if there is a decrease in enrollment. It only gives you the increase if there's an increase, but there's no decrease if there's a decrease in enrollment. And I think that part of it is fair. If this passes out of the Senate, I would hope that you would address that in the House. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell. Senator Fawell, your light's on.

SENATOR FAWELL:

Thank you very much. When this bill originally appeared in committee, I thought it was a good bill. We were talking about alternate bonds for municipalities, and that's really just a back-up bond in case the revenue stream fails in -- in some instances, and to my knowledge, I don't believe it ever has. Then we started adding things. We put a technical amendment on, which was fine. Then we added the School Finance Authority exemption, which Chicago wanted, which was okay. Then we deleted the prior year for Cook County, exempted the safety -- life safety bonds, adds the enrollment factor, increases the growth factor for South Cook County. And yet, when we started talking about the double -- what we call the double whammy - that is when the assessed valuation goes up and the collar counties could not take advantage

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

of it - all of a sudden, even though every other amendment went on, this was not acceptable. It was okay to solve everybody else's problems, but it certainly wasn't okay to solve the collar county problems, because the collar counties, according to certain individuals, have all the money in the world. We have a well someplace that I haven't quite discovered, along with a polo pony and a few other things. And all we have to do is dip into this well and throw the money out, and there's no problems. Well, when you start worrying about just your problems and not the rest of the State's, then I guess a lot of us are going to take the same type of -- we're going to take instructions from you. I would strongly suggest anybody that lives in either the collar counties or the suburbs vote No.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, Senator DeAngelis, to close.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill did, as Senator Fawell said, permit some amendments. Some of them failed. Senator Parker, on the decreased enrollment, I think you'll find that the formula handles that, rather severely. I don't think you need to have an enrollment factor put into a bill when there's a decrease, because the formula -- and if you've had school districts that have had decreasing enrollment, you know what I mean. As far as the South Quadrant, let me mention, the South Quadrant currently, because of the prior year EAV and the caps, is working off of a 1990 assessment. 1990 assessment. That's five years ago. And therefore, what we're asking for is the opportunity, and only in those areas in which it's created the problem, to be able to use seven and a half. Ask your favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

On that question, the question is, shall Senate Bill 401 pass. All those in favor, vote Aye. Opposed, vote No. The voting is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 voting Yes, 13 voting No, 1 voting Present. Senate Bill 401, having received the required constitutional majority, is declared passed. Senator Dudycz. Senator Dudycz, on Senate Bill 415. Out of the record. Senator Burzynski, on Senate Bill 429. Senator Burzynski seeks leave of the Body to return Senate Bill 429 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 Senate Bill 429. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an agreed-to amendment by all the parties - the Department of Public Health, the Illinois Manufactured Homes Association and the Illinois Housing Institute - dealing with installation of mobile homes.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

Yes, Mr. President. Senator Molaro has filed a motion with respect to Senate Bill 100, and Senator Burzynski has filed a motion with respect to Senate Bill 1123.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. That is so ordered. Just for the Membership's information, there will be a Supplemental Calendar being placed on your desk shortly considering those motions that have been filed. While we are waiting for the Supplemental Calendar, I would like to make an announcement. First of all, there will be softball practice if at all possible tonight at 6:30 at the field on South Second Street. If you need a map to -- to go the field, I have them at my desk. That'll be at 6:30. While we're on the business of the softball game, I just want to remind everyone that it will be tomorrow evening. I know that there are tickets available. They're going fast. But Senator Cullerton and myself have tickets, and we're asking each Member to contribute ten dollars, and that contribution goes to a charity here in Springfield. So, we've done well in the past on this, and of course, the Membership has -- has helped finance this, and we appreciate it. Tomorrow night's the softball game. We'd like to make sure everybody's there. Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes. Thank you, Mr. President. Senator Watson, some of the Members on this side of the aisle we're asking just exactly what is that charity. They -- they wanted to make sure it's not the -- the money's not going to any, you know, Republican organizations or anything like that. I -- I told them that I didn't think so, but you know there are some doubters, and we've still got two people that are trying to raise the money, to come up with it. And I promise I'll have it for you by tomorrow. If I can't get it

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

from them, I'll -- I'll come up with it. Senator DeLeo will have to pitch in and we'll get it for you.

PRESIDING OFFICER: (SENATOR WATSON)

The Supplemental Calendars have been distributed. On Supplemental Calendar No. 1 is the Order of Motions in Writing to Reconsider the Vote. Read the motion, Mr. Secretary.

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 100 failed.

Filed by Senator Molaro, May 1st, 1995.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro, on that motion. Senator Molaro on the Floor? Senator Jones, for what purpose do you rise? Do you want to sponsor the motion, Senator? Senator Molaro is not on the Floor; therefore, we withdraw the motion, Senator. Any other motions, Mr. Secretary?

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 1123 failed.

Filed by Senator Burzynski, May 1st, 1995.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski, on that motion.

SENATOR BURZYNSKI:

Thank you. I'd just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Having voted on the prevailing side, Senator Burzynski moves to reconsider the vote by which Senate Bill 1123 failed. Those in favor, say Aye. Opposed, No. Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

If we could just have him explain which bill it is that we are voting on, I'd appreciate it. There's been no explanation as to

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

what this bill is.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. This is a motion to reconsider, and I think that the bill received considerable amount of debate on the Senate Floor, and so I'm just moving to reconsider that motion.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor of the motion, signify by saying Aye. Opposed, Nay. The Ayes have it. And the motion is adopted. A roll call has been requested. All those in favor, vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 34 voting Aye, 22 voting No, 0 voting Present. The motion carries. And the question now before the Senate... On 3rd Reading now is Senate Bill 1123. Senator DeAngelis. And the bill has been read a 3rd time. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah. Thank you, Mr. President. This is the bill that -- shell bill that has in it the Regional Airport Authority and -- which has not been created yet. Urge your favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1123 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 voting Yes, 27 voting No, 1 voting Present. Senate Bill 1123, having received the required constitutional majority, is declared passed. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2331, offered by Senator Madigan.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

(Secretary reads title of bill)

House Bill 375, by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 532, Senator Smith.

(Secretary reads title of bill)

House Bill 573, by Senator Cronin.

(Secretary reads title of bill)

House Bill 940, by Senator Woodyard.

(Secretary reads title of bill)

House Bill 942, Senator Woodyard.

(Secretary reads title of bill)

House Bill 989, by Senators Weaver and O'Daniel.

(Secretary reads title of bill)

House Bill 1045, by Senator Madigan.

(Secretary reads title of bill)

House Bill 1124, by Senators Cronin and Jacobs.

(Secretary reads title of bill)

House Bill 1197, by Senators DeAngelis and Berman.

(Secretary reads title of bill)

House Bill 1202, by Senator Woodyard.

(Secretary reads title of bill)

House Bill 1322, by Senator Dillard.

(Secretary reads title of bill)

House Bill 1461, by Senator Mahar.

(Secretary reads title of bill)

House Bill 1462, Senator Parker.

(Secretary reads title of bill)

House Bill 1787, by Senator Walsh.

(Secretary reads title of bill)

House Bill 1850, by Senator Petka.

(Secretary reads title of bill)

House Bill 1893, by Senator Lauzen.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

May 1, 1995

(Secretary reads title of bill)

House Bill 1900.

(Secretary reads title of bill)

House Bill 2177, Senator Madigan.

(Secretary reads title of bill)

House Bill 2205, by Senators Barkhausen and Cullerton.

(Secretary reads title of bill)

House Bill 2337, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 2338, by Senator Cronin.

(Secretary reads title of bill)

And House Bill 2345, by Senator Butler.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further business to come before the Senate? If not, Senator O'Malley moves that the Senate stands adjourned until 10:30 a.m., Tuesday, May 2nd. 10:30 a.m.

MAY 01, 1995

HB-0003	FIRST READING	PAGE	2
HB-0025	FIRST READING	PAGE	2
HB-0040	FIRST READING	PAGE	3
HB-0226	FIRST READING	PAGE	3
HB-0301	FIRST READING	PAGE	3
HB-0314	FIRST READING	PAGE	3
HB-0318	FIRST READING	PAGE	3
HB-0323	FIRST READING	PAGE	3
HB-0375	FIRST READING	PAGE	123
HB-0532	FIRST READING	PAGE	123
HB-0573	FIRST READING	PAGE	123
HB-0630	FIRST READING	PAGE	3
HB-0741	FIRST READING	PAGE	3
HB-0865	FIRST READING	PAGE	3
HB-0868	FIRST READING	PAGE	3
HB-0940	FIRST READING	PAGE	123
HB-0942	FIRST READING	PAGE	123
HB-0989	FIRST READING	PAGE	123
HB-0991	FIRST READING	PAGE	3
HB-1023	FIRST READING	PAGE	3
HB-1045	FIRST READING	PAGE	123
HB-1124	FIRST READING	PAGE	123
HB-1131	FIRST READING	PAGE	3
HB-1197	FIRST READING	PAGE	123
HB-1202	FIRST READING	PAGE	123
HB-1209	FIRST READING	PAGE	3
HB-1221	FIRST READING	PAGE	3
HB-1237	FIRST READING	PAGE	3
HB-1322	FIRST READING	PAGE	123
HB-1461	FIRST READING	PAGE	123
HB-1462	FIRST READING	PAGE	123
HB-1486	FIRST READING	PAGE	4
HB-1489	FIRST READING	PAGE	4
HB-1654	FIRST READING	PAGE	4
HB-1662	FIRST READING	PAGE	4
HB-1755	FIRST READING	PAGE	4
HB-1787	FIRST READING	PAGE	123
HB-1850	FIRST READING	PAGE	123
HB-1893	FIRST READING	PAGE	123
HB-1900	FIRST READING	PAGE	124
HB-2142	FIRST READING	PAGE	4
HB-2177	FIRST READING	PAGE	124
HB-2205	FIRST READING	PAGE	124
HB-2317	FIRST READING	PAGE	4
HB-2331	FIRST READING	PAGE	122
HB-2337	FIRST READING	PAGE	124
HB-2338	FIRST READING	PAGE	124
HB-2339	FIRST READING	PAGE	4
HB-2345	FIRST READING	PAGE	124
HB-2370	FIRST READING	PAGE	4
HB-2439	FIRST READING	PAGE	4
SB-0011	THIRD READING	PAGE	65
SB-0016	SECOND READING	PAGE	4
SB-0021	RECALLED	PAGE	66
SB-0032	SECOND READING	PAGE	5
SB-0057	THIRD READING	PAGE	67
SB-0100	THIRD READING	PAGE	71
SB-0100	MOTION FILED	PAGE	120
SB-0114	SECOND READING	PAGE	5
SB-0133	RECALLED	PAGE	82
SB-0134	RECALLED	PAGE	83
SB-0135	RECALLED	PAGE	84
SB-0141	RECALLED	PAGE	85
SB-0143	RECALLED	PAGE	88

MAY 01, 1995

SB-0145	THIRD READING	PAGE	89
SB-0181	THIRD READING	PAGE	90
SB-0189	RECALLED	PAGE	91
SB-0253	RECALLED	PAGE	92
SB-0346	RECALLED	PAGE	93
SB-0354	RECALLED	PAGE	94
SB-0355	RECALLED	PAGE	95
SB-0359	RECALLED	PAGE	96
SB-0368	RECALLED	PAGE	96
SB-0397	THIRD READING	PAGE	97
SB-0401	THIRD READING	PAGE	110
SB-0429	RECALLED	PAGE	119
SB-0491	SECOND READING	PAGE	6
SB-0499	SECOND READING	PAGE	6
SB-0500	SECOND READING	PAGE	6
SB-0532	SECOND READING	PAGE	6
SB-0618	SECOND READING	PAGE	7
SB-0653	SECOND READING	PAGE	7
SB-0662	OTHER	PAGE	9
SB-0677	SECOND READING	PAGE	8
SB-0698	SECOND READING	PAGE	8
SB-0698	RECALLED	PAGE	12
SB-0791	SECOND READING	PAGE	9
SB-0882	SECOND READING	PAGE	9
SB-1006	THIRD READING	PAGE	12
SB-1017	THIRD READING	PAGE	18
SB-1022	THIRD READING	PAGE	19
SB-1027	RECALLED	PAGE	20
SB-1050	SECOND READING	PAGE	10
SB-1051	SECOND READING	PAGE	10
SB-1052	SECOND READING	PAGE	10
SB-1060	THIRD READING	PAGE	21
SB-1066	RECALLED	PAGE	36
SB-1066	RECALLED	PAGE	42
SB-1066	OUT OF RECORD	PAGE	39
SB-1083	THIRD READING	PAGE	39
SB-1095	RECALLED	PAGE	41
SB-1097	RECALLED	PAGE	41
SB-1113	THIRD READING	PAGE	43
SB-1115	THIRD READING	PAGE	44
SB-1122	THIRD READING	PAGE	45
SB-1123	THIRD READING	PAGE	47
SB-1123	MOTION	PAGE	121
SB-1123	MOTION FILED	PAGE	120
SB-1126	THIRD READING	PAGE	59
SB-1129	RECALLED	PAGE	60
SB-1133	SECOND READING	PAGE	11
SB-1139	THIRD READING	PAGE	62
SB-1191	SECOND READING	PAGE	11
SB-1194	THIRD READING	PAGE	62
SB-1206	RECALLED	PAGE	63
SB-1208	SECOND READING	PAGE	11

SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-THE REVEREND JOSEPH H. EBY	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
JOURNALS-POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	1
COMMITTEE REPORTS	PAGE	64
ADJOURNMENT	PAGE	124