

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDENT PHILIP:

The Senate will come to order. If the Members will please rise, and our friends in the gallery, for the prayer this morning by Pastor Jenkins, Lutheran Memorial Evangelical Lutheran Church, Springfield, Illinois. Pastor Jenkins.

PASTOR JENKINS:

(Prayer by Pastor Jenkins)

PRESIDENT PHILIP:

...(machine cutoff)...the Journal.

SECRETARY HARRY:

Senate Journal of Friday, May 7, 1993.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

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

PRESIDENT PHILIP:

Senator Butler moves to approve the Journal just read. There being no objections, so ordered. ...(microphone cutoff)...Butler.

SENATOR BUTLER:

Mr. President. I move that reading and approval of the Journals of Tuesday, May 11th; Wednesday, May 12th; Thursday, May 13th, in the year 1993, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. May I have the attention of the Membership. We're going to go to House Bills, 2nd Reading, the bottom of page 22, and we're going to pass over the appropriation bills. House Bill 203. Senator Weaver. Take it out

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

of the record. House Bill 258. Senator Fawell. Take it out of the record. House Bill 508. Senator Sieben. Senator Sieben. Take it out of the record. House Bill 532. Senator Watson. Read the bill.

SECRETARY HARRY:

House Bill 532.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education 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, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 641. Senator Hendon. Senator Hendon. Take it out of the record. House Bill 701. Senator Woodyard. Senator Woodyard. Take it out of the record. House Bill 767. Senator Barkhausen. Senator Barkhausen. Take it out of the record. House Bill 770. Senator Donahue. Take it out of the record. House Bill 797. Senator Farley. Read the bill.

SECRETARY HARRY:

House Bill 797.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Farley.

PRESIDENT PHILIP:

Senator Farley.

SENATOR FARLEY:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 2 deletes the provision which allows an employee to receive - or recover, I should say - legal expenses. This was an amendment worked out with those that were objecting to this language, and I would move for its adoption.

PRESIDENT PHILIP:

...(microphone cutoff)...Farley moves the adoption of Amendment No. 2 to House Bill 797. All those in favor will signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Mr. Secretary, any further Floor amendments?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 898. Senator Maitland. Senator Maitland. Read the bill.

SECRETARY HARRY:

...(microphone cutoff)...Bill 898.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

3rd Reading. Have there been any further amendments? 3rd Reading.

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Maitland.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Amendment No. 1 is an amendment that prohibits the money posted as bond to be used to fulfill the monthly payment order. There was no -- no opposition, and I would seek -- I would move for its adoption.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDENT PHILIP:

Any further discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to House Bill 898. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any Floor amendments -- have -- have been approved for consideration?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 1009. Senator Ralph Dunn. Read the bill.

SECRETARY HARRY:

House Bill 1009.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Amendment No. 1, offered by Senator Ralph Dunn.

PRESIDENT PHILIP:

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. Amendment No. 1 is a DORS amendment. It creases -- increases from thirteen to twenty-three the number of the members on the Rehabilitation Services Advisory Council. Changes the effective date of when the new Council members will take their terms. That's -- that's what the bill does -- that's what the amendment does.

PRESIDENT PHILIP:

Any further discussion? If not, Senator Dunn moves the adoption of Amendment No. 1 to House Bill 1009. All those in

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments have been approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, on your desk this morning, I think you found some very interesting little pieces of bakery. They are Czechoslovakian kolacky. Kolacky is plural, by the way - one kolacky, two kolacky. And they come courtesy of a wonderful bakery in my district, the Finger Hut Bakeries of Cicero, and every year we try and bring some up here just to keep our spirits up as we go into the final weeks of the Legislature. So enjoy yourself. We should have apricot, poppy seed, prunes and cottage cheese. So that should get everybody through, and I think we have a few extras at the back of the room.

PRESIDENT PHILIP:

...(machine cutoff)...Bill 1194. Senator Klemm. Senator Klemm. Take it out of the record. ...(microphone cutoff)...Bill 1203. Senator Cullerton. Read the bill.

SECRETARY HARRY:

House Bill 1203.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1302. Senator Donahue. Read the bill.

SECRETARY HARRY:

House Bill 1302.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Amendment No. 1, offered by Senator Donahue.

PRESIDENT PHILIP:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 puts the bill, basically, back to its original form before it was amended in the House. And this was at the request of, basically, the committee, and it just adds three other areas in which you can go in and request a custody hearing within a two-year period. I would move for its adoption.

PRESIDENT PHILIP:

Any further discussion? If not, Senator Donahue moves the adoption of Amendment No. 1 to House Bill -- 1302. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 1313. Senator McCracken. Take it out of the record. House Bill 1319. Senator Cullerton. Read the bill.

SECRETARY HARRY:

House Bill 1319.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Amendment No. 1.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 1426. Senator Donahue. Read the bill.

SECRETARY HARRY:

House Bill 1426.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Donahue.

PRESIDENT PHILIP:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the -- Senate. Amendment No. 2 simply states that there shall be no presumption in favor or against joint custody, and I would move for its adoption.

PRESIDENT PHILIP:

Any further discussion? If not, Senator Donahue moves the adoption of Amendment No. 2 to House Bill 1426. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. The amendment is adopted. Are there any -- have there been any other Floor amendments approved for consideration?

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 1854. Senator Madigan. Senator Madigan. Take it out of the record. House Bill 1900. Senator Raica. Read the bill.

SECRETARY HARRY:

House Bill 1900.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1922. Senator Peterson. Read the bill.

SECRETARY HARRY:

House Bill 1922.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations and Executive Appointments adopted Amendment No. 1.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 2062. Excuse me. House Bill 1941. Senator Raica. Read the bill.

SECRETARY HARRY:

House Bill 1941.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendments 1 and 2.

PRESIDENT PHILIP:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 2062. Senator Raica. Read the bill.

SECRETARY HARRY:

House Bill 2062.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 2132. Senator Ralph Dunn. Read the bill.

SECRETARY HARRY:

House Bill 2132.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 2152. Senator Farley. Take it out of the record. House Bill 2163. Senator Berman. Senator Berman. Take it out of the record. House Bill 2242. Senator Topinka. Senator Topinka. Take it out of the record. House Bill 2262. Senator McCracken. Take it out of the record. House Bill 2272. Senator McCracken. Take it out of the record. House Bill 2280. Senator Raica. Read the bill.

SECRETARY HARRY:

House Bill 2280.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 2375. Senator Raica. ...(machine cutoff)...bill. Read the bill.

SECRETARY HARRY:

House Bill 2375.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Woodyard.

PRESIDENT PHILIP:

Senator Woodyard. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, for the courtesy. My understanding is Senator Woodyard, in the committee, offered the amendment because of technicalities in cleaning up the bill, and it was suggested by the committee and I just move for -- its adoption.

PRESIDENT PHILIP:

Further discussion? If not, Senator Raica moves the adoption of Amendment No. 1 to House Bill 2375. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 2408. Senator Barkhausen. Read the bill.

SECRETARY HARRY:

House Bill 2408.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator McCracken.

PRESIDENT PHILIP:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, Mr. President, if I could present this amendment, which is to my bill, which is offered by Senator McCracken and comes to us from the DuPage County State's Attorney's Office. The amendment would -- this has to do with abused and neglected children, and the amendment would create a rebuttable presumption that there is an immediate and urgent necessity for shelter care, as it's called, for a minor, if there is probable cause to believe that another minor residing in the same household is abused physically or sexually, and that there is an immediate and urgent necessity to place the abused minor in a shelter care, and I ask for its adoption.

PRESIDENT PHILIP:

Any further discussion? If -- if not, Senator Barkhausen moves Amendment No. 1 to House Bill 2408. All those in favor,

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

signify by saying Aye. Those opposed, Nay. Ayes have it. The amendment is adopted. Any further Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

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

SENATOR JONES:

Thank you, Mr. President. A point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR JONES:

I'd like to announce to the Body and all of us to give a warm welcome to the new Senator from the 46th District, George Shadid. His lovely wife is with him - Lorraine. And we are increasing our numbers on this side of the aisle, and so let's give him a warm welcome, the new Senator from the 46th District.

PRESIDENT PHILIP:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. On behalf of our side of the aisle, I'd like to welcome George Shadid - Senator George Shadid - to the Senate. It's been my pleasure to have known George for years. Until January, he was a constituent of mine and -- my state's attorney days, and otherwise, I had a good working relationship with him, because he was an outstanding Sheriff of Peoria County. So, George, welcome to the Senate.

PRESIDENT PHILIP:

...(microphone cutoff)...Madigan, for what purpose do you rise?

SENATOR MADIGAN:

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

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDENT PHILIP:

State your point.

SENATOR MADIGAN:

Mr. President, Members of the Senate, I too would like to echo Senator Hawkinson's words, in that I have known Senator Shadid for several years, and I too join in a warm welcome of Senator Shadid to the Illinois State Senate.

PRESIDENT PHILIP:

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Just very briefly, I'd like to thank you for the fine comments. I hope I live up to everybody's expectations, especially my wife, Lorraine's. Thank you very much.

PRESIDENT PHILIP:

Thank you. All right. House Bills 3rd Reading, the top of page 2. House Bill 130. Excuse me. The bottom of page 3, House Bills 3rd Reading. House Bill 45. Take it out of the record. House Bill 69. Senator Hawkinson. Take it out of the record. House Bill 73. Senator Syverson. Read the bill.

SECRETARY HARRY:

House Bill 73.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. House Bill 73 amends the Civil Administrative Code in relationship to the powers and the duties of the Office of DCCA, and it requests - and the key word there is "requests" and not "requires" - that the agency establish a program to encourage community and local agencies to operate

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

programs that will help unemployed and underemployed single parents. What's unique about this program is requesting them to look at not only helping them find a job, but work with them emotionally on a one-on-one system. This is patterned after a program that's worked in Rockford, where it's helped to reduce the dependency on public aid by sixty-nine percent and increased earnings by those participants by over a hundred percent. It's a successful program that we would like DCCA to look at implementing statewide, and I'd be happy to answer any questions.

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

Well, let me just rise to support this very fine bill. The fact that the community action agencies are now being recognized by the State of Illinois and the Department of Commerce and Community Affairs is indeed noble. Let me say as a former director of a CAP agency myself, before I came to the Senate - was there for about six years - this is long overdue. The cooperation is out there, and I think it's a long time overdue, and I commend the Senator for bringing it forward.

PRESIDENT PHILIP:

Further discussion? If not, the question is, shall House Bill 73 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, no voting Present. House Bill 73, having received the required constitutional majority, is declared passed. House Bill 96. Senator McCracken. Senator McCracken. Take it out of the record. House Bill 113. Senator Hasara. Oh -- excuse me. Senator Hawkinson. Do you wish this bill returned to 2nd Reading for purpose of amendment? Senator Hawkinson seeks the leave of the Body to return House Bill 113 to the Order of 2nd Reading for

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

the purpose of amendment. Hearing no objections, leave is granted. All right. On the Order of 2nd Reading is House Bill 113. Mr. Secretary, are there any Floor amendments -- approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Hawkinson.

PRESIDENT PHILIP:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. Chairman. House Bill 113 is the share not-for-profit bill. Several members of the committee requested that we try and tighten up the language in defining the not-for-profit organizations that would be covered by this bill. I believe this amendment does that, and was approved by the committee for consideration, and I would ask for the adoption of Senate Amendment No. 1 to House Bill 113.

PRESIDENT PHILIP:

Any further discussion? If not, all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Floor Amendment No. 1 has been adopted to House Bill 113. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 115. Senator Burzynski. Take it out of the record. House Bill 118. Senator Mahar. Read the bill. Do you wish this bill returned to 2nd Reading for purpose of amendment? You do. Senator Mahar seeks leave of the Body to return House Bill 118 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 118. Mr. Secretary, are there any other amendments approved for consideration?

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

SECRETARY HARRY:

Floor Amendment No. 2 is offered by Senator Mahar.

PRESIDENT PHILIP:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. The -- a portion of the bill deals with the Illinois EPA being allowed to inspect a junkyard which is located within a thousand feet of a canal. This Floor Amendment No. 2 further clarifies that by changing the word "junkyard" to the word "automobile graveyard". I would move adoption of Floor Amendment No. 2 to House Bill 118.

PRESIDENT PHILIP:

Any further discussion? If not, Senator Mahar moves the adoption of Amendment No. 2 to House Bill 118. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Floor Amendment No. 2 is adopted. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Daniel, on -- on House Bill 153. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 153.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President. House Bill 153 is a companion bill

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

to Senate Bill 169. It creates a provision in the Illinois Cooperative Act to address dissenters' rights. This bill was going to be put on the Agreed Bill List, but I wanted him to hold it a day or so then, to see what happened to the -- the bill in -- Senate Bill over in the House, and it's moved on. If anyone has any questions, I'll attempt to answer them. If not, I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? If not, Senator O'Daniel, to close. The question is, shall House Bill 153 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 57 voting Yea, no voting No, no voting Present. House Bill 153, having received the required constitutional majority, is declared passed. House Bill 176. Senator Dudycz. Out of the record. House Bill 184. Out of the record. House Bill 246. Senator Collins. Senator Collins? House Bill 246, Senator. Out of the record. House Bill 248. Senator Cronin. Out of the record. House Bill 282. Skip that one. House Bill 299. Senator Mahar. Out of the record. House Bill 300. Senator Mahar. Do you wish this bill to be recalled for purposes of an amendment? Senator Mahar wishes...

SENATOR MAHAR:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

...the -- seeks leave of the Body to return House Bill 300 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 300. Mr. Secretary are there any Floor amendments to be approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Philip.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip, on Amendment No. 2. We would like to defer to Senator Mahar. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. -- is there another -- may I ask the Secretary, is there another amendment up? I think I offered this in committee. What this does is add to the bill, Senate Bill 522, which was sponsored by Senator Philip. The bill, in its present form, continues to be the vehicle for the -- for the Underground Storage Tank Fund. There is yet to be an agreement, though negotiations are ongoing. I would anticipate, with your support, moving this to the House, back to Representative Novak, until -- until an agreement is made. And I would move for adoption of Floor Amendment No. 2 to House Bill 300.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Welch.

SENATOR WELCH:

Yes. I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor -- sponsor will yield, Senator Welch.

SENATOR WELCH:

Senator Mahar, is this the proposed agreement the Chamber of Commerce has been leading the discussion on? Is this the amendment that has the three-tiered set of underground tanks?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

No, Senator. And -- and basically, there is no agreement at this point. And this bill adds Senator Philip's provisions from 522, which -- and -- and these are probably the two most controversial things that he has: the doubling of the gas tax and the window for opportunity to get into the -- access the fund.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

But there is no agreement on any of these issues at this point, and this still remains a vehicle.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

So this is just Senate Bill 522, as an amendment to this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I had the same points. The fact of the matter is -- is I have the Senator's assurance then that this bill, in fact, is going to a conference committee, so that there, in fact, can be an agreement that can be struck. Then I -- with that understanding, I am in favor of the amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Senator Mahar, do you wish to change sponsorship of this amendment?

SENATOR MAHAR:

Yes, I would seek leave to change sponsorship.

PRESIDING OFFICER: (SENATOR WATSON)

Leave is granted.

SENATOR MAHAR:

Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

All those in -- in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR WOODYARD:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

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

PRESIDING OFFICER: (SENATOR WATSON)

State your point, Senator.

SENATOR WOODYARD:

In the gallery -- in the President's Gallery behind you, Mr. President, we have a group of high school students from Schlarman High School in Danville, Illinois - the -- their government class.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Well, we'd certainly like to welcome to -- to the Senate. Would our guests please rise? House Bill 317. Senator Karpel. Out of the record. House Bill 328. Senator Berman. Out of the record. House Bill 344. Senator Woodyard. Out of the record. House Bill 354. Senator Jacobs. Do you wish this bill to be recalled for the purposes of an amendment? Senator Jacobs asks leave for the Body to return House 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 House Bill 354. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senators Jacobs and Smith.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs, to explain amendment.

SENATOR JACOBS:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 354 adds a provision which declares that by January <sic> (March) of '94, the Illinois Department of Public Health shall report to the Governor and General Assembly concerning the regulation of board and care homes. The purpose of this amendment is to implement the recommendation from the -- from a report required by Public Act 87-162. I know of no opposition, ask for its support.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

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?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We have a request from WCIA-Channel 3 for permission to videotape. Is leave granted? Leave is granted. House Bill 377. Senator LaPaille. House -- out of the record. House Bill 391. Senator Dudycz. Senator, do you wish this bill to return for 2nd Reading for purpose of amendment? The Senator would like to have -- Senator Dudycz seeks leave of the Body to return House Bill 391 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 House Bill 391. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz, would you explain your amendment, please.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Amendment No. 2 makes three changes. It clarifies that the bill does not apply to teacher dismissals outside of Chicago. It provides that the Chicago School Board shall not lose jurisdiction to pursue teacher dismissals if the principal fails to issue an evaluation within thirty days after the conclusion of the remediation plan. And finally, it provides that if a material breach of the principal's performance contract occurs, before the local school council may seek dismissal, they must give the principal written notice of the alleged breach thirty days prior to voting to recommend dismissal.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

This is -- this amendment was requested by the Chicago Board of Education and has the support of Leadership for Quality Education, Chicago Urban League, Designs for Change and the City of Chicago.

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?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 392. Senator Berman. Senator, do you wish the bill to be recalled for the purposes of an amendment? Senator Berman seeks leave of the Body to return House Bill 392 to the Order of 2nd Reading for the purposes of an amendment. No objection, leave is granted. Senator Berman. I beg your pardon. On the Order of 2nd Reading is House Bill 392. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis, to explain your amendment.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 to House Bill 392 puts the three university colleges in the same configuration as the community colleges when it comes to the Immunization Act. The three colleges I'm talking about - universities - are those who do not have any residential facilities. They exempt them from the College Student Immunization Act.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

If -- if I may ask a question of the sponsor.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

Question -- the sponsor will yield.

SENATOR TOPINKA:

Senator DeAngelis, is -- am I to understand now, you are eliminating all forms of immunization from the students at, like, Governors State University, Northeastern Illinois? What is the third one?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Chicago State.

SENATOR TOPINKA:

Chicago State. I suppose my question is, is that healthy to do, considering we now have a rise in tuberculosis and hepatitis is out there, and I know we have just passed a bill over to the House - and I think it will be successful - where we are now increasing immunizations and the necessity for grade school children, certainly, to have some of these inoculations and immunizations early on. Do you feel this is a wise course?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Not being a medical doctor, I'll offer my layman's opinion. The student populations at these schools are much higher age than some of the other schools. We've exempted the community colleges, as nonresidential schools, from immunization. If it's wise to do that, I think it's even wiser to do this, 'cause this population is much older.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

Will the sponsor yield?

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor says he'll yield, Senator Shaw.

SENATOR SHAW:

Who asked to -- who wants this done, Senator DeAngelis?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

The -- the three universities that I described, who have had difficulty getting students who are enrolling to go out and get immunized. First of all, there's a cost involved of about forty-five dollars. In addition to that, they're a much older population. In fact, for instance, in the measles immunization, the effect on an older population could be worse than the disease.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

What all are you eliminating again at these schools -- the immunization?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

The three universities are Chicago State, Northeastern and Governors State, and what we do is we take 'em out of the College Student Immunization Act.

PRESIDING OFFICER: (SENATOR WATSON)

Have you concluded, Senator DeAngelis? Senator Shaw.

SENATOR SHAW:

The president -- is this something that the presidents of those universities want, or the Board of Governors?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis. Senator Shaw.

SENATOR SHAW:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

The -- the Board of Governors -- who want this eliminated?
That's what I was trying to find out.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

I was told that all three of the universities wanted the
immunization exemption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I rise in support, for the reason
that many of the concerns that were expressed here have not taken
into consideration the fact that these students do not live in a
dorm-like atmosphere, and most of the diseases that flourish come
from the dorm situation, like the meningitis and those types of
things. These students are -- are no more together than when they
go to K-Mart to shop or any other place. That was the
distinguishing feature for me.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Collins.

SENATOR COLLINS:

Yes. In addition to what Senator Dunn just said, there is
also another problem. We -- we did have testifying in the
committee yesterday a Paula Wolff, talking about the -- the
hardship that it poses on these students trying to get back in
school, because many of them cannot find those records. You know,
some have been -- you know, immunization records are just
impossible to find, because they are talking about twenty or
thirty years, some of these students. And they had about two
thousand students not able to enroll just last year, because of
this -- this particular law. And -- and I don't think it is in
the best interests of the students for us to put this kind of

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

requirement that they cannot adhere to, or they have to choose to give up continuing their education, and for that reason, I will be supporting this amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, and -- with -- with excuses for speaking a second time - generally I don't - as one who did not think that this was a wise course for community colleges, I don't think this is a wise course now. The Department of Public Health continues to be against this provision, and it's my understanding that an offer was made for a compromise amendment to address this older population of students, which, after a given period of time, will be kind of beyond the age of immunization. So there would be a sunset as to how many years this could continue to go on and then sunset, because that population is moving through the system, and at some point here in time is not going to be of any further consideration. The compromise would have offered the fact that there would be this limited period of time to continue the immunizations, then a sunset. And I would also point out that there was a rejection on the part of these three residential colleges to accept any liability provision should a -- a -- an infectious communicable disease be contracted under the circumstances of no immunization as we now know it. I think that there's still a compromise position out there. I think your amendment threatens this -- the -- the base bill, and I just put it out there for your consideration, that you might want to compromise it out a little further.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Thank you, Mr. President. I just want to correct the record. I think the previous speaker referred to these as residential colleges. That's -- the reason for the amendment is it's just -- these are not residential colleges; these are commuter colleges -- commuter colleges. And there -- the -- one of the -- I thought, the very key phrases given by the witness yesterday is that there's no more exposure in these commuter colleges than there is in a shopping center, as far as disease transmission is concerned. I rise in support of the amendment, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

If there's no further discussion, Senator DeAngelis, to close.
SENATOR DeANGELIS:

Yeah. Well, Senator Berman corrected what the previous speaker to him had said. But if Senator Topinka knows about a compromise, she's the only one that knows about it, because nobody came to me with it.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall -- all those in favor, say Aye. Opposed, say No. The Ayes -- the Ayes have it. Is there any other Floor amendments approved for -- and the amendment is adopted. Thank you. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 399. Senator Barkhausen. Senator Barkhausen? House Bill 399. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 399.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

SENATOR BARKHAUSEN:

Thank you, Mr. President and Members. House Bill 399 would extend a provision of current law that gives a criminal defendant credit for time spent in custody on a charge prior to sentencing. This bill would give the court discretion - it's therefore merely permissive - discretion to give such credit for time spent in home detention or confinement for a psychiatric or substance abuse treatment, prior to judgment. The court in such case must find that the detention or confinement is of a custodial nature before it would be given the authority to grant such credit. This bill passed in the House 113 to nothing. The Department of Corrections and the Illinois State Bar Association are both for it. I'd be glad to answer your questions, and would otherwise ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, Senator Barkhausen, do you wish to close? The question is, shall Senate -- House Bill 399 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 56 voting Yes, 1 voting No, no voting Present. House Bill 399, having received the required constitutional majority, is declared passed. House Bill 419. Senator DeAngelis. Out of the record. House Bill 462. Senator -- Senator Hasara. Out of the record. House Bill 468. Senator Topinka. Senator Topinka, do you wish this bill to be returned for 2nd Reading for the purposes of an amendment? Senator Topinka seeks leave of the Body to return House Bill 468 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 House Bill 468. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Floor Amendment No. 2, offered by Senators Hall, Watson and Topinka.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hall, to explain the amendment.

SENATOR HALL:

Yes. Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment amends the -- provides for the annexation of State Community College District 601 and East St. Louis -- Belleville area college -- Community College 522. In the event that a currently scheduled November 1994 referendum to increase District 601 property taxes to fully support the district retains...(inaudible).... The State Community College has been survived for years, and if this -- we need to merge those two to make -- ensure that quality education is going to be forwarded -- afforded. I move for the adoption of 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 adopted. Any other further Floor amendments, Mr. Secretary, approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 469. Senator Molaro? House Bill -- Out of the record. House Bill 494. Senator Raica? Out of the record. House Bill 505. Senator Karpel? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 505.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 505 revises the teacher certification requirements, and it replaces the declaration of intent to become a U.S. citizen requirement with one that says that the applicants must be legally present and authorized for employment. It also removes the requirement that the applicants pass the Constitution test. And the reason for that is they feel that that is redundant, because they must take a course on American history and government, and that usually is included in that -- in that course. So we're just -- one extra requirement that we're deleting, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I just wanted to call to the attention of the Members that a fellow by the name of Mike Dukakis had all kinds of problems with one of these little nasty things here. This is -- this is replacing a -- the qualifications. You don't have to be a United States citizen. All you have to do now is be -- have a -- requirement for a teacher that he be legally present -- present and authorized to work, and secondly, eliminating the requirement that teachers have to pass an examination on the U.S. and -- and Illinois Constitutions. I -- I don't think there is anything wrong with what we're doing, but it sure makes nice little thirty-second spots if -- if you have some difficulty.

PRESIDING OFFICER: (SENATOR WATSON)

No further discussion? Senator Karpziel, to close.

SENATOR KARPIEL:

Well, thank you, Mr. President. You right now do not have to be a legal -- you don't have to be a citizen of the United States;

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

you simply have to promise that you'll become one within six years, and the problem is many people are not doing that -- fulfilling that requirement, anyway. This one says you have to be legally present in the United States and -- and available for work, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 505 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all those who -- voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record. On that question, there are 57 voting Yes, 1 voting No, no voting Present. House Bill 505, having received the required constitutional majority, is declared passed. House Bill 543. Senator LaPaille. Out of the record. House Bill 564. Senator Cronin. House Bill 596. Senator Woodyard? Out of the record. House Bill 609. Out of the record. House Bill 611. Senator Peterson. Out of the record. House Bill 671. Senator Collins? Out of the record. Beg your pardon. Read the bill, Mr. Secretary. House Bill 671.

SECRETARY HARRY:

House Bill 671.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

For what purpose does Senator Donahue rise?

SENATOR DONAHUE:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point, Senator.

SENATOR DONAHUE:

In the gallery up on the Republican side we have a group of sixth graders from Baldwin West in Quincy, Illinois, their teacher, Debbie Dissler, and I would like to have them rise and be

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

welcomed.

PRESIDING OFFICER: (SENATOR WATSON)

Our guests in the gallery please rise. Welcome to Springfield. Senator Collins, on House Bill 671.

SENATOR COLLINS:

Yes. Will you take it out of the record, please?

PRESIDING OFFICER: (SENATOR WATSON)

Out of the record. House Bill -- House Bill 765. Senator Cullerton? Out of the record. 766, Senator Cullerton? Out of the record. House Bill 775. Senator Ralph Dunn. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 775.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. House Bill 775 increases the maximum level of transfers from the General Revenue Fund to the Coal Technology Development Assistance Fund each year. It raises the -- raises the limits, increases the cap to seven million in '94, eight and a half million in '95, and ten million in '96 and thereafter. This allows them to have more money for coal research, if it ever reaches the cap. So far it hasn't done that particularly. It also increases the Coal Development Board from eleven to thirteen. Adds two additional members who are to be experienced in international business and economic development.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Beg your pardon. Proceed.

SENATOR R. DUNN:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

I had a couple other little things I thought I ought to mention...

PRESIDING OFFICER: (SENATOR WATSON:

Go right ahead, Senator.

SENATOR R. DUNN:

...two amendments. Committee Amendment No. 1 adds a provision of -- of House Bill 425, which set a minimum number of State mine inspectors in the number of mines operating in the State. Amendment No. 2 adds the provision of House Bill 544, which changes the eligibility ceiling on low-energy income assistance from a hundred and ten to a hundred and twenty-five percent of federal poverty guidelines. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor will yield, Senator Jones.

SENATOR JONES:

Senator Dunn, can you tell us how much money is coming out of GRF in this transfer?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ralph Dunn.

SENATOR R. DUNN:

Senator Jones, there won't be any money come out of it unless it's appropriated, because we haven't reached that level in the years that the Fund has been in existence. The Governor's Office had looked at it - and I've held it for about a week now - and they finally said that it was all right to go ahead with it, because we usually don't -- never get to the minimum that -- that's required now. And so we won't have to probably appropriate any more money. If it do, it'll go through the appropriation

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

process.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

Then -- in this current fiscal year then, is it expected that the Governor's Office and you will be pushing for money to go into this? I'd like to know, for the record.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dunn.

SENATOR R. DUNN:

Probably sometime, but not -- not FY'94, and can't tell you about the future.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rea.

SENATOR REA:

Thank you, Mr. President. I rise in strong support of this bill. It comes at a time whenever our coal industry has had a slump. Our technology is improving greatly. We hope that very shortly we have the technology that is economically -- more economically feasible to go commercially, in terms of burning high-sulfur coal to meet the air quality standards that have been met -- or provided by the Federal Government. So I would ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, Senator Dunn, to close.

SENATOR R. DUNN:

Urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 775 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record. On that question, there

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

are 53 voting Yes, no voting No, 2 voting Present. House Bill 775, having received the required constitutional majority, is declared passed. House Bill 819. Senator Mahar. Out of the record. House Bill 837. Senator Hasara? Senator Hasara? House Bill 837. Do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Hasara seeks leave of the Body to return House Bill 837 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 837. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Hasara.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara, to explain your amendment.

SENATOR HASARA:

Thank you, Mr. President. This amendment exempts court reporters working for the State from the continuing education. This was a House bill. We're combining all the court reporting items into one bill.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she will yield, Senator Jones.

SENATOR JONES:

Yeah. Senator Hasara, now, on this continuing ed, why are we doing this? Why are we eliminating that? Because change in technology, change in knowledge, and in methods of doing things and for all the licensure Acts we do have a continuing ed component. And so why are we eliminating the continuing ed from this licensure Act?

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara.

SENATOR HASARA:

Senator, the -- the main reason we're doing this is because this is the language in the Federal Court Reporting Act, and the court reporters like to keep their Act in line with the Federal Act.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Seeing none, Senator Hasara, do you wish to close? All those in favor, say Aye. Opposed, say No. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 840. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 840.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 840 deals with child support payments and the garnishment of our -- I guess our paychecks, when those are paid out. And in 1991, we changed our laws to say that it had to be within three business days, and it's been a little unworkable for some of our small businesses, and we're simply trying to put it back to, say, ten calendar days. And actually, the Illinois law is more restrictive than the federal requirements. So I would

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

just move and ask for a favorable roll call, and be happy to answer any question.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President and Members of the Senate. I had offered an amendment to this bill yesterday, which I thought was a reasonable amendment. Right now...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Could we have your attention, please. Proceed, Senator Cullerton.

SENATOR CULLERTON:

What this is about is child support payments being paid to - in most cases - mothers who have custody of children. Right now the law says that the employer who deducts it from the payroll of the employee has three days to -- to pay this out after a pay period. What this bill does is, it makes it ten days, so that the employer will have more time to hold onto the money, and it'll be another week before the -- the mother - in most cases, the mother - receives the money. I guess, you know, the -- the reason why that -- this came forward was some business groups - although we know of no one that complained to the Department of Public Aid - the business groups have said that they want the extra time. So what we offered yesterday was an amendment that just said, "Okay, we'll move it from three days to ten days, unless there's a court order that should make it less." And that, unfortunately, was rejected by the committee. I thought it was a reasonable amendment. I think, under the circumstances, it's just a matter

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

of -- of looking at who needs the money the most. I think that if we vote against the amendment -- vote against the bill, that we could then reconsider the amendment, which I think, again, is a reasonable one, because you're talking about the ability of some people to live from day to day on a very small amount of money. To delay it for a week could have a very negative impact on them. And for that reason, I would ask for a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. To echo my colleague's remarks on the other side of the aisle, I'm on the child support commission, and I know all of us at one time or another have received phone calls from women whose child support checks have been delayed. By passing this bill, we're going to make it be delayed even that much longer. I have checked, and there has been absolutely not one complaint to the Illinois Public Aid Department, who handles the child support, from any employer, saying that this is a unworkable type situation. What we're talking about is, right now, an employer, after he pays his employee, has an additional three days to sit down and write out a check to the woman who has the -- the obligation to pay the rent, and -- and pay for the food for that child that is in the custody of either him or her. It seems to me that extending it another ten days is just going to delay that process so much longer that we are defeating the whole purpose of having the employer pay the bill to begin with -- pay the check to begin with. I don't think this is a good idea. I think we ought to seriously think about this before we vote on it. These women are dependent on these checks; they need them to pay for the basic necessities for those children. Why in the world should they be delayed for a total of ten days after the ex-spouse has received his check? I don't think this is a good idea, and I

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

would strongly suggest we either vote Present or No.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. Just very briefly, I rise also to oppose this bill and concur with the comments of Senator Fawell. I just want to remind this Body that Senator Macdonald, before us, worked very hard and very long on legislation, and it was her desire that the days be allowed -- the days that be allowed go down to one day, and the compromise was three days. It was a hard-fought compromise. It was debated long and hard. She worked it very hard, and I think that we ought to keep it where it is right now and defeat this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senator Fawell, you make it sound so easy, and many small companies that I deal with, they don't have someone who sits down and writes checks every single day. They have bookkeeping services that normally cut checks once a week or sometimes every two weeks. Most employers have no problem and are more than willing to cut checks in one day or two days. But what about those small companies that have bookkeeping services, that now are going to have to -- have to pay extra to have extra checks cut as opposed to their normal cycle of cutting -- cutting checks? I don't think we're trying to get around paying - I don't think anyone wants that at all - but this is going to help companies, one, try to keep -- keep their employers <sic> there. I get many employers who get frustrated with the paper work and look at it as an excuse to fire an employee, then who won't be able to work to pay that child support. So I think this is a -- I think this is a good bill. It's not going to be abused, but it's going to help

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

those small employers. And I think we should rise in support, and I rise in support of this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further consideration? Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I reluctantly rise to speak against this bill. The first proposition that was presented to the committee was that there was a problem in compliance by business people. The example that was given was that if a court order called for a withholding order to take effect on June 1st, the employer could not be in compliance with the court order because the pay period may not be until the seventh of June; therefore, he or she would be out of compliance. But we found out that the orders apply to the following pay period, so that argument was knocked out. The second problem that was presented to us was that it would cause a great problem with business people, as was just spoken about by the Senator dealing with small businesses; yet, not one small business appeared before us to complain about the current system. Not only that, but in checking with Public Aid, it's been mentioned, there are thousands of -- of checks and no complaints by any employer with the present system.

PRESIDING OFFICER: (SENATOR WATSON)

There are ten Senators seeking recognition on this question. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This whole year we've been talking about one issue concerning children, and that is changing the standard for everything we do to what's in the best interest of the child. And if we apply that standard to this bill, this bill fails. This bill is in the best interest of employers and people who write checks, instead of the children. I think it's important that we send a message that we have some uniformity. You know,

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

we've got kids versus concrete; now apparently we have kids versus big employers, and I think we should vote for the kids and vote No.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President. I rise in strong opposition to this bill. The argument that small business cannot get these checks written out or cut within the three-day period because they have to contract out with other entities to do their checks for them is just not a valid argument. On the day that you have the check cut for the employer -- employee, at that same time you could really have the -- the check, the amount that's deducted to that family, drawn on the same day. So I -- I really did support Senator Macdonald in her efforts to make sure that it was no less than one day, because the -- the argument is just not valid. At the time, you know the employee has worked, how long they've worked, how much money they have coming; you know how much you're supposed to be deducting and sending to that family for child support, so there's no reason why these checks cannot be drawn at the same time. I think that, you know, I'm -- I'm really sort of disappointed to see that Senator Donahue would even sponsor this kind of a bill. Because those families -- rent is due on the first of the month, or on the fifteenth or whatever time that that rent is due. They're not going to get an extension because some employer - a small employer - can't get their check drawn on time, because that's just not going to pay the rent, and that's not going to put the food on the table for these -- for their children. I think we should defeat this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Well, I have to rise to try and figure out exactly what the issue of this whole discussion is. I'm kind of surprised by the strength and vocal opposition going on, because I really can't figure this bill out. First of all, let's suppose that these small businesses can actually do it in time, or the big businesses could do it in time. And let's suppose that they want the ten days; let's say somebody like General Motors or Caterpillar want the ten days, because they'd love to have the interest for the extra ten days. Let's just suppose that. Now, I'm actually going to speak in favor of this bill, so let me get where I want to go. Let's assume that's the time. What I can't figure out why there's such strong opposition is if when they first get the notice and you have to -- and a guy gets paid or a woman gets paid on the 1st, you have to make -- presently the child support has to get there by the 4th of the month. This bill will allow the employer until the 9th or the 10th - ten days. That -- say that's the first time he gets the notice. After that, the employer has to keep it going; the cycle has to stay. So if you get paid on the 1st and the 15th of every month and they take it out on the 9th, because now they have nine days, then they're going to get paid on the 9th and the 24th. The only time that it's going to hurt is the first nine days. After that, every two weeks, when he gets paid, the spouse gets paid. That -- no, that -- that's the way I read the law. Now if there's somebody in opposition who could, you know, tell me otherwise. So it's not like the child or the spouse is going to be suffering. The first time he gets the notice, he has to pay within the third day or the ninth day. But the point is, if the person gets paid on the 1st and the 15th, the -- the -- the spouse must -- gets the child support on the 9th or the 25th. It can never extend beyond that. So once that cycle starts, everybody could pay their bills on time. To me it's not that big of a thing. Now, if the idea was for those guys - those big

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

employers - to make interest, and -- and she -- and Senator over there would tell us that would be it - and I'll take her word for it - then this is a bad bill. But if -- if it's actually done for what the other Senator said, that small employers have a hard time, then I don't think it's that -- as much of a hardship as everybody who jumped up here and rised <sic> with such strong opposition. I just don't see that much of a hardship, because once the cycle is started, you will get the money every week at the same time, or every two weeks at the same time. So I stand in support of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I would just point out to my colleagues that -- that under the law now, we're using our employers in the State of Illinois as a collection agency. Isn't it -- isn't it enough that -- that they're doing that work for us? When they ask for ten days, it is an issue for small business, and I'd like everybody to think about that. Most large employers will cut that check sooner than the small ones will. A lot of them will -- will cut it simultaneously with the -- with the payroll and send it off. There -- there's not that much money at issue. What we're talking about is small employers asking for permission in the law to stay in compliance. And keep in mind that this is not their obligation, except we've made it their obligation. Isn't it enough that we're asking them to take care of the air pollution problem by handling the commutes? Isn't it enough that -- that the employers of the State of Illinois provide most of the health insurance? For heaven's sakes, you know, this is a reasonable bill. I'd like people just to think real seriously about the kind of burdens we're placing on our employers.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I'd like to shift us back to what Senator Welch was talking about, that this is not about small businesses, and I think that is a specious argument. Having run a small agency which used - contracted - Robert White to do our checks, it is a contract that you make with them. And so it is not a question whether we had - as a small agency - whether we had the facilities or not; it's an arrangement that you make and you make that ahead of time. It is not more costly than any other. So I think that's a specious argument, and I cannot imagine a small business doing any kind of legitimate and significant business, not having access to computers in some form or fashion. So if we go back to the point that Senator Welch made, we're talking about children, and we're talking about what's best for them early on. There is a cycle. Those who are on Public Aid or those who have to -- are on -- working poor - whatever, they have to pay their bills at the first of the month. They have already a cycle. Let's not interfere with that; let's leave it alone. I don't think the arguments on the other side are strong enough. I say we vote No on it.

PRESIDING OFFICER: (SENATOR WATSON)

Seeing no further discussion, Senator Donahue, to close.

SENATOR DONAHUE:

Thank you very much. I think there is a lot of discussion about a bill and a -- and a very, very important issue that doesn't -- isn't really addressed in this legislation. If we can figure out a way to get the deadbeat fathers to pay their child support, I'm all for it, and let's do that. This bill doesn't address that. All it's trying to do is to have the opportunity for our small businesses to have a little room to work with. No one on this Floor mentioned the fact that under Illinois law, we

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

have a hundred-dollar fine for that business if they do not comply - per day. Every day they don't comply, it's a hundred dollars a day. The law, as it reads today, that we amended in 1991, says they have three days - three business days - to comply. We're saying, let's move it back to ten calendar days, to give them an opportunity. Senator Molaro mentioned that it's a cycle; once the cycle starts, that's what starts to work. The federal regulations say that it's ten business days. We are still stricter than the federal requirements, and please, folks, don't forget we fine our small businesses a hundred dollars a day when they're not in compliance. I want kids to get their money. That's what this is all about, and I would ask for your favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 840 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 32 voting Yes, 21 voting No, 4 voting Present. House Bill 840, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Verification. Let's see who's here.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio has requested verification. Will all Senators be in their seats. The Secretary will read the affirmative votes.

SECRETARY HARRY:

The following voted in the affirmative: Barkhausen, Burzynski, Butler, Cronin, DeAngelis, Donahue, Dudycz, Ralph Dunn, Fitzgerald, Geo-Karis, Hawkinson, Karpiel, Klemm, Lauzen, Madigan, Mahar, Maitland, McCracken, Molaro, O'Malley, Peterson, Petka, Raica, Rauschenberger, Shadid, Sieben, Syverson, Topinka, Watson, Weaver, Woodyard and Mr. President.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR DEMUZIO:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR WATSON)

He is in his seat, Senator.

SENATOR DEMUZIO:

Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

He is in the aisle.

SENATOR DEMUZIO:

Senator Fawell. She voted No. Okay. Senator McCracken.

PRESIDING OFFICER: (SENATOR WATSON)

He's at his seat.

SENATOR DEMUZIO:

Senator Molaro.

PRESIDING OFFICER: (SENATOR WATSON)

He's right behind you, Senator.

SENATOR DEMUZIO:

And -- Senator Raica.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica is in the back of the Chamber.

SENATOR DEMUZIO:

Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

On a verified roll call, the Ayes are 32, the Noes are 21, 4 voting Present. House Bill 840, having received the required constitutional majority, is declared passed. House Bill 935. Senator Topinka. House Bill 936. Senator Barkhausen. Senator Barkhausen, do you wish this bill to return to 2nd Reading for the purposes of an amendment? Senator Barkhausen seeks leave of the Body to return House Bill 936 to the Order of 2nd Reading for the

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 936. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SECRETARY HARRY:

Or, Senator McCracken. I'm sorry.

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken, to explain your amendment.

SENATOR McCracken:

This allows quick-take powers for a particular project, as specified in the amendment, in Bensenville. I move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 954. Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 954.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, if I could ask you all to bear with me for just a moment, I'd taken this bill off the Agreed Bill List

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

yesterday because the proponents of it thought it was important to have this bit of legislative intent read into the record. House Bill 954 makes a technical change to the Illinois Commercial Code. This bill makes Illinois law governing check clearing and collection in Section 4-302 consistent with the laws of the other forty-nine states. If this bill is not passed, Illinois law and the system of Illinois check collection and payment will continue to deviate from the principles governing check collection as embodied in federal and State law, and will result in unfortunate uncertainty in the check collection system. Last year we passed House Bill 2134, which made several changes in the Illinois Commercial Code. This bill repeals only Amendment No. 1 to House Bill 2134. Amendment No. 1 to House Bill 2134 amended Section 4-302(b) of the Commercial Code in order to embody the principle, in some cases, that prevents a bank from receiving a possible windfall in a controversy with a payor bank that has allowed its midnight deadline to pass. Regardless of that principle, it is more important that once the deadline passes that other parties may assume the bank is liable for the check amount. Any other result could adversely affect the payment system. We -- we are offering this bill to reinstate the language of Section 4-302, which was in effect prior to last year's amendment, because the eight major Chicago banks in the Chicago Clearinghouse Association, which clears checks drawn on Chicago banks, have ascertained that the actual and unintended effect of last year's amendment has been to place in jeopardy the certainty as to the point at which final accountability for checks will be deemed to have occurred. Without this technical change, the check collection and payment process may be impeded, and may result in adverse consequences to both customers and banks. Without this technical change, the process of collecting and paying checks presented on Illinois banks could be subject to less certainty as

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

to the time of accountability, which could have a harmful effect on the acceptability of Illinois checks as payment instruments elsewhere in the country. Therefore, this bill will restore the original language of Section 4-302(b). This bill also adopts a modification to Section 1-103 of the Code by adding express language with respect to general equitable principles of unjust enrichment under Section 1-103. This addition, of course, does not suggest the listing in Section 1-103 is in any sense exhaustive. The Chicago Clearinghouse Association, eight of the major Chicago banks, and the Illinois Bankers Association support this technical change, and I ask for your Aye vote on the bill. Thank you.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR WATSON)

...(machine cutoff)...no discussion. Is -- the question is, shall House Bill 954 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 57 voting Yes, no voting No, no voting Present. House Bill 954, having received the required constitutional majority, is declared passed. House Bill 967. Senator LaPaille. Out of the record. House Bill 979. Senator O'Malley? Out of the record. House Bill 980. Senator Cronin? House Bill 1029. Senator LaPaille. Out of the record. House Bill 1032. Senator Woodyard. Out of -- out of the record. House Bill 1037. Senator Palmer. Read the bill, Mr. Secretary.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

SECRETARY HARRY:

House Bill 1037.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Palmer, there is a Floor amendment. Do you wish to have this bill taken back to 2nd Reading for the purpose of the amendment? Senator Palmer seeks leave of the Body to return House Bill 1037 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1037. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Palmer.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Palmer, to explain your amendment.

SENATOR PALMER:

I'm looking at my analysis. I'm not sure that the -- what's on the board matches. The amendments that were adopted were adopted in committee yesterday.

PRESIDING OFFICER: (SENATOR WATSON)

Could we take this out of the record, Senator, and proceed on?

SENATOR PALMER:

Yes, please do.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. Out of the record. House Bill 1038. Senator Philip? Out of the record. House Bill 1039. Senator Madigan? 1039. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1039.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Out of the record. House Bill 1040. Senator Philip? Out of

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

the record. House Bill 1045. Senator Philip? Out of the record.
House Bill 1077. Senator Geo-Karis. Read the bill, Mr.
Secretary.

SECRETARY HARRY:

House Bill 1077.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, House Bill 1077 amends the Civil Administration Code -- Administrative Code of Illinois, -- excuse me -- by directing Department of Transportation to conduct a study in consultation with Lake County and the cities of Waukegan and North Chicago, to develop legislation that will provide for a specific -- specified development and redevelopment of the Amstutz Expressway corridor. It requires the Department of Transportation to report to the General Assembly by July 1, 1994. We have, at the present time, a part of a highway, so we don't know what's going to be done. All we're asking is for a study, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1077 pass. Those in favor will vote Aye. Opposed, 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 54 voting Yes, no voting No, no voting Present. House Bill 1077, having received the required constitutional majority, is declared passed. Could we have leave to go back to House Bill 1037, sponsored by Senator Palmer? Leave is granted. Do you wish this bill to be returned to 2nd Reading for the purpose of amendment? Senator Palmer seeks leave of the

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Body to return House Bill 1037 to 2nd -- to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1037, Mr. Secretary.

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Palmer.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, I think you have the wrong bill. It's 1037. Okay. Senator Palmer, to explain your amendment.

SENATOR PALMER:

Thank you, Mr. President. Amendment No. 2 is not what's on the board. Amendment No. 2 permits the Department of Public Aid to execute a longitudinal examination of the Department's JOBS program and its impact on participants' levels of self-sufficiency, skills, earnings and long- and short-term welfare dependency. This is a bill that the Township Officials of Illinois and the Public Welfare Coalition support. What it is is enabling legislation that will allow the General Assembly to take a good look at the effectiveness of the Department's Jobs Program, and it -- I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 1092. Senator Cullerton? Out of the record. House Bill 1102. Senator Cullerton. Out of the record. House Bill 1125. Senator O'Malley? Out of the record. Senator O'Malley, do you wish this bill to be returned to 2nd Reading for the purpose of an amendment? Senator O'Malley seeks leave of the

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Body to return House Bill 1125 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1125. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senators Philip, O'Malley and Lauzen.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley, on Amendment No. 1.

SENATOR O'MALLEY:

Mr. President and Members of the Senate, thank you. Amendment No. 1 to House Bill 1125 deletes everything and becomes the bill. This extends caps only to non-home rule units in Cook County. Deletes the prior year EAV mandate for Cook County. Adds a number of additional provisions; mandates a November, 1994 Statewide advisory referendum, the question being: "Should the Illinois General Assembly limit annual property tax extension increases Statewide to a maximum of five percent or as provided by the Consumer Price Index, whichever is less." The effective date would be October 1, 1993.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, tax caps are back. I suppose that -- for the sake of time, I suspect it probably would be in the interest, I guess, to argue it on 3rd Reading. But everyone should know that 1125 now has been amended - everything's been struck, and I assume that this is the original bill as it passed the Senate. Is that correct, Senator O'Malley?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

That is correct, Senator Demuzio.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Well then, I suppose -- did this bill -- did this amendment go to the committee?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, it went through the -- the Revenue Committee. That's correct.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, all those in favor, vote Aye -- I beg your pardon. All those in favor, say Aye. Opposed, No. The Ayes have it. The Ayes have it, and the amendment is adopted. Any further Floor amendments...

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 1126. Senator Burzynski. Out of the record. House Bill 1147. Senator Smith? Out of the record. House Bill 1155. Senator Geo-Karis. Senator Geo-Karis, do you wish this bill to be returned to 2nd Reading for the purpose of an amendment?

SENATOR GEO-KARIS:

Yes, sir.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis seeks leave of the Body to return House Bill 1155 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1155. Mr. Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis, to explain your amendment.

SENATOR GEO-KARIS:

Yes. Mr. President and Ladies and Gentlemen of the Senate, this amendment establishes -- is agreed between the sponsor and the Department on Aging. This amendment removes any fiscal impact which would have been associated with the -- with the senior volunteer service credit program portion of this bill. And, as amended, this bill calls upon the Department on Aging to develop standards and guidelines for a senior volunteer credit program and to hold public hearings on those guidelines. And I ask for a favorable vote.

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?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I was cosponsor of House Bill 1125, but in view of the amendment, I would like to be removed as a cosponsor of House Bill 1125.

PRESIDING OFFICER: (SENATOR WATSON)

Is leave granted? Leave is granted. WAND-TV requests permission to videotape. Is leave granted? Leave is granted. Senator Jacobs, for what purpose do you rise now? Your light is on, sir. House Bill 1163. Senator Mahar. Out of the record. House Bill 1212. Senator Woodyard? Read the bill, Mr. Secretary.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Senator Woodyard, do you wish to have this bill returned to 2nd Reading for the purpose of an amendment? Senator Woodyard seeks leave of the Body to return House Bill 1212 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1212. Mr. Secretary, are there any Floor amendments approved for consideration? We're going to take this out of the record, and we'll come back to it. House Bill 1218. Senator O'Malley? Senator O'Malley. Out of the record. House Bill 1230. Senator Smith? Out of the record. House Bill 1235. Senator Hawkinson? Out of the record. House Bill 1249. Senator Geo-Karis. Out of the record. House Bill 1256. Senator Cronin? Out of the record. House Bill 1260. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1260.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. House Bill 1260 raises from ten thousand to twelve thousand <sic> (twenty thousand) the bond requirement for new and used car dealers. I know of no opposition to the bill, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1260 pass. Those in favor will vote Aye. Opposed, 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 58 voting Yes, no voting No, no voting Present. House Bill 1260, having received the required constitutional majority, is declared passed. House Bill 1261.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Senator Hasara. House Bill 1316. Senator Peterson. Out of the record. House Bill 1320. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. House Bill 1320 creates within the Department of -- DCCA, a New Technologies Board. The purpose of this Board is to identify and to develop recommendations for specific tax incentives for those businesses who want to get involved in new technologies in Illinois. Again, the purpose of this bill is to create new and high-paying, skilled jobs in Illinois. This Board would be made up of a cross section of individuals from labor, from manufacturing, from the Assembly, and from the general public. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says he will yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, as I understand this bill, it would create a new board within a State agency, and it would cost the Department some money, and that doesn't seem to be consistent with some of the general theme of some of your earlier comments and speeches. So, perhaps, maybe you could explain why this particular Board is a

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

good idea to spend this extra money for.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you. That is the -- that is the -- the one bad part about the bill. I guess it's the old adage, "It takes money to make money." And one of the things that we're going to have to start doing here in Illinois is -- is create new ways to find good, high-paying, skilled jobs for our youth, and jobs that people can earn a good living at, and one of those is in the new technologies. And we need, in Illinois, to be in the forefront of that business - not California, not Colorado, not these other states who are trying to grab all that business. And this is one way, I hope, that we're going to put Illinois in the forefront of new technologies.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Well, I certainly agree with the concept that it sometimes takes money to make money, and that this cost of forty-two thousand dollars in staff and support costs, I'm sure, will -- will be -- made up for many times over with new technology brought to Illinois, and I just hope that -- actually, I want to congratulate you on your -- on your vision and your ability to see that sometimes maybe a new program is not such a bad idea.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I never-- it never ceases to amaze me that the Department of Commerce and Community Affairs, now that it's been in -- in existence such -- such a long period of time, has not established

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

such a New Illinois Technologies Board. They have the authority to do this already, and since it is -- members are serving without compensation but are simply entitled to reimbursement for their reasonable expenses, I guess there's a reasonable amount of money that's involved here. But again, we are continuing in the Illinois General Assembly to lead the way, that we are commanding the Department of Commerce and Community Affairs to do the job that they have been created to do. And so, I join with you, Senator, to -- to say to the Department of Commerce and Community Affairs, "You're not on the right track. This is the right track for you, set by the Illinois Senate and the General Assembly." And let's get on with it.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Seeing none, Senator Syverson, to close.

SENATOR SYVERSON:

Thank you. I certainly agree with you, Senator. I couldn't say it better. This is something that should have been done, and many of the other programs that we're suggesting should have been done in the past. I just ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1320 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 55 voting Yes, no voting No, 1 voting Present. House Bill 1320, having received the required constitutional majority, is declared passed. House Bill 1331. Senator Cronin? Out of the record. House Bill 1341. Senator Karpziel. Out of the record. House Bill 1354. Senator Mahar? Out of the record. House Bill 1359. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

House Bill 1359.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 1359 establishes a Motor Vehicle Theft Prevention Program, which would allow the Secretary of State, in consultation with the Motor Vehicle Theft Prevention Council and the Department of State Police, to establish an informed consent program, by which a registered owner of a vehicle, if they so desired - and it's permissive - pay a fee and work through the Secretary of State's Office, and a decal would be issued to that registered owner so that they may affix a decal that would state that the vehicle that they own is not normally driven between the hours of 1 a.m. and 5 a.m. and allowing the local law enforcement authorities to stop that vehicle, if that vehicle is out on the streets between those hours, and be able to question or ascertain if indeed the driver of the vehicle is the registered or permissive owner of that vehicle. I would be glad to answer any questions on House Bill 1359.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for some questions?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, does the bill limit the -- the right of the stop to ascertaining the ownership, or does it allow them to make an arrest, say, if there's alcohol on the breath, or an open beer can

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

in the car, or something like that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Senator, I -- I believe it would allow them to do that -- to do the latter.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, to the bill, Mr. President: I think we ought to pay attention to what we're doing here. What we're doing, this is the "Give up your Fourth Amendment rights bill," I like to phrase it. Right now, in order to stop a vehicle on the street, there has to be some probable cause. The driving is erratic - something to that nature. This would say you'll put a sticker in your windshield - and granted it's voluntary - by people who don't think that their car will be driven between 1 and 5 a.m. And the idea is that somebody has probably stolen it if it's out between 1 and 5 a.m. But I suggest to you that you'll rue the day you passed this bill, because even the person who says, "Okay, I'll put a sticker on," what if he's out a little late getting back from a Bulls game, or a little late getting back from some party, or Christmas, or something of the other? Or what if the teenage son is out driving the car and is a little late getting home? This says the vehicle will be stopped without any probable cause - without any probable cause - and can be searched, evidence of -- of anything - maybe you've had one drink. I think that it's a bad idea; it's a bad precedent. You're giving up your Fourth Amendment rights. The next thing will be that in the house in a high crime area you'll put a sticker on the front windshield -- or the front window, and it'll say, "Come on in." You know, the Fourth Amendment was passed for purposes in this country, and I don't

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

think we ought to be giving it up. There are other ways to deal with motor vehicle theft. I've supported and sponsored some of those ways, but this is not a good way to do it.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I couldn't concur more with Senator Hawkinson. Just to add a few of my own thoughts to it of why I think this is a bad bill, in addition to the Fourth Amendment rights, let's suppose that I say yes, that we got this in there, and my wife happens to be at a bridge club and they stay late - whatever the case may be - and she's driving home on the -- the -- some rural road, and a cop comes up and he starts to stop her just because of this particular thing in the window. You know, I've told my wife not to stop for anybody on a -- on a abandoned road, so I think that this just adds to that problem. I -- I agree that there's other problems that -- you know, sometimes the older we get - I know I'm getting that way - a -- we have a tendency to forget once in a while. So I forget I've got the sticker in the window, my grandkid comes over and I tell my grandchild, "Sure, go ahead and take the car," and he's going to be home at midnight. All of a sudden, he's subject to stop and -- and a lot of other problems just because of that. And I don't think it's a good bill. I think there's other ways to resolve the problem. I ask for a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I couldn't agree more with Senators Hawkinson and Jacobs. This is an unnecessarily restrictive bill, and if you think about it and take it even farther, the consequences for insurance and the cost of insurance, at some

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

time, could be very significant. I think that the potential for harassment here and for all kinds of complications after passage of -- of such a bill are enormous, and I really think we should vote No on this and find some other means of -- of trying to address the car theft problem.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shadid. Welcome to the Senate, Senator.

SENATOR SHADID:

Thank you very much. As a former police officer for many years, and a sheriff, I have to vote against this bill. I don't see where the benefits are, and I don't think it's constitutional.

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken.

SENATOR MCCRACKEN:

I understand the concerns that have been raised. I'm not certain I agree ultimately, however. You know, the people can put these stickers on their cars if they wish to. Something that's also important to consider is the fact that this is already the law in other states. Matter of fact, in just talking with the sponsor, I'm told it's already the law in New York. I think you will find this used primarily by senior citizens. That's my understanding. Since it's already the law in at least the second most populous state in the nation, I would submit that it is not necessarily, or obviously, unconstitutional. I really don't think it's a bad idea.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Well, you know, days of law and order, and us going back to our districts and saying we're really for law and order, seem to be in vogue, but we still kind of have a duty. You know, First

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Amendment is great, but that Fourth Amendment and Sixth Amendment, and Fourteenth Amendment - they're kind of terrific too. And I think sometimes we have to stop and look back and make sure that because of this push towards law and order, that we have a duty to make sure that we don't go too far. The bill does not address the fact that, yes, the owner can give up consent, but what about a driver? And I don't think we should have drivers giving up consent, and I think it's a violation of the Fourth Amendment. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Members of the Senate. I've heard terms like "violation of the Constitution". I think that some of the folks really should just take a look at what this bill says and what it does. To the -- to those who say that we are dealing with Fourth Amendment search and seizure violations and -- may I say this: The people who would be most affected by this legislation are required to sign a slip - an informed consent slip - before this decal is ever affixed to their vehicle. It's an effective Fourth Amendment waiver. Further, this is routinely done throughout the United States, in courts -- or on the streets and in the courts on a daily basis. For example, folks' privilege against self-incrimination is waived when they are interrogated by police. We have implied consent laws that basically say that if a person drives a motor vehicle, there is implied consent that if he is stopped, that he will be submitting himself for analysis for possible -- having body contaminants such as alcohol and controlled substances. When we go into airports, we have security checks, and there's a very, very compelling reason for doing that: to deter these crackpots that come on planes and try to blow 'em up. All we're saying here is that senior citizens, who are the

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

most likely to be victims of predators, can place a decal in the window of their vehicle, which authorizes the police to stop the vehicle, because most likely, senior citizens are not going to be driving around and parading around in a vehicle between 1 and 5 in the morning. This program has been very effective in the states it's been implemented. There are -- folks who are seeing violations of the Fourth Amendment are simply seeing ghosts and phantoms. I strongly urge its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

There are eight more Senators seeking recognition. Senator Tom Dunn.

SENATOR T. DUNN:

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

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor will yield, Senator Dunn.

SENATOR T. DUNN:

Senator Madigan, the question is: How do we keep this decal on the window?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

I would... Thank you, Mr. President. I would assume that we would keep this decal in that window just as we would any other vehicle, that it would be affixed to the inside of the glass. It's to be affixed in a conspicuous place on the vehicle. I would assume on the rear of the vehicle or on the front of the vehicle, perhaps on the side of the vehicle, as far as the window glass, and it would be affixed on the inside, in a normal fashion, as we would any other decal.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Dunn.

SENATOR T. DUNN:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Then, my question is, how do we prevent the thief who is going to take the car -- what's to prevent him from -- taking the decal off?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Well, I don't know, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. Chairman. Will the speaker yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says he will yield, Senator Hendon. Proceed.

SENATOR HENDON:

Senator Madigan, as one of your colleagues who had his car stolen recently, I am very sympathetic to what you're attempting to do here, because my car was stolen and it was very agonizing. However, the problem I have with the bill is once the sticker has been affixed to the window and that vehicle is then traded in to a dealership, are the dealers who bought that vehicle or got that vehicle in a trade-in, are they obligated to tell the person who is buying the vehicle, that already has the -- the sticker in there affixed by the previous owner who gave their consent, that this vehicle <sic> is in the window and what it means?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

I suppose, Senator, they might want to sell it as a twenty-hour vehicle, instead of a twenty-four-hour vehicle. No, seriously, -- the decal could be removed off the vehicle by the auto dealership; that's not to be a problem. To further respond

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

to Senator Dunn, we're assuming and predicating upon -- this upon the fact that we do not feel that the -- in the haste of the car thief, that they would realize the significance of that decal.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon, do you wish to speak? Senator Hendon.

SENATOR HENDON:

And -- and I'll be very brief, Mr. Chairman. But you just made my point, Senator Madigan: The -- the person who purchased that used vehicle may also not realize the significance of that decal, and will -- since someone who previously owned that vehicle gave up their rights, would that person who bought the used vehicle then be subject to the relinquishing of the rights that someone else gave up, that they're not aware of?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

I'm sorry, Senator. Would you repeat that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

All I'm -- I'm asking you is, since you said that the thief may not understand the significance of the vehicle -- I mean of the sticker - the decal - the purchaser of that vehicle -- on -- who -- that was traded in, and the sticker remained, may also not realize the significance of the decal. Now, question: Just because the decal is in that vehicle, would that second or third owner's Fourth Amendment rights be relinquished, based on a previous owner's relinquishing their rights?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Well, first of all, I think the part that -- I answered that

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

previously - that the decal would be removed. However, in order for this program to be enforced, you've got to remember that the beginning of this program -- and the registered owner has got to sign the informed consent agreement. Now, I don't know where you're stretching this to the point that the decal cannot be removed and we get to the third owner and that decal was still on the car, when the program has got to begin -- be initiated by the registered owner.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

In conclusion, Senator Madigan, since you're -- you're really not answering my question, I'll just make it in form of a statement. If -- a lot of us, especially, we're buying American-made cars, such as myself, they're made to trade in in three years. Three, four years, you trade that vehicle in. Now, I get into this program. I buy a new car; I get into this program. I trade that vehicle in. The person who then purchases that vehicle has not given up their rights. They may not know what this -- what this decal really means. There's nothing in -- in your legislation that says the dealerships must inform - again I say, must inform - the new owner what that -- that decal means. So that new owner is then subject to search and seizure, without giving up their constitutional rights, simply because they purchased a used car that had a decal stuck in the window that they knew nothing about. And I urge everyone to vote No on this, because you're going to have a lot of constituents who are not going to get explained to them what that decal means, because right now, some dealerships are not explaining to the people that the motor is bad, that the engine is bad, that the transmission is bad, and they certainly aren't going to take the time out to explain to them that they have a decal in the window that's going

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

to take away their rights.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I think I can shed a little light on this subject. I have the bill in front of me. Let me read what it says. It says whenever any law enforcement officer shall see a motor vehicle displaying a decal issued under the provisions of this Section being operated on a public highway in this State between the hours of 1 a.m. and 5 a.m., the officer is authorized to stop the motor vehicle and to request the driver to produce a valid driver's license and motor vehicle registration card. Whenever the operator of the motor vehicle displaying the decal is unable to produce the documentation set forth in this Section, then - and only then - the police officer shall investigate further to determine if a person operating the motor vehicle is the registered owner or has the authorization of the owner to operate the vehicle. All we're talking about is stopping such a car and seeing, indeed, if the person that's operating that car after -- between the hours of 1 and 5 are the ones that are authorized to operate the vehicle, or to own it. Senior citizens who have to park their cars out in the street want this bill. As Chairman of the Transportation Committee, we heard -- we heard testimony on this bill. It is a good idea. Certainly, we have towns, municipalities in my area, that say you can't park on the street all night, and therefore, sometimes those -- those cars have to be parked a distance away in a parking lot. I think this is a good idea. It has worked in other states, and I urge your Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says he will yield, Senator Collins.

SENATOR COLLINS:

Senator, when we were in committee, I raised the question and I've heard a lot of debate. I haven't heard that question raised on the Floor, nor have I heard you respond to it when it was raised in committee. But let's suppose I had an automobile and I had the decal on, and my car was stolen. Someone had been riding around in it, and in Chicago, the likelihood that they will find your car in a month, you're doing -- you know, you're really doing very good. Let's say they don't find my car a month or two months, and when they do find it, it's all stripped, it's all torn up. Can I, then, sue the police department for nonperformance of their duty? Are they liable for getting my car repaired?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan...

SENATOR COLLINS:

These are questions that I raise, whether or not I have grounds for a civil suit because the police is not performing their duty. It may be three months before -- I just had a car stolen, and I just -- didn't get it back in three months. So...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan. Do you wish him to... Senator Madigan.

SENATOR MADIGAN:

Thank you -- thank you. Thank you, Mr. President. To respond to the -- Senator Collins, this bill creates no additional liability on the part of the law enforcement agencies. And as far as a lawsuit, you know, you can sue for anything at any time; we all know that. But this bill creates no additional liability on the part of the law enforcement agencies.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Senator Collins.

SENATOR COLLINS:

Well, I -- I still believe it -- it does leave the -- the police department open for civil suit, because if, in fact, I have that decal -- the reason this bill is being passed is, I assume that you think that by putting this decal on, that somehow this gives me some protection; that because my car is being stolen and being driven after a certain time of night, that the police department has a right to pick that car up and return it back to me. And if they don't do it, I think it gives grounds for a suit. Therefore, I'm...

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Senator LaPaille.

SENATOR LaPAILLE:

Will the Gentleman yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor will yield, Senator LaPaille.

SENATOR LaPAILLE:

Senator Madigan, is there a fee for these stickers?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Senator LaPaille, I believe the fee charge is in line 138 of the bill, and it's a "may charge". It's not "shall charge", but it "may charge a \$10 fee".

PRESIDING OFFICER: (SENATOR WATSON)

Senator LaPaille.

SENATOR LaPAILLE:

So there -- there would most -- more than likely be a charge for the sticker. I would submit to the Members of the Senate that perhaps instead of purchasing a sticker and going through some of these civil rights questions that Senator Hawkinson so ably told

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

us about, is that perhaps individuals would purchase what leading law enforcement agents throughout the nation suggest: The Club. They buy The Club. And they could put The Club on - you won't have to worry about a sticker - and you should dial 1-800-The-Club.

PRESIDING OFFICER: (SENATOR WATSON)

I didn't realize you were such a Rush Limbaugh fan. Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you, Mr. President. I don't -- I don't see where we really have much of a problem with this bill, and I fail to understand the opposition. I -- this is a voluntary program as far as -- as far as I'm concerned, and this is something which will help the homeowner -- or the property owner of -- of that vehicle to protect their property. The way I read it, it provides that the decal authorizes law enforcement -- law enforcement officers to stop vehicles with a decal during the hours of one and five to ascertain that the driver is the vehicle owner. This is at the request of the vehicle owner. I think this is a good bill. I think that it should be unanimously passed out of here, and I think we should do something for the poor property owners -- poor car owners who keep losing their cars, with or without The Club.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I apologize for speaking for the second time, will keep it short. The other side of the aisle has indicated that it's working - that it is stopping vehicles from being stolen - when, in fact, in committee, we asked the witness, and she indicated that she -- to the best of her knowledge, there was less than ten thousand vehicles that have this decal in New York; but yet, they had two hundred vehicles stolen. So it didn't

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

stop those vehicles from being stolen, number one; and number two, I think if you check that out, two percent is higher than the national average. I think we should vote this bill down.

PRESIDING OFFICER: (SENATOR WATSON)

Finally, Senator Madigan, to close.

SENATOR MADIGAN:

Thank you, Mr. President. I certainly wish this was my first bill. I really don't know what all the controversy is about this bill. To further -- to respond to Senator Jacobs' second rising on this, that testimony also included the fact that there was a twenty-percent decline in the auto theft in that -- that particular state. The whole point of this matter is to protect the senior citizens. You know, it's -- and it's a voluntary program; it's a permissive program. There hasn't been any questions of constitutionality filed on this in the other states that have this program. If -- if you've got a kid, or if -- or if you're going -- or using your car at any point in time, or think you're going to be, I would recommend that you not get involved in this program. But there's an awful lot of senior citizens that are asleep between the hours of 1 a.m. and 5 a.m., and they're not using their vehicles. They never use their vehicles during that time, but they're getting their vehicles stolen. This is a deterrent to that. It's very simple. Representative Burke had this bill in the House and it got 111 votes, and nobody voted against it in the House. So, I would ask -- for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1359 pass. Those in favor, vote Aye. Opposed, 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 32 voting Yes, 23 voting No, no voting Present. House Bill 1359, having received

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

the required constitutional majority, is declared passed. We had leave of the Body earlier to go back to House Bill 1212, sponsored by Senator Woodyard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1212.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This bill -- in the automation fee that deals with the tax buyers, increases that charge from five dollars to ten dollars, and I'll read the one sentence that is contained in the amendment. It clarifies that in cases of redemption, the amount of the redemption shall include any filing fee for a petition to the circuit clerk for the sale in error. Evidently, there has been some inconsistencies from county to county on these types of fees.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1212 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. House Bill 1212, having received the required constitutional majority, is declared passed. Senator Syverson, for what purpose do you rise, Senator?

SENATOR SYVERSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR SYVERSON:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

I'd like to introduce, to my right, up in the gallery, the Boy Scout Troop 602 from Roscoe, Illinois, many consider the finest Boy Scout Troop in the State of Illinois. Welcome.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Welcome to Springfield. House Bill 1374. Senator Welch. House Bill 1410. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1410.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1410 is essentially a housekeeping bill, requested by the Commissioner of Banks and Trust Company <sic> (Companies), and now, as amended, it has two provisions. The first would prohibit the use of the word "trust", "trustee" or "fiduciary" in a corporate name by an entity without trust powers, unless permitted to do so by the Commissioner. And the second provision deals with permitting banks to put their logo or identification marks on an ATM or point of sale. I know of no opposition to the bill, and move passage.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1410 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 55 voting Yes, no voting No, 1 voting Present. House Bill 1410, having received the required constitutional majority, is declared passed. Senate -- House Bill 1411. Senator

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Raica, for what purpose do you rise?

SENATOR RAICA:

Just a question of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Certainly.

SENATOR RAICA:

Is it the Chair's privilege to adjourn today at 12 o'clock? Was that -- going to happen? If so, I just wanted to remind people that are serving on the Local Government and Elections Committee, that we will be meeting at 12 o'clock in A-1 of the Stratton.

PRESIDING OFFICER: (SENATOR WATSON)

Yes, Senator, the intention is to adjourn at 12 for committees -- or recess at 12. Senate -- House Bill 1411. Senator Hasara. Out of the record. House Bill 1424. Senator Burzynski? Senator Burzynski? House Bill 1424. Out of the record. House Bill 1427. Senator Peterson? Out of the record. House Bill 1464. Senator Topinka? Out of the record. House Bill 1476. Senator Hawkinson. Senator Hawkinson, do you wish this bill to be returned to 2nd Reading for the purposes of an amendment? Senator Hawkinson seeks leave of the Body to return House Bill 1476 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1476. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson, to explain his amendment.

SENATOR HAWKINSON:

Thank you, Mr. President. This amendment was suggested by staff on the other side of the aisle. It's a friendly amendment.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

This bill deals with when you can introduce evidence of a past sexual conduct in a rape case, and the amendment was offered to make the language conform with the current federal rules of evidence. And I have no objection to the amendment, and would offer 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?

ACTING SECRETARY HAWKER:

No further amendments approved, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 1479. Senator Mahar? Out of the record. House Bill 1489. Senator Cronin? Out of the record. House Bill 1498. Senator Berman. Senator Berman? Out of the record. House Bill 1553. Senator O'Daniel? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1553.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. This is the -- the bill that prohibits -- I mean -- actually, what it really does, it requires anyone taking upland game to wear a solid orange cap. The only ones that are exempt is the field trials, and that is when -- when it isn't during a hunting season. Yesterday, during the amendment, I think we discussed the bill fully. So, unless there is some questions, I would move for the passage of House Bill 1553.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Well, I rise in strong support of this bill. This is a safety issue. What we're saying here is that when someone's out hunting for upland game that they must wear a hat of solid blaze orange color. And what this means is, is that someone who's out hunting is probably not going to get shot by some other hunters, because they'll see this cap, and they'll know that that's not an animal. And so what we're doing here is we're - we are --it's true, we are mandating something. We are saying that it's important for someone to wear something, but it's for safety reasons. And we do that in other cases when we talk about the highways: We say people have to wear seat belts; we say children have to be in car seats. And this is another good example of -- sometimes a mandate is -- is important to save lives. And even though it's true that it will probably only save the life of the person who's wearing the hat, it certainly is -- it certainly is a measure that will probably save money. And even though we don't have any federal funds that we're losing by failure to pass this, we're taking the initiative, and I certainly compliment Senator O'Daniel and Senator Woodyard for his amendment. And I think it's something which most everybody, unless there might be some civil libertarians out there that might be against it, but we'll have enough votes to put this over the top. So I stand in strong support of this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Seeing none, Senator O'Daniel, to close.

SENATOR O'DANIEL:

Thank you, Mr. President. I guess the previous speaker - he still wants to rub me for voting against the helmet law, but you

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

know, when you don't wear a helmet, you aren't jeopardizing any one other than yourself, and this here -- actually protects someone else that -- that might get shot or something while they were hunting upland game. So I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1553 pass. 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 51 voting Yes, 4 -- 5 voting No, 1 voting Present. House Bill 1553, having received the required constitutional majority, is declared passed. House Bill 1571. Senator Maitland? House Bill 1575. Senator Cullerton? Out of the record. House Bill 1637. Senator Dudycz? Out of the record. House Bill 1642. Senator Dudycz. Out of the record. House Bill 1643. Out of the record. House Bill 1647. Senator McCracken. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1647.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken.

SENATOR McCracken:

Thank you, Mr. President, Ladies and Gentlemen. This bill authorizes the Secretary of State, as part of employee withholding, to withhold twenty dollars a month for use of the College Street Parking Garage. This is the same authority and use made of a similar deduction for the underground parking. Eighty percent of the funds goes toward retirement of the bonds - twenty percent toward maintenance. There's also a technical provision, which moves some language relevant to the Administrative Code. I move passage of this bill.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1647 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 56 voting Yes, no voting No, no voting Present. House Bill 1647, having received the required constitutional majority, is declared passed. House Bill 1695. Senator Molaro. Out of the record. House Bill 1707. Senator Cullerton. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1707.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This bill deals with recycling, and it does have the support of the Department of Energy and Natural Resources. The Department of Energy and Natural Resources spends -- gives grants to a number of different agencies during the course of the year, to -- or individuals, to encourage recycling. In the past year, I think they spent -- either grants or loans totaled about six million dollars. The purpose of this bill is to provide for a workshop to be conducted concerning the feasibility and methods of recycling in high-rise residential and office buildings, including an explanation of financial assistance available. There -- initially in the House the -- the sponsor wanted to require that the Department spend money on recycling programs for high-rise, and they objected to that and asked, rather, that they be able to conduct this seminar so that they can help people with the grant

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

application process. In the City of Chicago, for example, the City's garbage collection program, which does have a recycling provision, does not apply to the high-rise buildings, because they are not subject to that City collection process. So, for that reason, I think it's a good bill, and the testimony in committee is that it would not cost any additional money. The Department can do this themselves, and they do support the bill. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, Senator Cullerton, do you wish to close? The question is, shall House Bill 1707 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 52 voting Yes, 6 voting No, no voting Present. House Bill 1707, having received the required constitutional majority, is declared passed. House Bill 1716. Senator Collins? Out of the record. House Bill 1718. Senator Geo-Karis. Out of the record. House Bill 1729. Senator DeAngelis? Out of the record. House Bill 1739. Senator DeAngelis. Out of the record. House Bill 1746. Senator Cullerton. Out of the record. House Bill 1761. Senator Woodyard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1761.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This -- this bill, 1761, is the Veterinary Practice Act that was due to sunset at the end of this year, but it also contains the

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Occupational Therapist Act that would have sunsetted, and -- and also the Domestic Violence Counselors' Act <sic>, is contained in this. We'd be happy to answer any questions, or ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? The question is, shall House Bill 1761 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 57 voting Yes, no voting No, no voting Present. House Bill 1761, having received the required constitutional majority, is declared passed. House Bill 1778. Senator Hawkinson? Out of the record. House Bill 1787. Senator Barkhausen. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1787.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen. Out of the record. House Bill 1813. Senator Fawell? Senator Fawell? Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1813.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a fairly simple bill. All it does is requires that every rule of an agency that will directly affect the increase or the decrease of the cost of --

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

constructing, purchasing or selling a single-family residence to prepare a fiscal note for those of us who serve on JCAR. It is supported by the Home Builders Association, the Illinois Association of Realtors. JCAR says they have absolutely no problems with this. It went out of the House 115 to nothing, and I would ask your support.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Garcia.

SENATOR GARCIA:

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

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor says she will yield, Senator Garcia.

SENATOR GARCIA:

Thank you. Senator, can you -- did you have a chance to look into the question of why this is limited to single-family residences? I am not in opposition. I just was curious to see if you had a chance to ask.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

...(microphone cutoff)...I didn't. It came over from Representative Hicks. I think your -- your point is well-taken, and perhaps next Session, if this seems to work out - and I don't know why it shouldn't - we might expand it to other construction.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, do you wish to close, Senator Fawell?

SENATOR FAWELL:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1813 pass. Those in favor

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

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 57 voting Yes, no voting No, no voting Present. House Bill 1813, having received the required constitutional majority, is declared passed. House Bill 1816. Senator DeAngelis. Out of the record. House Bill 1821. Senator Klemm. Out of the record. House Bill 1852. Senator Topinka. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1852.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Topinka.

SENATOR TOPINKA:

Yes. What we've done here on 1852, is to make sure that current -- licensed hospitals or nursing homes that do operate subacute care units would indeed not be affected by the Alternative Health Care Delivery Act Demonstration Program. In effect, they would be grandfathered in for the duration of this program, but they could not hold themselves out to be as subacute care hospitals or nursing homes. We also add some monies -- per diem monies to the Health Facilities Planning Board so that they indeed can accomplish their business. And that's basically what this does. We have the Alternative Health Care Delivery Act where we would have the various alternative health care models' demonstration programs. That, I think, is pretty well taken care of. And I -- nobody is objecting to this at this point. It's been really compromised out.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Would the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says she will yield, Senator Jacobs.

SENATOR JACOBS:

Senator Topinka, does this mean that the downstate subacute -- cares and the alternative health care models would have to be combined with the hospital?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Topinka.

SENATOR TOPINKA:

No. This only pertains to those that were already there and operating, so that they would not be put out of business.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

So this doesn't incorporate the Senate Bill 66 into it?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Topinka.

SENATOR TOPINKA:

No.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR TOPINKA:

Just a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1852 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 57 voting Yes, 1 voting No, no voting Present. House Bill 1852, having received the required constitutional majority, is declared passed. House Bill 1886. Senator Topinka. Out of the record. House Bill

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

1902. Senator McCracken. Out of the record. House Bill 1905.
Senator Molaro. Out of the record. House Bill 1910. Senator
Hendon? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1910.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Thank you very much, Mr. President. This bill, as amendment
-- as amended, is supported by all parties. It simply makes sure
that any technologist who has any kind of sores on their hands are
protected so that they won't pass any disease on to the people of
which they're working on, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Madigan.

SENATOR MADIGAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor says he will yield, Senator Madigan.

SENATOR MADIGAN:

Senator Hendon, why is this change necessary? Have there been
incidents that require this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

The concern is with the advent of AIDS coming onto the scene,
there -- there have been cases where some of the technologists
were seen with the open sores on their hands, and therefore, we
felt that it was necessary. And I did work the amendment out with
the -- with the -- the different cosmetology facilities, so that

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

everybody is comfortable with it. But with the -- with the AIDS outbreak, we just felt that it was necessary to cover up the sores, and that's all we're doing.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Senator Hendon, the amendment that was placed on this bill refers to gloves or other appropriate coverings. Could you tell me what other appropriate coverings are?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Yes, I most certainly will. The other appropriate coverages would be well-affixed bandages - bandages or having the hand wrapped.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

The bill refers to open sores or diseases of the nail or fingers. Shouldn't we also be including hands in this discussion, or in this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Well, the -- the bill, when you talk about fingers, not to be funny, but the fingers are attached to the hands, so it does include the hands.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Senator Hendon, present law -- under present law, isn't this already a violation of the Act for a

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

nail technician to practice while having an infectious disease?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

No, it's not covered under present law. It is not clear under present law, and that's why this bill is necessary.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Well, it is my contention that this is already covered under present Statute. I think this bill is unnecessary, and I would urge defeat of House Bill 1910, as amended.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR HENDON:

Thank you very much, Mr. Chairman. Well, the bill passed out of committee, 10 to nothing, and -- and Senator Madigan certainly had ample opportunity to oppose the bill. And I'd just ask for a favorable roll call. It's simply attempting to make sure that people are not giving transmittable diseases unnecessarily. And again, I want to add that the industry supports this bill, as amended, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1910 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 25 voting Yes, 28 voting No, and 1 voting Present. House Bill 1910, having not received the required constitutional majority, is declared failed. Senator Hendon.

SENATOR HENDON:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Yes. Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR WATSON)

Postponed Consideration. House Bill 1915. Senator Demuzio?
Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1915.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill is the Illinois Professional Land Surveyors Act, and originally it was the -- the -- expanding the definition of the practice of land surveying to include geographic information and land information systems. Now, there has been a great deal of conversation that continues to take place, and I am going to represent today, for the record, Senator Madigan, that I, in fact, will not call this bill unless there is an agreement of all the parties involved. And so I would ask that we continue the negotiations and move it out to the -- to the -- to the House, and I'll yield to Senator Madigan, if it's necessary.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1915 -- beg your pardon. Senator DeAngelis.

SENATOR DeANGELIS:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Demuzio, can't you possibly use another bill for the same purpose?

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

I -- I don't know if that expanding gambling bill of yours -- of yours yesterday will do it or not, so I'm -- so I'd like to get this one out.

PRESIDING OFFICER: (SENATOR WATSON)

Do you wish to close, Senator? The question is, shall House Bill 1915 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 58 voting Yes, no voting No, no voting Present. House Bill 1915, having received the required constitutional majority, is declared passed. House Bill 1933. Senator Peterson? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1933.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. House Bill 1933, as amended, makes various changes to the Pharmacy Practice Act. It allows the National Association of Boards of Pharmacy to develop and administer the pharmacy law exam. It allows for pharmacy investigators to have at least five years experience in the practice of pharmacy; that they be the only department personnel to inspect the probation compliance, and allows the State Board of Pharmacy member to be present and recommend discipline in the case of a disciplinary order. In addition, it changes the Architects, Professional Engineers, and

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Structural Engineers Act in identical ways. First, all three professions under the term "licensed design professional", for purposes of registration with the Department of Professional Registration. The bill allows these professionals to do business as a limited liability company. Third, the bill requires that the names of the professionals who are members of the limited liability company be on file with the Department. Requires professional design firms that have satellite offices to have a professional actually working at that office and overseeing the work. The purpose of the bill is to streamline some of the registration requirements of the Department and to allow these professionals to do business under any of the legally recognized forms of business ownership. I ask for your affirmative vote for House Bill 1933, as amended.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1933 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 57 voting Yes, no voting No, no voting Present. House Bill 1933, having received the required constitutional majority, is declared passed. House Bill 1935. Senator Smith? Out of the record. House Bill 1957. Senator Madigan? Out of the record. House Bill 1963. Senator DeAngelis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1963.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Thank you, Mr. President. House Bill 1963 is a bill that raises the bonding authority of IDFA from three hundred million to five hundred million for the infrastructure bonds. We all know that the Illinois Development Finance Authority provides financing through bonds to local governments, for all kinds of projects. This merely raises it from three hundred million to five hundred million.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

I just want to indicate that since these bonds do not require the full faith and credit of the State of Illinois, I just find it puzzling all the time, in -- in the time that I've been here, that we have to raise the bond authorization limit for the Illinois Finance Development Authority or other groups. I don't quarrel with what you're doing. I just -- it just seems to me that -- could you -- maybe you could elucidate why we have to do this.

PRESIDING OFFICER: (SENATOR WATSON)

Do you wish to hallucinate? Senator Cullerton.

SENATOR CULLERTON:

Yes, parliamentary inquiry. How many votes does this take...(microphone cutoff)...passage?

PRESIDING OFFICER: (SENATOR WATSON)

It takes thirty votes, Senator, because no State funds are involved. Further discussion? Senator DeAngelis, to close.

SENATOR DeANGELIS:

Thank you, Mr. President. This is a bill that -- this is an Authority that's worked real well. A lot of the small units of government are not able to float bonds on their own; they come to IDFA. IDFA makes a nice little return on it - a self-supporting group - no State dollars involved. I urge an Aye vote.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1963 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 54 voting Yes, no voting No, 2 voting Present. House Bill 1963, having received the required constitutional majority, is declared passed. House Bill 1965. Senator Ralph Dunn. Out of the record. House Bill 2043. Senator Smith? Out of the record. House Bill 2046. Senator Klemm. Dick Klemm. Out of the record. House Bill 2053. Senator Molaro? Out of the record. House Bill 2082. Senator Weaver? Out of the record. House Bill 2097. Senator Tom Dunn. Out of the record. House Bill 2121. Senator Palmer? Out of the record. House Bill 2122. Senator Palmer. Out of the record. House Bill 2123. Senator Philip? Out of the record. House Bill 2130. Senator DeAngelis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2130.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 2130 simply says that if a -- a Chicago school uses Chapter 1 funds incorrectly, the following year their funds will be deducted and redistributed among the other schools in that system.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

The sponsor says he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Chapter 1 funds don't just go to Chicago, is that correct? They go to other school districts, and I'm wondering if your bill applies to the other school districts as well.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Cullerton, Chicago is the only one that has local school councils. And we're talking about the local schools within the system.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Well, then, my question would be: What if a school district that doesn't have local school councils, but has school boards, also receive Chapter 1 funds, and they are not used in the proper fashion, would they also -- does this bill apply to them? And if not, why not?

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think if someone wants to put that in, that's fine. You have to remember that there's a different Chapter for the Chicago schools than there are for the other schools. And if you want to offer something on another bill of that sort, I'm -- I'm certain that I would support it also.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR DeANGELIS:

I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

The question is, shall House Bill 2130 pass. Those in favor will say Aye -- vote Aye. Those opposed, 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 54 voting Yes, no voting No, 3 voting Present. House Bill 2130, having received the required constitutional majority, is declared passed. House Bill 2139. Senator Woodyard? Out of the record. House Bill 2183. Senator Hawkinson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2183.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson. Excuse me. Would you read the bill, Madam Secretary?

ACTING SECRETARY HAWKER:

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill, as amended in the House, deals only with the size of the print in the public notice when you have a hearing before the Department of Mines and Minerals to approve or deny a coal strip-mining permit. As amended, the Illinois Coal Association and the Department are in support of the bill. Contrary to one of the analyses, this doesn't in any way affect when the hearing is or what kind of notice is given, but simply the size of the -- the notice as you publish it. I know of no opposition, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Seeing no discussion, the question is, shall House Bill 2183 pass. Those in favor, vote Aye. Opposed, vote No. The voting is

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

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 Yes, no voting No, no voting Present. House Bill 2183, having received the required constitutional majority, is declared passed. House Bill 2227. Senator Fawell? Out of the record. House Bill 2231. Senator Hasara? Out of the record. House Bill 2245. Senator Maitland? Out of the record. House Bill 2307. Senator Fitzgerald. Out of the record. House Bill 2336. Senator Topinka. Out of the record. House Bill 2397. Senator Geo-Karis. Senator Geo-Karis, on House Bill 2397? Out of the record. House Bill 2444. Senator Philip? Out of the record. Senator Dunn, for what purpose do you rise?

SENATOR R. DUNN:

I'd like to announce that the State Government Operations and Executive Appointment Committee will meet at 12 o'clock, which is right now -- as soon as we adjourn, in 212.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen, for what purpose do you rise? Senator Barkhausen. Your microphone must be broken, Senator. You can go to my desk if you like. Senator Weaver. There you are. Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. The Members of the Senate Financial Institutions Committee should have been informed that there will be no committee meeting today.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica, for what purpose do you rise?

SENATOR RAICA:

Thank you again. Once again, Mr. President, Local Government and Elections will meet, A-1, immediately following recess. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

Thank you very much, Mr. President. Transportation Committee will meet right now, Room 400. If you get up there very quickly, we should be out in ten or fifteen minutes. Three short amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Motions in Writing. Mr. Secretary.

SECRETARY HARRY:

Whereas, Senate Amendment 1 to House Bill 1126 has been filed and is presently pending before the Senate Committee; and whereas, that amendment is over four hundred pages in length; now, therefore, the undersigned Senators respectfully move that the applicable printing and distribution requirements contained in the Senate Rules be suspended so that Senate Amendment No. 1 to House Bill 1126, may be considered without first having to be distributed on all Members' desks.

Submitted by Senator Philip and Senator Jones.

PRESIDING OFFICER: (SENATOR WATSON)

I understand Senator Weaver is to handle -- this motion. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I move the suspension of the rules for the immediate consideration of this motion in writing.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver. You've heard the motion. Senator Weaver moves to suspend the rules for the purpose -- Senator Weaver has moved to suspend the rules. Those in favor, say Aye. Any discussion? I'm sorry. Senator Demuzio. Your light is on, sir. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Resolutions, Mr. Secretary.

SECRETARY HARRY:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Senate Resolution 432, offered by Senator Demuzio.

Senate Resolution 433, by Senator Stern, as is Senate Resolution 434.

Senate Resolution 435, by Senator Severns and all Members.

Senate Resolution 436, by Senator Stern.

Senate Resolution 437, by Senator Topinka.

And Senate Resolution 438, offered by Senator Sieben.

They're all congratulatory.

PRESIDING OFFICER: (SENATOR WATSON)

With leave of the Body, all those resolutions that were just read will be added to the Consent Calendar. Leave is granted. Mr. Secretary, have there been any objections filed to any of the resolutions on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall the resolutions of the Consent Calendar be adopted? All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

We had some inquiries over here. I -- I assume that we will not be adjourning at noon. You're simply going to be recessing and coming back later this afternoon, only for the purposes of reading in the committee reports. Is that correct? No business will be conducted other than that?

END OF TAPE

TAPE 3

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

PRESIDING OFFICER: (SENATOR WATSON)

That is correct. We are going to be reading in committee reports when we -- 1 o'clock. Senator DeAngelis has asked that we remind the Members that the Senate Revenue Committee will not be meeting. Also, I think the Chair should advise the Members that we will be coming back at 3 o'clock on Monday...(microphone shut off)...and that we will be voting on the Agreed Bill List at 4 o'clock. 4 o'clock sharp. Members must be present to vote on the Agreed Bill List at 4 o'clock on Monday. Senator Geo-Karis moves that we stand in recess till the hour of 1 o'clock.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDENT PHILIP:

Okay. The Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Raica, Chair of the Committee on Local Government and Elections, reports Senate Amendment No. 5 to House Bill 176 Be Adopted, Senate Amendment 3 to House Bill 979 Be Adopted, along with Senate Amendment No. 5.

And Senator Fawell, Chair of the Committee on Transportation, reports Senate Amendment No. 1 to House Bill 596 Be Adopted.

PRESIDENT PHILIP:

Have there been any motions filed, Mr. Secretary?

SECRETARY HARRY:

Yes, Mr. President. Senator Cronin has filed a motion with respect to House Bill 1771.

PRESIDENT PHILIP:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 14, 1993

Print it on the Calendar. Any further business to come before the Senate? If not, pursuant to House Joint Resolution 41, the Senate stands adjourned until 3 p.m. on Monday.

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 14, 1993

HB-0073	THIRD READING	PAGE	13
HB-0113	RECALLED	PAGE	14
HB-0118	RECALLED	PAGE	15
HB-0153	THIRD READING	PAGE	16
HB-0300	RECALLED	PAGE	17
HB-0354	RECALLED	PAGE	20
HB-0391	RECALLED	PAGE	21
HB-0392	RECALLED	PAGE	22
HB-0399	THIRD READING	PAGE	27
HB-0468	RECALLED	PAGE	28
HB-0505	THIRD READING	PAGE	29
HB-0532	SECOND READING	PAGE	2
HB-0671	THIRD READING	PAGE	31
HB-0671	OUT OF RECORD	PAGE	32
HB-0775	THIRD READING	PAGE	32
HB-0797	SECOND READING	PAGE	2
HB-0837	RECALLED	PAGE	35
HB-0840	THIRD READING	PAGE	36
HB-0898	SECOND READING	PAGE	3
HB-0936	RECALLED	PAGE	46
HB-0954	THIRD READING	PAGE	47
HB-1009	SECOND READING	PAGE	4
HB-1037	RECALLED	PAGE	49
HB-1037	RECALLED	PAGE	51
HB-1037	OUT OF RECORD	PAGE	50
HB-1039	THIRD READING	PAGE	50
HB-1039	OUT OF RECORD	PAGE	50
HB-1077	THIRD READING	PAGE	51
HB-1125	RECALLED	PAGE	52
HB-1125	OTHER	PAGE	55
HB-1126	MOTION	PAGE	97
HB-1155	RECALLED	PAGE	54
HB-1203	SECOND READING	PAGE	5
HB-1212	THIRD READING	PAGE	74
HB-1260	THIRD READING	PAGE	56
HB-1302	SECOND READING	PAGE	5
HB-1319	SECOND READING	PAGE	6
HB-1320	THIRD READING	PAGE	57
HB-1359	THIRD READING	PAGE	59
HB-1410	THIRD READING	PAGE	75
HB-1426	SECOND READING	PAGE	7
HB-1476	RECALLED	PAGE	76
HB-1553	THIRD READING	PAGE	77
HB-1647	THIRD READING	PAGE	79
HB-1707	THIRD READING	PAGE	80
HB-1761	THIRD READING	PAGE	81
HB-1787	THIRD READING	PAGE	82
HB-1787	OUT OF RECORD	PAGE	82
HB-1813	THIRD READING	PAGE	82
HB-1852	THIRD READING	PAGE	84
HB-1900	SECOND READING	PAGE	8
HB-1910	THIRD READING	PAGE	86
HB-1915	THIRD READING	PAGE	89
HB-1922	SECOND READING	PAGE	8
HB-1933	THIRD READING	PAGE	90
HB-1941	SECOND READING	PAGE	8
HB-1963	THIRD READING	PAGE	91
HB-2062	SECOND READING	PAGE	9
HB-2130	THIRD READING	PAGE	93
HB-2132	SECOND READING	PAGE	9
HB-2183	THIRD READING	PAGE	95
HB-2280	SECOND READING	PAGE	9
HB-2375	SECOND READING	PAGE	10
HB-2408	SECOND READING	PAGE	11

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 14, 1993

SR-0432	RESOLUTION OFFERED	PAGE	98
SR-0433	RESOLUTION OFFERED	PAGE	98
SR-0434	RESOLUTION OFFERED	PAGE	98
SR-0435	RESOLUTION OFFERED	PAGE	98
SR-0436	RESOLUTION OFFERED	PAGE	98
SR-0437	RESOLUTION OFFERED	PAGE	98
SR-0438	RESOLUTION OFFERED	PAGE	98

SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-PASTOR JENKINS	PAGE	1
JOURNAL-APPROVED	PAGE	1
JOURNALS-POSTPONED	PAGE	1
RESOLUTIONS CONSENT CALENDAR-ADOPTED	PAGE	98
RECESS	PAGE	99
SENATE RECONVENES	PAGE	99
COMMITTEE REPORTS	PAGE	99
ADJOURNMENT	PAGE	100