

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

May 21, 1993

PRESIDENT PHILIP:

The hour of nine having arrived, the Senate will please come to order. If our Members will please rise, and our friends in the gallery please rise, for the prayer today. Reverend Goolsky, Christian Center, Tuscola, Illinois. Reverend?

REVEREND GOOLSKY:

(Prayer by Reverend Goolsky)

PRESIDENT PHILIP:

...(microphone cutoff)...and approval of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Thursday, May 13th; Friday, May 14th; Monday, May 17th; Tuesday, May 18th; Wednesday, May 19th; and Thursday, May 20th, in the year 1993, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postponed the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. ...(microphone cutoff)... Resolutions.

SECRETARY HARRY:

Senate Resolution 489, offered by Senator Mahar.

Senate Resolution 490, by Senator Ralph Dunn, as is Senate Resolutions 491 and 492 and 493.

Senate Resolution 494, by Senator Hasara.

Senate Resolution 495, by Senator Burzynski.

Senator Severns and all Members present Senate Resolution 496.

Senate Resolution 497, Senator Geo-Karis.

Senate Resolution 498, by Senator Geo-Karis.

Senate Resolution 499, Senators Molaro and Severns.

Senate Resolution 500, Senators Topinka, Woodyard and all

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Members.

Senator Topinka presents Senate Resolution 501.

Senate Resolution 502, by Senator Hall and all Members, as is Senate Resolution 503.

Senate Resolution 504, Senator Severns and all Members.

Senate Resolution 505, by Senator Ralph Dunn.

Senate Resolution 506, by Senator del Valle.

And Senate Joint Resolution 67, by Senator Hasara.

They're all congratulatory and death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. ...(microphone cutoff)... Messages from the House.

SECRETARY HARRY:

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

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

Senate Bill 192, together with the following amendments, which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendments 1 and 2.

We have like Messages on Senate Bill 192, with House Amendments 1 and 2; (Senate Bill 268, with House Amendment 1); Senate Bill 311, with House Amendments 1, 2, 4, 5, 6, 8, 12, 13, 14, 16 and 17; Senate Bill 315, with House Amendments 1, 2, 3, 4, 5, 6, 10, 11, 12 and 13; Senate Bill 314, with House Amendments 1, 2, 4, 5, 6, 7 and 8; Senate Bill 316, with House Amendment 1; Senate Bill 317, with House Amendment 1; Senate Bill 318, with House Amendments 1 and 2; Senate Bill 320, with House Amendments 1 and 2; Senate Bill 321, with House Amendments 1 and 2; Senate Bill 322, with House Amendments 1 and 2; Senate Bill 325, with House Amendments 1, 2, 4 and 5; Senate Bill 520, with House Amendments 1

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and 2; Senate Bill 521, with House Amendment 1; Senate Bill 525, with House Amendments 1 and 2; Senate Bill 526, with House Amendment 1; Senate Bill 527, with House Amendments 1, 2 and 4; Senate Bill 528, with House Amendments 1, 2, 3, and 4; Senate Bill 529, with House Amendments 1 and 2; and Senate Bill 532, with House Amendments 1 and 2. (Bill within parenthesis submitted in writing but inadvertently not read in record)

All passed the House, as amended, May 20th, 1993.

PRESIDENT PHILIP:

If I could have your attention. It's the intent of the Chair to go to 3rd Readings, do the appropriations first to get the paper work moving, and then come back and start where we left off yesterday, and -- and finish up the Calendar at least one time today. So without further ado, House Bills 3rd Reading, the bottom of page 3. House Bill 5. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Take it out of the record. ...(microphone cutoff)...appears we have a little bit of a mechanical problem. Evidently the staff hasn't got all of the written material down here on the Floor of the Senate. So I suppose what we can do is go to 3rd Readings. When both staffs have all the written material down here, we'll go back, start at the beginning of the Calendar and do appropriations first. House Bills 3rd Reading, the top of page 6. House Bill 1092. Senator Cullerton. Read the bill, Madam -- Mr. Secretary.

SECRETARY HARRY:

House Bill 1092.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President and Members of the Senate. This bill deals with the adoption assistance payments made by the Department of Children and Family Services, and what it says is that they are exempted from the offset provisions that are in the State law. Basically, if someone receives this special form of assistance, if they adopt a child who has special needs, it just means that they get to keep the money. If they owe money to the State, there's a certain public policy that they should be exempted from having to pay the State that money from that particular fund. There were a number of other amendments that were considered in committee. The committee rejected the -- the idea of expanding these exemptions. So this is the only one that it applies to; it's the adoption assistance payment. Be happy to answer any questions, and ask for an Aye vote.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall House Bill 1092 pass. Those in favor will signify by voting Aye. Those, 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 58 Ayes, no Nays, no voting Present. House Bill 1092, having received the required constitutional majority, is declared passed. House Bill 1102. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1102.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

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Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This is an agency bill. It's for the Department of... Oh, I'm sorry. We have to bring it back to 2nd Reading. Mr. -- Mr. President?

PRESIDENT PHILIP:

...(microphone cutoff)...Cullerton.

SENATOR CULLERTON:

Mr. President, I believe that there was an amendment adopted on this bill at 8 o'clock this morning, and it hasn't been read into the record.

PRESIDENT PHILIP:

Take it out of the record. House Bill 1126. Senator Burzynski. Read the bill, Mr. Secretary. Do you wish to bring it back for 2nd Reading for purpose of an amendment? All right. Senator Burzynski seeks leave of the Body to return House Bill 1126 to 3rd Reading -- 2nd Reading for the purpose of an amendment. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. House Bill 1126 is returned to 2nd Reading. Senator -- read -- Mr. Secretary, the Order of 2nd Readings, are there any further Floor amendments?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Burzynski.

PRESIDENT PHILIP:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 incorporates the language of Senate Bill 987 into House Bill 1126, which is the governance system of higher education. This did receive a considerable amount of debate the last time we had it on the -- Senate Floor. Be more than willing to try and answer any questions.

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PRESIDENT PHILIP:

Any discussion? Any discussion? Is there any other -- all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate -- Senator Burzynski, on the Order of 3rd Reading, House Bill 1126. Senator Burzynski. Excuse me, Senator -- Secretary, read the bill.

SECRETARY HARRY:

House Bill 1126.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This does amend the Community College Act, has some technical provisions, as well as the aforementioned changes in regards to the governance of higher education.

PRESIDENT PHILIP:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this is the bill that will abolish the Board of Governors and the Board of Regents, and create seven new boards. I think it's very interesting that this bill passed out of the Senate, was killed in the House. It has reappeared again, but if you recall, part of the "selling points" - and I use that in quotes - regarding this bill when it first came around, was that it was going to cut

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administrative costs. I opposed this bill the first time to point out to you that it increases the number of "administrators", and that, I think, is a very generous word - some people might even say "bureaucrats". But the governing boards, instead of being fourteen members, will now be forty-nine people, and each of those people are going to have to have support staff and travel expense and per diem allowances and all of the other things that go along with being an administrator. In addition to that, we had an estimate from the Board of Governors, or the Board of Regents, that the estimated increased cost of this additional administrative expense was going to be an additional ten million dollars. Interestingly, Senator Hendon, when this bill -- this House bill that we are now being asked to vote on came back to the Senate, he offered an amendment to put a cap on the administrative costs if, in fact, this bill was going to pass - so that you'd have a new administration, a new administrative structure, but you wouldn't have, you couldn't have, increased administrative costs. That would seem to make sense to those of us that want money in higher education to go to education, rather than to administration. Amazingly, Ladies and Gentlemen, amazingly, the Hendon amendment to put a cap on administrative cost increases was kept in Rules. Didn't even come out. Now we see the restructure of higher education on this bill with no cap, no limit, forty-nine administrators instead of fourteen, and we're being asked to approve it. I think that's the wrong approach. I urge a No.

PRESIDENT PHILIP:

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. And Members of the Body, I'd like to have your attention for just a few moments. This bill is too important to let slide. I took the time to go back and look at the history of the argument about breaking this up into twelve

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units, and I'd like just to speak to you for a few moments to tell you why this is an ill-considered and inappropriate approach. Number one, I just want you to realize that in the entire United States there are only five universities that have single and individual boards for each. The rest of the states, including Puerto Rico and the District of Columbia, have some form of multi-system governance. Now, to the history of this: In both 1966 and 1971, there was a great deal of time spent under a master plan committee to raise these very issues, and let me tell you what they found, having asked the same questions. They found that it was not a good idea to put together twelve institutional boards for these reasons: It would call for a drastic restructuring of public education; it would -- the institutions themselves were in opposition to this; that there would be extreme deficiencies among the institutions, and the committee found no potential educational opportunity which can be achieved under such fashion. They said there was a reason that the system of systems was put together. The purpose was to have roughly a balance among institutions, based on the geographical -- based on, rather, a geographical, as well as a characteristic, grouping of the institutions. Their concern was that by forming these individual boards, you pit one university against another, and we eliminate the reason for system of systems. You would end up with boards overly involved in matters which should properly be the province of a governance organization, and that these boards would end up reverting to the roll of advocate. Let me just say, in conclusion, there was a reason these were put together. They stated, "Public universities draw their support from a common source. Some means must therefore be provided for the resolution of differences and the division of available resources among competing institutions. This function cannot be performed by a board which has cognizance over a single institution, and will end up being parochial in its

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approach to education." I urge you to vote No on this.

PRESIDENT PHILIP:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. One point Senator Berman made, that administrative costs keep going up and up - that's not true. If he would check with the Board of Higher Education, he'll find out just how much higher education administrative costs have been consolidated, and they're not going up the degree that he talks about. This is a misnomer. And through the leadership of the Board of Higher Education, administrative costs at every level are being looked at, consolidated, and it's working out fine.

PRESIDENT PHILIP:

Senator Hendon. Senator Hendon. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I rise in opposition to this -- separation for a variety of reasons. Number one, it's simply a bad idea, and what's going to happen here is that the smaller schools are going to suffer. And it just seems so clear to me that in this -- in this Senate, that the smaller people, the ones who can least defend themselves, are under attack constantly - constantly under attack, whether it's public aid, whether it's legal assistance. Whatever it is, it seems like every time we come in this Chamber, there is some bill that will hurt poor people. How will Northeastern, how will Chicago State survive under this legislation? They won't survive. And perhaps that is the intention: that they not survive. It bothers me that there is a -- even though I hate to use the word "conspiracy", there is a pattern - a pattern - that is -- it is plain as the nose on your face that props up the rich against the needs of the poor. If we talk -- the Title I dollars, the Chapter I dollars, taking that

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away. Now this is another issue, dealing with education, where you're going to create these separate boards and leave the little colleges out there to fend for themselves. It makes absolutely, positively no sense whatsoever. This is a bad, bad piece of legislation, and I urge everybody, everyone that is -- that -- that claims to be -- to care about education -- every one in this Chamber claims to care about fairness and justice and equality, but yet when that board lights up, you're going to see a well of votes, and it's consistently going against poor people, going against those who can least defend themselves. And I'm telling you this is a bad, bad bill, and I urge its defeat.

PRESIDENT PHILIP:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I rise against this bill, not so much because I have concluded that the separation is a bad, bad idea, but I don't think no one else really know the real impact of the separation or even why we're doing this. I think to -- to -- to do this in isolation of the broader and -- and I think many problems that most of us recognize, have heard that is wrong with our higher education system, is a serious mistake. I think what we ought to do, as I've said before, with this bill, or with this issue, is to -- to take it out of the record at this time, and at -- during this Session is to create a task force the way we did for the reform of elementary and secondary education and begin to deal with the many -- the multitude of problems that is facing our higher education institution today in this State. It is those issues; we're going to have to deal with them. So why not deal with them now? What is the urgency of breaking up these boards at this point in time? What are the benefits of it? I think we've heard probably more negative consequences of the breakup than we have heard positive

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from those people who are promoting this issue at this time. The other problem is, if we move forward on this issue, it is -- it's some kind of delusion of the public's -- to -- to the fact that we are actually doing something to address the many problems that they are complaining about our -- higher education system in this State. And for that reason we ought not to do this, because we -- you know, and I know, once this bill passes that we will not have an opportunity to come back this year, or probably even next year, and even make a dent in addressing the real problems facing our institutions in this State. I think we ought to take this issue, while we have the time, that there are people out there who are actually interested in seeing this kind of change take place, and then tie it into the other changes that you and I know would most -- most certainly will improve the quality of the delivery system of our higher institutions in this State. And for that reason, I'm voting No on this amendment.

PRESIDENT PHILIP:

Senator Carroll. You know, at the rate we're going today, we're going to be here Saturday.

SENATOR CARROLL:

Thank you, Mr. President. I will heed your admonition and merely say that one of the reasons I think you should judge a bill like this is to talk to those who are going to be directly involved. You would think that a university president, a college president, who suddenly was going to become a big shot, have his own administrative staff and stand free and on his own, or her own, would like to have the freedom from a governing board over them that tells them what do to. And what I found interesting when I went and surveyed the various college presidents was, for example, in the Board of Governors system there are five universities - five colleges. Each and every one of them said, "This is a terrible idea." Each and every one of those five said

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they are better served under a Board of Governors than they would be individually being their own kings of their own fiefdoms, with nobody to report to, because they recognize that they would be a more effective voice for the kids in their schools, be it -- by being part of a board of governors. They didn't say that just because the Board of Governors was standing there. I talked to them privately, and each and every one of them were willing to testify on this bill or any other that their students and their institution would be better served staying in the Board of Governors. Why would we then want to take that away? Why would we then want to create five bureaucracies that would not be effective, when we have one governing board that's doing the job for that system? I think it's a terrible idea and ought to be defeated.

PRESIDENT PHILIP:

Senator Burzynski, to close.

SENATOR BURZYNSKI:

Thank you, Mr. President. You know, it never ceases to amaze me how many times we can rehash the same things, have the same comments made. But I really do resent the fact -- the implication of conspiracy that I've been hearing about. Certainly if we brought that message up, that it -- we would be taken to task for that; I'll do the same. And I also resent the fact that we stand here and we talk about the costs that are involved. We've already talked about this issue. Ten million dollars is a report that's been given out there by somebody, and I've talked with administrations from various schools that feel that they can incorporate this into their budgets, and already into their administrative costs, were between a hundred, a hundred and fifty thousand dollars a year. That's a far cry from ten million dollars. I also think that we're missing another aspect - another very important aspect - of this piece of legislation. It calls

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for accountability - more accountability than what we're seeing now in our higher education system. I think that's very important to point out when we have local control, local opportunities. A couple of other comments that were made: We talk about the schools saying that they're better served under the current system of higher education. Well, what are those administrators supposed to say? You know, I suppose that there would be no fear of retribution if, heaven forbid, they say that they thought they'd be better served under a better system, or a different system. As well as that, we need to also look at the fact that the schools that are comprised in those various governing systems are very different in their scope: They're different in the way that they approach things, they're different in their missions. It's time for a change. I would appreciate an Aye vote on this measure. Thank you.

PRESIDENT PHILIP:

The question is, shall House Bill 1126 pass. 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? Have you all voted who wish? Take the record. On the question, 34 Ayes, 24 Nays, none voting Present. House Bill 1126, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR MAITLAND)

WCIA-Channel 3 has request permission to film in the Chamber. Is leave granted? Leave is granted. House Bill 1163. Senator Mahar, do you wish this bill returned to 2nd Reading for the purpose of amendment? Senator Mahar seeks leave of the Body to return House Bill 1163 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 1163. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

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Floor Amendment No. 1, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. The bill, as -- as described in the Calendar, is no longer needed, because the companion Senate bill has already passed the House. So, at the request of the Illinois EPA, I have added some clarifying language, which this amendment now becomes the bill, that makes a technical correction in sewer construction permit fees. I know of no opposition. I would ask adoption of Floor Amendment No. 1 to House Bill 1163.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any discussion? All those in favor, Aye. Opposed, Nay. The Ayes have it. Mr. Secretary, are there any other Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1163. Senator Mahar. On the Order of 3rd Reading is House Bill 1163. Senator Mahar. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1163.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

I just explained it. I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Any discussion? Any discussion? The question is, shall House Bill 1163 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, 1 Nay, no Members voting Present. House Bill 1163, having received the required constitutional majority, is declared passed. House Bill -- House Bill 1203. Senator Cullerton. Senator Cullerton, do you wish that bill -- Senator Cullerton seeks leave of the Body to return House Bill 1203 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. House Bill -- House Bill 1203. On the Order of 2nd Reading is House Bill 1203. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill deals with the issue of what a court should consider when it grants leave for custodial parents to remove their child from the State. This amendment that was adopted in committee was suggested by the very able Republican staff, and it adds some more factors that the court should consider. I move for its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any discussion? Any discussion? Senator Cullerton has moved the adoption of Floor Amendment No. 1. Those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any other Floor amendments approved for consideration?

SECRETARY HARRY:

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On the Order of 3rd Reading is House Bill 1203.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1203.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. There's a -- been a fairly recent Supreme Court case called the Eckert case, which dealt with the issue of what a court should consider when granting leave for custodial parents to remove their child from Illinois. What this bill does is basically to codify that decision, and indicates that the court should consider the potential for improvement of the quality of life of a child, or -- and the parents; the motives with regard to the person who wishes to remove the child; the impact on visitation; the realistic, reasonable visitation rights that might be -- still be able to be accomplished; the degree of impairment for the noncustodial parental involvement. And as I just indicated, we did also add an amendment, which asked the court to consider a -- the policy that maximum involvement -- and cooperation of both parents regarding the physical, mental, moral and emotional well-being of the children should be taken into account. I don't believe there's any opposition. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator, in that case that you're codifying, how far away was the custodial parent moving? Was it to the next state, or was it a thousand miles away?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Senator, I don't -- I don't know the answer to that question. All I know is in the Eckert case, they did not grant the right for the custodial parent to remove the child, but I don't know what the distance is. But it does raise a good point, that the -- and that courts should take into account the fact that sometimes if someone lives in Waukegan and they're moving the child to Milwaukee, that's different than if they live in Chicago and they're moving them to California. And that's just one of the things that the court should take into consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Well, I was just going to say, it didn't make -- I don't see how you could continue to have similar visitation rights if somebody leaves the State of Illinois for a state far away. It would be impossible. So that -- that doesn't make a lot of sense in every case.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Well, yes, you're right, Senator. And that's why we put in the bill the fact that the court shall consider the impact of the removal on the visitation rights. That might result in the court

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denying -- denying the -- the right to remove the child, and that's why we want to codify it, so the court does take that into consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1203 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 1203, having received the required constitutional majority, is declared passed. Senator Topinka, for what purpose do you rise?

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, a point of personal privilege. I have with me at my desk and visiting with us today Raimundas Jurevicius and Ramune -- I'll try this again - Dulevichiene, and they're both from Lithuania. They have been going to school at John Marshal Law School and will graduate in two weeks. Ramune is a teacher at the Lithuanian Police Academy. So all of our police officers should know that she's handling that angle, and when she goes back home, she's going to study to be a lobbyist. And that's why she's looking at Illinois, because I can't think of a better place to find as many. And also, Raimundas - he will be going on to become a lawyer in Lithuania. So if you could welcome the two of them here. We will be giving them a set of State Statutes to take back to Lithuania with them as well. And they just really wish you well here in the Legislature, and if we could give them a nice big welcome.

PRESIDING OFFICER: (SENATOR MAITLAND)

To our guests, welcome to the Senate. Nice to have you here this morning. 1235. Senator Hawkinson. Senator Hawkinson, do you wish this bill... I -- I -- beg your pardon. House Bill 1230.

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Senator Smith. Senator Smith, do you wish this bill returned to the -- Order of 2nd Reading for the purpose of amendment? Senator Smith seeks leave of the Body to return House Bill 1230 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 1230. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This designates Marine Road, which is located in Madison County in Senator Vadalabene's district, also known as Illinois Route 143, starting at Vadalabene Pass intersecting at I-55 designated as Veterans Memorial Drive.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Smith, do have discussion on the amendment?

SENATOR SMITH:

No. No discussion.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On the Order of 3rd Reading is House Bill 1230. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1230.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. With the amendment that was just read, it would coincide with the desire of the designated highway for Thurgood Marshall, which would be on Interstate 57, as a memorial freeway, and it designates that it would only be between Cairo and up to Chicago as a Thurgood Marshall Memorial Freeway. And IDOT - Transportation - has already stated that they would see that there are proper signs placed on there, and he was worthy of his hire, and I think it would be a marvelous memorial to the people of the State of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. If this Body would just indulge me for a second, just to -- to give you some insights of what some of our friends and counterparts are saying around this country about the man that they've called "The Pioneer" in the halls of justice. In January -- on January 26th, 1993, just two days after the death -- after his death, in the U.S. Senate, they introduced a bill, Senate Bill 202, and this bill was to designate a federal judiciary building in Washington, D.C. as the Thurgood Marshall Federal Judiciary Building. And that building will house more than two thousand judicial branch employees and also provide offices for retired Supreme Court Justices. And -- and what they said in the discussion was -- it was that they said, "It would be difficult to imagine a man who contributed more to the quality of American life and the integrity

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of American jurisprudence than did Thurgood Marshall. It is equally hard to imagine anyone ever of matching a record judicial achievements to match his. It is not likely that we shall ever see a man like him again." Further, they said that "Excellence in accomplishments pervade his life's work. For more than a quarter of a century, his was the courtroom voice of the NAACP. Perhaps his greatest victory before the Supreme Court came in the landmark 1954 case, Brown versus Board of Education of Topeka, Kansas. As Federal Appeals Court Judge, he wrote one hundred and twelve opinions of which none was overturned. He served as Solicitor General under President Johnson. By the time Marshall was seated to the Supreme Court in 1967, he had argued thirty-two cases in public and private practice before the highest court in the land. He won all but three. And then for another quarter of a century, Thurgood Marshall gave hope and a eloquent powerful voice to the disenfranchised, the discriminated and the powerless from the highest bench in the land." Harvard's University, Laurence Tribe, called his -- "The greatest lawyer in the 20th Century." And if I could just share some other facts about who Thurgood Marshall was, and is to us today. He was born in Baltimore; he graduated first in his class at Howard Law School; he served as head of the NAACP Legal Defense and Educational Fund in the '40s and the '50s and was one of the first to employ women lawyers and use them to argue cases before the Supreme Court. Thurgood Marshall traveled over fifty thousand miles a year, and that was before we had airplanes; that was the convenient way to travel. He did this by car; he did this by foot, in challenging the laws, mostly in the southern courts. As I said earlier, he won twenty-nine of the thirty-two cases he argued before the Supreme Court, including the Brown versus the Board of Education, which outlawed school segregation in 1954. In 1967, Lyndon Johnson appointed him to the Supreme Court. He championed the rights of all of us. He championed the

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rights of the poor, the downtrodden, of the voiceless, and the powerless. I can't think of another lawyer who's done more to enhance and to bring equality, and parity into this land than Thurgood Marshall. Some of his honors: In 1967 to '91, he was the first African-American Justice, and he also volunteered on the Second U.S. Circuit Court of Appeals. In 1993 of this year, February 1st, he was one of the first to have a stamp made to commemorate him as a leader of this country. He was given the Liberty Award. He was given the Philadelphia Liberty Medal in 1992. In 1992, he was also made -- given the award of the Common Cause Public Service Achievement Award. This is a man of great achievements. This is a man that we, here in the State of Illinois, need to honor so our children can live and see that we had a role model; someone they can look up to. We need this law. We need this bill passed. We're talking about just commemorating a man and his achievements, and we can honor him by naming Highway 57 the "Thurgood Marshall Memorial Freeway". And I ask all to vote Yes on this initiative.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. When this matter first came before this Body, I didn't rise to speak on it. I didn't fail to rise to speak on it because I didn't think it was important; I didn't fail to rise to speak on it because I didn't feel that -- that it should pass. I didn't rise to speak on it, Ladies and Gentlemen of the Senate, because I just knew - I just knew - that this bill was going to sail through the Senate. I just knew that this bill would have no opposition, and I could not see or imagine, in my -- in my own mind and in my heart, that anyone would vote against naming this highway after a distinguished Supreme Court Justice. So I sat here - I sat here - and Honorable Senator Margaret Smith

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made a very nice presentation that I just knew was going to sail through this Chamber. I could not imagine anyone, for any reason, voting this down. I was shocked. I was personally hurt. Now, I've sat here in this Chamber and I have heard a lot of rhetoric and people say I'm full of rhetoric and all I do is blah-blah-blah. Well, I'll tell you something. Perhaps I do get a little emotional; perhaps I do get a little carried away, but this is important. There are a lot of children out there who have nobody to look up to except the basketball players and the football players, and when they get caught using crack or doing something crazy, their world is shattered. Here we have a man who -- who -- who sat on the Supreme Court for years, who fought for justice and fairness and equality for everybody - everybody - not just black children, not just poor children - everybody. Some people will say, "We shouldn't do this because it's not done." Well, it is done. We have the -- Everett Dirksen Memorial Highway, and if I was in this Body when that matter came up, I would have voted for it. I would have voted for it, because he was a distinguished gentleman and earned it. I would have voted for it. I wouldn't have voted for it because he was this, or he was that or he was this color, he was that color. I would have voted for it, because as a person, he deserved it. We have another Route -- off of Route 47, Cleng Peerson Memorial Highway. Now, I won't stand here to say -- claim that I know who Cleng Peerson is, because I don't. But believe me, if it was important to the Members of this Chamber, I would have supported it. Here we have a Supreme Court Justice who gave his life for freedom and justice and equality in this country. Every single light up there should light up green to support this very important symbolic piece of legislation. As Senator Trotter said, we need this. My children need this. The children in my district need someone to look up to who accomplished something - someone who -- who was

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able to overcome the diversity and rise to the highest court in this land. If we vote No on this today, if there is a single red light up there, it's going to send a signal to our children - and I am talking about black and African-American children right now, even though I hate bringing race into this Chamber - but it will send a signal to those children that they can achieve, that they can be somebody, that they can do something in life besides selling crack and being in gangs and getting in trouble. But if you shoot it down, then it's going to tell them that no matter how high you rise, there's a Body known as the Senate in Illinois that will not recognize your accomplishments. I urge you and I beg you to vote Yes on this legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Smith, to close.

SENATOR SMITH:

Thank you, Mr. President. I would like for this to show in the record that his name is Thurgood A. Marshall - Thurgood A. Marshall. And after the dissertations that we have just received, I pray that you'll all give us a favorable vote. Thank you very kindly.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1230 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 29 Ayes, no Nays, 22 Members voting Present. House Bill 1230, having not received the required constitutional majority, is declared failed. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

I'd like to put that on postponement, if I may.

PRESIDING OFFICER: (SENATOR MAITLAND)

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House Bill 1230...

SENATOR SMITH:

Because I'm carrying, also, an amendment on that bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bill 1230 is on Postponed Consideration.

SENATOR SMITH:

Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bill 1235. Senator Hawkinson, do you wish that bill returned to the Order of 2nd Reading for the purpose of amendment? Senator Hawkinson seeks leave of the Body to return House Bill 1235 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 1235. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Floor Amendment No. 3 was a suggestion from the Cook County State's Attorney on our stalking legislation, to deny the second ninety-day meritorious good time to those convicted of stalking and aggravated stalking. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Cullerton.

SENATOR CULLERTON:

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Senator, is -- is the theory behind this amendment that if we keep the stalker in jail for an extra ninety days that he'll become rehabilitated and won't go back out and continue the stalking?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

No. I think the theory is that it'll be another ninety days that the victim will be secure.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further 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, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On the Order of 3rd Reading is House Bill 1235. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1235.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 1235, sponsored by myself and Senator LaPaille, is our stalking revision bill this year. We have adopted amendments after consultation with the State's Attorneys Association. I believe that they are acceptable to the House sponsors of this legislation. We discussed Amendment No. 3; Amendment No. 2 we debated earlier. It is the amendment

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which, in addition to the Section which allows the offense of stalking when a direct threat is made, also now allows the offense of stalking to be charged when the conduct in following or placing a victim under surveillance results in placing that victim in a reasonable apprehension of receiving the bodily harm. It's akin to our assault laws. As we discussed when we debated Amendment No. 2, it is not intended to be a subjective standard with the victim, but rather an objective standard that the court can view. This is an important piece of legislation. We took an important first step last year. Obviously the offense of stalking continues to be a serious problem in this State, and in this nation. The State's attorneys have come to us asking for these changes, and I think we should adopt House Bill 1235.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Molaro.

SENATOR MOLARO:

Yes. Just briefly: Thank you, Mr. President, Ladies and Gentlemen of the Senate. The only part of the bill that I have a little cause of concern with is subsection 2(d) <sic>, when you talk about stalking and it says, "For the purpose of this Section, a defendant 'places a person under surveillance' by remaining present outside the person's school, place of employment, vehicle, other place occupied..., or residence other than...residence of the defendant." I just want to make sure -- because obviously stalking is a problem, I just want to make sure that there's legislative intent. I don't want it where every guy and girl that are going out -- if somebody's been going out three years, they tend to break up over a big fight, and the person goes to her place of employment, says "I want to talk to you." Everybody in this room has been jilted at one time or another, or has had some problem with a fiance or a girlfriend or boyfriend. And I don't want it to get that every time someone has an argument and they

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call them up a couple of times, or they go where they work, that the -- that the other person can just start calling the State's Attorney's Office, and we're having everybody arrested. And I just want to make it clear that this bill is -- is for problematic cases, not just where there's a problem amongst girlfriend and boyfriend. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Hawkinson, do you wish to close, sir?

SENATOR HAWKINSON:

I appreciate the remarks of Senator Molaro, and I -- I think he ought to note, and the Members ought to note, on page 2 of the amendment, that the language that is being referred to under Section (d) is already in the present stalking law. And I don't believe there's been the kind of abuse that has been suggested as being possible here, and I -- I think with our State's attorneys and the exercise of the discretion, and the fact that we've had the experience of that current language for a year, that that won't be a problem. This is an important piece of legislation for victims, particularly women in our State, and I would urge your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1235 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1235, having received the required constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Topinka, Chair of the Committee on Public Health and Welfare, reports Senate Amendment No. 1 to House Bill 132 Be

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Adopted; Senate Amendment 2 to House Bill 564 Be Adopted; Senate Amendments 2 and 4 to House Bill 1102 Be Adopted; Senate Amendment 3 to House Bill 1300 Be Adopted; Senate Amendments 4 and 5 to House Bill 1489 Be Adopted; Senate Amendments 2, 3 and 4 to House Bill 2231 Be Adopted; and Senate Amendment 1 to House Bill 2245 Be Adopted. Senate Bill 66, the Motion to Concur with House Amendments 1 and 2 Approved for Consideration; and Senate Bill 478, the Motion to Concur with House Amendment 1 Approved for Consideration; and Senate Bill 681 <sic> (861), Motion to Concur with House Amendment 1 Approved for Consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, due to the -- the very heavy load today, we're going to -- we're going to start the timer, and the timer will limit debate to three minutes. So please -- please understand that -- the concern for doing that, and please limit your debate as -- as much as you possibly can. The timer will be on. Now, bottom of page 6, House Bills 3rd Reading, is House Bill 1256. I'm sorry. 1249. Senator Geo-Karis. House Bill 1256. Senator Cronin. Senator Cronin, do you wish this bill returned to the Order of 2nd Reading for the purpose of amendment? Senator Cronin seeks leave of the Body to return House Bill 1256 to the Order of -- of 2nd Reading. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1256. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Amendment No. 1 allows as a condition of supervision that a defendant contribute to an alcohol

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or drug abuse prevention program or to an anti-gang program, and I do move its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any discussion? Any discussion? Senator Klemm has moved the adoption of Floor Amendment No. 1 to House Bill 1256. Those in favor, Aye. Opposed, Nay. The Ayes have it. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR MAITLAND)

Floor Amendment No. 2. Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. This is similar to -- Amendment No. 1, except it's as a condition for probation, the defendant could contribute, and I do move its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm has moved the adoption of Floor Amendment No. 2. Those in favor, Aye. Opposed, Nay. The -- the Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment 3, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR MAITLAND)

Floor Amendment No. 3. Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Floor Amendment No. 3 makes as a conviction -- upon a conviction or an order of supervision or probation that the court would determine a -- the employment of a person involved who was found guilty of a sex or drug crime, to find out if they were employed in a child care setting, such as schools, day care, and that at least a copy of that judgment would be sent to that employer, and I move its adoption.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm has moved the adoption of Floor Amendment No. 3. Those in favor, Aye. Opposed, Nay. The Ayes have it. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On the Order of 3rd Reading is House Bill 1256. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1256.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. The bill's been described in part by the amendments that were presented by Senator Klemm. The original bill seeks to amend the Juvenile Court Act, the Cannabis Control Act, the Controlled Substances Act, and the Code of Corrections. It amends the continuance under supervision, 710, and 1410, probation, to allow the court to impose, as a condition, that the defendant will be drug-free during the term. Senator Klemm explained the amendments about contributing a reasonable sum of money to a drug or alternative treatment, abuse, prevention program. That was in -- in Senate Amendment No. 1 and 2, and then No. 3 is the notification requirement of the clerk's office for sex offenders' convictions. I ask for your support. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Cronin,

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you wish to close, sir?

SENATOR CRONIN:

I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1256 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1256, having received the required constitutional majority, is declared passed. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR KARPIEL:

I'd like to have the Senate welcome the eighth-grade class of the Glenside Middle School in Glendale Heights - represented by Senator Philip and myself. They're up here in the Republican gallery.

PRESIDING OFFICER: (SENATOR MAITLAND)

Would our guests in the gallery please rise and be recognized by the Senate. Top of page -- top of page 7. House Bill 1300, Senator McCracken. Senator McCracken, do you wish this bill returned to the Order of 2nd Reading for the purpose of amendment? Senator McCracken seeks leave of the Body to return House Bill 1300 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading is House Bill 1300. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator McCracken.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

Thank you, Mr. President and Ladies and Gentlemen. Senate Amendment No. 3 is the result of a -- an agreement reached between the sponsors and proponents of this bill and the Governor, who has indicated not only that he will sign the bill if it's passed in this form, but supports the bill's passage as well. This adds to the previous proposal already passed by the Senate. Judicial bypass, the relative -- the relevant language is that which has been sustained as constitutional by the U.S. Supreme Court already. And I move its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Senator McCracken, as you know, I -- I supported the -- the last version of this bill. But -- what are we doing to the Medical Society with this bill? Are we -- are we imposing some kind of civil or criminal actions on these -- on the doctors if they fail to notify?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

Yes, we are. The original bill, which you supported, had criminal penalties for the doctors. When the negotiations commenced, it was clear they would like those removed to provide for civil penalties only. We differed over how to enforce those civil penalties, but agreed to a change to civil penalties.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Could you be more specific? What are we doing? What -- what are the criminal penalties?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

There are no criminal penalties.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Fawell.

SENATOR FAWELL:

I'm sorry. What are the civil penalties?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

For a first violation, a one-thousand-dollar fine and nothing else. For a second and subsequent violation, a five-thousand-dollar fine.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much -- thank you very much, Mr. President. I -- would -- sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Trotter.

SENATOR TROTTER:

Yes. Senator McCracken, in committee I asked you for a definition of what "clear and convincing standard" is. Can you -- can you share that information with me again, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

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SENATOR McCRACKEN:

Clear and convincing evidence is a standard higher than preponderance of the evidence, a standard lower than beyond a reasonable doubt. I don't know that I can quantify it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Okay. So it's -- it's more than just a preponderance of -- of evidence?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCRACKEN:

Correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Are there any precedents that you -- can cite in saying that you've heard clear and convincing evidence?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCRACKEN:

Yes. As I said in committee, it's either the Casey case or the Akron case, both of which were litigated in the Supreme Court. One of those had clear and convincing evidence as to burden, and that was specifically upheld by the Supreme Court. Frankly, offhand I don't recall which one it was.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Okay. Well, the information that I've received on the Akron case, it states that it was unconstitutional. It says -- in the law it says, did not establish a procedure in which a minor can

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avoid a parental veto of her abortion decision by demonstrating her decision is, in fact, informed. And what it says in the -- the law, and in the decision, that it unduly burdens the constitutional right of the individual.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

Sir, to the extent you read it that way, you are incorrect. Clear and convincing evidence has been upheld as constitutional.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

I'm sorry, Senator Severns. Senator Trotter.

SENATOR TROTTER:

And again, I guess that's why there's a case of law, because there are two decisions. And again -- in what we have here, it's clearly not clear and -- and is not convincing evidence in which this...(inaudible)...

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Trotter.

SENATOR TROTTER:

On your interpretation of the law, can you cite the page or where it was that you've gotten your information or your decision?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

No, I cannot cite it. I don't have it with me.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Severns.

SENATOR SEVERNS:

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Thank you, Mr. President. I rise to oppose this amendment. It's no accident that not only the Pro-choice Coalition is very opposed to this amendment, but so is the Illinois Medical Society. What this amendment will, in effect do, is have a chilling effect on doctors' participation across this State...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR SEVERNS:

It questions -- it questions in no judgment the doctor-patient relationship, and it will have the effect of violating, rather than increasing, the kind of options and choices that a young woman from a dysfunctional family should have. This amendment is not about increasing notification. This amendment - the effect - is simply to gut the participation of Illinois doctors across the State of Illinois from participating at all. The case law that Senator Trotter referred to, the evidence in committee as testified to, spells that out. This is a bad precedent. It is one we ought not adopt, and it is one that is not in the interest of either the young person that we're talking about in this amendment, or the kind of public policy that we ought to be adopting in the State of Illinois. I would urge a No vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Topinka.

SENATOR TOPINKA:

A question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Topinka.

SENATOR TOPINKA:

If this amendment passes, what is to prevent a State's attorney, who is of a pro-life persuasion, in an election year, from hassling physicians who may be of an opposite persuasion or participating in abortion?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

I love you, Senator Topinka, you know that, but let me answer your question with a question. What is to prevent the State's attorney from persecuting, rather than prosecuting, any person? This is a civil penalty only. He does not have the right or the authority to commence criminal proceedings under any circumstances for any violation of this Act. It is the same discretion we vest in them every day, and which is engaged in by every State's attorney every day in this State. I -- I don't believe that -- well...

PRESIDING OFFICER: (SENATOR MAITLAND)

Further -- further discussion? Senator LaPaille.

SENATOR LaPAILLE:

Will the Gentleman answer a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator LaPaille.

SENATOR LaPAILLE:

Senator McCracken, what is in this bill that would prevent a young woman from a rich family, from a middle-income family, from a low-income family, from going to a judge and saying, "My father did this", in order for her to obtain an abortion? What is to prevent that?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

I'm glad you asked. As -- as the Body may recall, the last time we voted on this, there were nonjudicial bypass exceptions to the notice requirement. Those are retained in this bill. So that we now have both nonjudicial bypass and judicial bypass. One of the nonjudicial bypass exceptions was a claim by the child of

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abuse. That is not going to be second-guessed. If -- if the minor makes that allegation, there is not even a need to go to court. The requirement is waived, even without having to go court.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator LaPaille.

SENATOR LaPAILLE:

Well, by Senator McCracken's answer, there is nothing in this bill that would prevent a young woman from saying that her father did it - and maybe he didn't - just to end-run the parental notification aspect of this bill. And that's why I think it should be soundly defeated.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

The prior bill did not avail the youngster the opportunity to go to a judge to get the clearance for an abortion. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCRACKEN:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This bill does give her the opportunity to go before a judge to avail herself the opportunity to ask the right for an abortion. Am I correct?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR MCCRACKEN:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of this amendment, because this amendment makes the bill far better than the one we voted for that went out from the Senate, because it does give the right to the youngster to go before a judge, and the judge is not going to be stupid. They're going to listen and -- and try and evaluate, and I think we are giving a little more protection to the youngster with this amendment, and -- than without it, and I speak in favor of it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I don't recall ever having risen for a second time to speak on an amendment, and I appreciate the opportunity. But this one is so critical. If any Member in this Body is concerned about the prospect of sending young women to back alleys throughout this State for illegal abortions and unsafe abortions, this amendment will help to guarantee it. This amendment will prevent the participation of the few doctors that participate today. The Illinois Medical Society didn't oppose this amendment strenuously without just cause; they know, better than any of us the chilling effect that it will have on doctors throughout this State. If we do not want to send young women to back alleys throughout the State of Illinois for unsafe abortions, I would urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. On a little lighter note - personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR KARPIEL:

I would like to again, for the second time, introduce the Glenside Middle School in Glendale Heights, represented by Senator Philip and myself, who were not up there, who are now up there. Would you all help me welcome them, please? And they are chaperoned by Stephanie Martin, a classmate -- a schoolmate of Senator Dudycz.

PRESIDING OFFICER: (SENATOR MAITLAND)

Would our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Senator -- further discussion? Senator Stern.

SENATOR STERN:

Mr. President and Members of the Senate, I think it is appropriate that these young people in the gallery hear this particular debate. This is a debate about you, young folks. This is a debate which would try to require the law to inject itself into your and your parents' relationships. The amendment that is about to be added, or hopefully defeated, will in fact add a punitive aspect for the medical profession to what has been already a very seriously flawed bill. This will require that a doctor who meets with a teenage patient notify the parents of an impending abortion. This is serious business, because he -- he or she will be punished by the law if he fails to do so - he/she. Let me say that we are once again trying to make family and personal decisions for the people of Illinois. We are passing a law which would turn a teenaged young woman loose without guidance

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in the legal system of our courts, asking her to find her way as best she can if she is unable to talk to her parents about this serious personal problem. This is a very unfortunate and badly conceived amendment. I hope very much that we will defeat it today with your No vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. Mr. President, I think at some point, by the way, I'd ask Senator Karpziel to explain who it was that she did introduce from the gallery. I'm just curious now. With regard to this particular amendment, I'm reading the amendment and I know that the sponsor feels very strongly about the issue, but if you read the amendment, they -- they attempt to ensure confidentiality, but when you think about it, you've got a situation where it says the minor may petition any circuit court for a waiver of a notice requirement. And they can use initials, and she can use initials and she can try to keep her name out of the records. But as a practical matter, can you imagine a woman -- a young girl who's pregnant, going to court by herself trying to find out what courtroom she goes to to sign up for this judicial waiver? She's got -- where is she going - to the first floor and to the information booth and say, "Where do you sign up for the thing I can't tell you about?" It's -- it's really -- I don't even think that the Senator wants to propose this amendment. He's been requested to do so because the Governor wouldn't sign it, and I appreciate that fact, but it -- it just won't work. It's just not practical. You can't expect someone in the very rare, but real, example when someone is raped by a -- by a relative to -- where judicial notice to the parents is absurd, to be able to practically find their way to a courtroom to even ask for this bypass. And so, for that reason alone, I think we really

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ought to reject the amendment. What -- what the Senator ought to do is pass the bill the way he wanted it the first time, and let the Governor make his decision, and then let us make our decision in the Veto Session. But this is not the right way to do it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Smith.

SENATOR SMITH:

Mr. President and Ladies and Gentlemen, I would like to ask a question of you. I filed a Motion to Reconsider the committee's vote. Now, how are we going to deal with this motion? We are still talking about the amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Mr. Secretary, have any motions been filed?

SECRETARY HARRY:

Mr. President, Senator Smith has filed a motion with respect to the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Smith, your Motion to Reconsider a committee vote is not properly brought before the full Senate. I refer you to Senate Rule 7-5 and Senate-15 <sic>; the motion is out of order and we'll not recognize it. Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I -- I really can't understand the debate on this bill. I really can't. In a very simplistic terms, we don't allow minors to get their ears pierced in this State without the okay of their parents. We don't allow school teachers or school nurses giving aspirins or other medication to children in this State without parents' permission, and yet we're saying that a child can go through a major operation - which can be a major operation for some people - they can go through a major operation such as an abortion without letting the parents know. To me it is just totally illogical. Whether you're for abortion

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or against abortion, pro-choice, pro-life, this issue makes no sense that there should be any dissent on.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR McCracken:

Thank you. The amendment's been thoroughly debated. The Governor's indicated not only that he will sign this if this is the bill, but that he supports its passage as well. To the people who are offended by this bill, or the opponents: certainly this is, from your prospective, a vast improvement over the first bill, which already passed. I believe by adding the judicial bypass we have given even more assurance to some of your concerns. I understand the opposition. I respectfully don't agree with it, however, and I ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken has moved the adoption of Floor Amendment No. 3. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Take the record, Mr. Secretary. On that vote, there are 30 Ayes, 13 Nays, 11 Members voting Present. Floor Amendment No. 3 is adopted. Mr. Secretary, are there any -- are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

On the Order of 3rd Reading is House Bill 1300. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1300.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR MCCRACKEN:

The amendment becomes the bill, Mr. President, Ladies and Gentlemen. I believe we discussed it adequately just a moment ago. I move its passage.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to the bill, as amended. I didn't enter into the debate on the amendment, because I think it does make a bad bill a little bit better. But I think that the problem is -- is that we had introduced an amendment earlier in this Session, and I think Penny Severns also offered one, which was defeated in committee, which probably could have made this bill a near unanimous vote. I think not to add a significant other, another family member, is a big mistake. And I think that it's a -- everybody here, I think, can honestly say that they feel that there's nothing wrong with some sort of notification. As Senator Karpel said, to get their ears pierced they need parental notification. I don't know if that's absolutely correct, because I -- I've pierced a few ears of some of the kids in the neighborhood. So, we'll figure that one out later. Let me -- let me just add, though, that -- that there is a distinct problem here with the bill, and that is that the child - and that's what we're talking about is children - have no idea, number one, how to get in contact with an attorney or a judge, and they're not even going to know that that's their prerogative. I think it's a serious flaw in the bill, and for that reason I'll be voting No or Present, but I think we could have made this bad bill a little bit

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better.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR MAITLAND)

...Senator Stern.

SENATOR STERN:

Thank you, Mr. President and Members of the Senate. I, not surprisingly, stand in continued opposition to this bill. Let me make one important point. We've talked a good deal about pierced ears and aspirin intake and so on. If this child of twelve or thirteen or fourteen or fifteen carries that child to term - that baby to term - and has the child, she, a young teenager, will be entirely responsible for what happens to that baby. She will sign for medical treatment for that infant. She will be able to give away that child, if she chooses. Is this really the kind of legislation we want to do? To require her to talk to her parents about it and then turn her loose to have complete control? This is very meddlesome, very trouble-making legislation. Please pause and think a long time, and come up with a negative vote on this. This is bad legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of the bill, as amended. It has more safeguards in it with -- the right to go to the Judge for a youngster, and I think -- personally, I am in favor of parental notification. For

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heaven's sakes, if we don't provide for some of that, what are we going to do, destroy the families? I think the bill, as amended, is fairer than the one that we put out of here before, and I certainly speak in favor of it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I don't know how many of you recall the tragic and unfortunate story of the young woman in Indiana. Becky Bell was her name. She became pregnant, and under the parental notification law in Indiana, she made a decision. She made a decision that rather than notify her parents to be able to obtain permission to seek an abortion, that the easier decision for her was to commit suicide. She did. Her parents, I'm certain, if they could testify on this bill, would say this is a mistake.

PRESIDING OFFICER: (SENATOR MAITLAND)

Was that a question? Any further discussion? Senator McCracken.

SENATOR McCRACKEN:

The original bill passed with thirty-two votes here earlier this Session. From the prospective of the opponents, there are some more safeguards. This is a bill the Governor will sign. I move its passage.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1300 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 33 Ayes, 14 Nays, 10 Members voting Present. House Bill 1300, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR WATSON)

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WAND-TV requests permission to videotape today's Senate proceedings. Is leave granted? Leave is granted. House Bill 1316. Senator Peterson, do you wish this bill to be returned to 2nd Reading for the purposes of an amendment? Senator Peterson seeks leave of the Body to return House Bill 1316 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of... Okay. We missed signals here and we will proceed then with House Bill 1313. Senator McCracken. On the Order of 3rd Reading is House Bill 1313. Senator McCracken. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1313.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken.

SENATOR MCCRACKEN:

This bill has been amended by Senate Amendment 1, which we adopted yesterday, I believe. The underlying bill allows McCormick Place to use electronic funds transfer in paying for its employees, and the amendment allows it to adopt rules providing for how it shall handle its finances, how many signatures will be required, things of that nature. It deletes the requirement that there be a competitive bidding when they seek or solicit people to come and use McCormick Place for less than one year at a time; it retains the requirement of competitive bidding over one year. It also allows McCormick Place to grant occupancy to not-for-profit corporations without the need for competitive bidding. I move its passage.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Karpziel.

SENATOR KARPIEL:

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

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor will yield.

SENATOR KARPIEL:

Senator McCracken, what happened to the amendment that put -- that dealt with the Rural Bond Bank?

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken.

SENATOR McCracken:

That amendment drew some fire in the House. They wanted to load it up with other things as a condition of accepting that amendment, so we chose to fight that issue another day.

PRESIDING OFFICER: (SENATOR WATSON)

Senator -- any further discussion? Senator McCracken, to close.

SENATOR McCracken:

I appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1313 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, 3 voting No, 1 voting Present. House Bill 1313, having received the required constitutional majority, is declared passed. Now we'll go back to House Bill 1316. Senator Peterson seeks leave of the Body to return House Bill 1316 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 1316. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 6, offered by Senator Peterson.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Amendment 6 eliminates part of the original bill, leaves in 1316 the provision for consolidating all business assistance programs known as one-stop shopping. Ask for approval of Amendment 6 to House Bill 1316.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any other -- further Floor amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. On the Order of 3rd Reading is House Bill 1316. I beg your pardon. Senator Garcia, for what purpose do you rise?

SENATOR GARCIA:

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

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR GARCIA:

Mr. President, on House Bill 1300, I was recorded as having voted No. My intention was to have voted Present on that, if the record would so reflect.

PRESIDING OFFICER: (SENATOR WATSON)

The record will do that, Senator. Thank you. On the Order of 3rd Reading is House Bill 1316. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1316.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 1316, as amended, calls for consolidating all business assistance programs in one office in DCCA, called the Office of Business Permits and Regulatory Assistance, so it'll make it easier for small and mid-sized businesses to deal with State requirements in doing business, and also provides for working with hazardous waste research, an information center to provide confidential on-site consultation audits to satisfy federal laws and other laws and regulations. I ask for a favorable vote on House Bill 1316.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1316 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 1316, having received the required constitutional majority, is declared passed. House Bill 1354. Out of the record. House Bill 1479. Read the bill, Mr. Secretary. Senator Mahar seeks leave of the Body to return House Bill 1479 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 1479. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 4, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar, to explain your amendment.

SENATOR MAHAR:

Thank you, Mr. President. The amendment now becomes the bill.

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It provides that a producer of potentially infectious medical waste is not liable for -- civil damages in connection with the production of the waste, once the waste has been transferred to a permitted transporter of potentially infectious medical waste. I would ask for the adoption of Floor Amendment No. 1 <sic> (4), and I would advise the Membership that -- that I intend on putting this -- holding this bill on the Calendar till the fall.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussions? Senator Stern.

SENATOR STERN:

Will the Gentleman yield?

PRESIDING OFFICER: (SENATOR WATSON)

The Gentleman will yield, Senator Stern.

SENATOR STERN:

I -- I note my name on the board, Senator, and I -- I -- this amendment is new to me. Does this mean that the leaf burning aspect of the bill has gone up in smoke, so to speak?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Yes, Senator Stern, that issue is still smoldering in the House.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Stern.

SENATOR STERN:

No, I was just going to make another offensive -- fiery remark, but I'll refrain. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

No further discussion? Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Mr. President, just in response to Senator Mahar's comment, it still smells, too.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, can I ask the sponsor a question?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar says he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, you -- you have a -- an amendment and I -- I know you indicate you aren't going to call it and -- and -- but -- for 3rd Reading, but there's -- there doesn't -- it's an immunity from civil damages for people who produce potentially infectious medical waste, and there doesn't seem to be any language in here concerning willful and wanton conduct. Is -- is that an omission or is -- is that something you don't even want to allow for a lawsuit if there's willful and wanton conduct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I -- I've only added this language, Senator Cullerton, to allay the fears of some of the Members that we would not be dealing with the leaf-burning issue once again. I have no intention of calling the bill. This bill, and the previous bill, would remain on the Calendar, should we need to comply with some federal regulations imposed by the U. S. Congress during this Session, such that we would have to react in November. I have no intention of pressing the Membership to pass this bill, as amended.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Okay. So this is just meant to be a -- like a technical amendment and you're not going to call this subject matter. Okay.

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Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further 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, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 1489. Senator Cronin, do you wish to have this bill recalled for a purpose of an amendment? Senator Cronin moves -- seeks leave of the Body to return House Bill 1489 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 1489. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President. Floor Amendment No. 1 to House Bill 1489 creates the Job Training Evaluation Act and requires the Department of Public Aid to conduct an evaluation of the effectiveness of the job training and education programs for AFDC recipients. It provides that the study shall commence after January 1, 1994, and shall be an ongoing longitudinal study of the JOBS programs, and it provides that the Department of Public Aid shall provide the results of the study to the General Assembly on or before January 1, 1997. The Department of Public Aid is in agreement with this requirement. They believe it's a good idea to see whether our job training programs are going to work, and that

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they -- they are in full agreement, and they will carry out the test. It passed 10 to nothing out of committee. I'd appreciate an Aye 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, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Mr. President, I would move that we table Amendment No. 2.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz moves to table Amendment No. 2 to House Bill 1489. Any discussion? Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is tabled. Any further Floor amendments, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment 3, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Floor Amendment No. 3 creates the First Aid Task Force Act. It creates a seven-member First Aid Task Force within the Department of Public Health. The Task Force, appointed by the Governor, shall study the status of first aid and CPR training in the Illinois school system and within local police and fire departments. The Task Force membership would come one each from the Illinois Education Association, Local Governmental Law Enforcement Officers Training Board, the Illinois

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Firefighters Association, the State Board of Education, the American Red Cross and the Illinois Hospital Association. And the Director of the Department of Public Health would serve as an ex officio member of the Task Force. It also requires that the Task Force would -- report its findings and recommendations to the Governor and the General Assembly by January 1, 1994.

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, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment No. 4, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 4 deals with an issue that came up last Session. Last Session, the General Assembly created the Trauma Center Fund with the intent of receiving State and federal matching funds earmarked for the -- trauma center adjustment payments. Unfortunately, we have learned that the -- the Public Aid Code does not allow for federal matching funds. This amendment is -- is an attempt to correct that situation. It has been requested by the Department of Public Aid. There is no known opposition.

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, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment No. 5, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Cronin.

SENATOR CRONIN:

Thank you once again, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 5 to House Bill 1489 establishes statutory guidelines for the Department of Public Aid's Electronic Benefits Transfer Initiative. This system allows recipients of both cash assistance and food stamps to access those benefits using a magnetic strip card at ATM machines. It was -- this amendment was requested by the Department. There's no known opposition. I ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. On 3rd Reading is House Bill 1489. Senator Cronin. Mr. Secretary...

SENATOR CRONIN:

Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR WATSON)

Excuse me. Excuse me. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1489.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1489, now on 3rd Reading, with the amendments adopted,

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becomes the omnibus Public Aid bill. Every portion or every component of the bill has been agreed to. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 1489 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 56 voting Yes, no voting No, no voting Present. House Bill 1489, having received the constitutional -- required constitutional majority, is declared passed. I'd like to ask leave of the Body to skip 1507 and come back to that at a later date. Leave is granted. House Bill 1695. Senator Molaro. Read the -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1695.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1695, which is before you today, is a -- amends the School Code. Currently, the law right now is this: At the beginning of the school year, the Board of Education, Teachers' Union -- they assign teachers to various schools.

In September, they have twenty days after the first day of school after the assignment, because of the population shifts in Chicago -- within that twenty days they can reassign teachers. So, if a class -- if people came in and they registered and there's twenty-seven or twenty-eight people in the class and it goes down to fifteen, they can have and reassign those teachers. All this

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bill does is that it asks that not only on the first twenty days of the first semester, but for one day at the beginning of the second semester, that this reassignment could take place. The reason for this: Because of the population shifts in Chicago, and because of the fact and -- and remember, this change, it's for high schools only. So what'll happen is, right after Christmas or right after the end of the first semester, many students, because they've attained the age of sixteen, will drop out. Many students, sad to say, just because they were there of sports of their senior year, will drop out. Also because of the enormous population shifts in Chicago, what you will have is you'll have a history class in a -- in a certain high school where they'll have twenty students in one class, twenty students in another. Beginning of the second semester, you'll have eight students in each class. So what the Board of Education would like to do is take the teacher, combine that class and take this teacher -- put that teacher in another school, so we don't have to pay substitutes, and let that teacher teach at another school. So we want to reassign, not only at the beginning of the school year, but at the beginning of the second semester. This will save about two million dollars. It may be a drop in the bucket to some people, but we have to start somewhere. It's a two-million-dollar saving, and I think it is a good change in the law. And I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. Chairman slash President. I rise in opposition to this bill. This is an issue that I think should be on the table between the Chicago Teachers' Union and the Chicago Board of Education. I think for us to pass this bill today is not fair to the process of collective bargaining. What we have found is that,

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under the existing law, and under a bill that we have previously passed regarding supernumeraries, what we would be doing is to increasing, perhaps several hundredfold, the number of supernumeraries who would be out of a job after sixty days under this new second-semester-day rule. And I don't think that doing this in a piecemeal basis is fair, either to the system or to the teachers, or to the Board, and most importantly, it's not fair to the children. Now, those of you from outside of Chicago, I would point out to you that the law that you and I have passed that affects all of the other school districts - the other 934 school districts outside of Chicago - requires an April 1st notice - an April 1st notice - if you're going to try to replace a teacher. And if you don't give notice to that teacher on April 1st, you must live with that teacher come your September enrollment. Now that's -- that is a more stringent rule than Chicago operates now. We - we - can set up our classrooms and assign our teachers twenty days after school opens, not sixty days before school closes. You're under a greater restriction regarding the flexibility of teachers than Chicago is. So, let's not increase - increase - the instability and the uncertainty that we already have too much of in Chicago public schools. I urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. You know, it is not a surprise to me that the Chicago Board of Education stays in continuous trouble, after I listen to comments made by their matriarch -- patriarch, Senator Berman. Now, I'll tell you what the choice is here. First of all, it is a choice whether to save two million dollars or not. Well, you know, the Board has so much money, I guess two million dollars doesn't mean anything. But, you know, I always try to look at things in terms of the kids, and -- Senator

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Berman, you are dead wrong - dead wrong - because what this bill is trying to do is to take a situation in which a teacher may not be needed in the classroom and have the flexibility of either taking that teacher and putting he or she in a classroom that is in need of being split up because it is so large; or, the second alternative would be to save the two million dollars and apply it someplace else where it's more needed. You know, essentially a vote for -- against this bill is a vote for featherbedding. It's maintaining a position that isn't needed. And I got to tell you, even in the good times - in the good times - this ought not to be allowed. I stand in strong support of Senator Molaro's effort to correct the problem. I commend you for it, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I rise in opposition to this amendment. It -- it's amazing that that side of the aisle has been talking about all of the good things and interest that they are doing to improve the quality of education in the Chicago school systems, and their commitment to work with the local school councils in achieving that goal. Well, this is a issue that the local school councils and their representatives are opposed to, because they think its counterproductive, and they think it most certainly has a direct impact on the continuity of -- of -- of instructions for those same children that you say that you've been trying to help and to ensure that they are provided with a quality education. This is not about -- at a time when the Chicago school population is increasing - it's not decreasing - this is not about replacing -- reassigning teachers; this is about replacing teachers at -- at the second semester of school - after the second semester. This amendment is counterproductive. You know it is, and I think we should defeat this amendment right now.

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PRESIDING OFFICER: (SENATOR WATSON)

No further discussion, Senator Molaro, to close.

SENATOR MOLARO:

Thank you, Mr. President. Just briefly. First of all, Senator Berman brought up the boogeyman word, "supernumeraries". This will not create supernumeraries. All it's saying is: the same rule we have at the beginning of the school year we want at the beginning of the second semester. Any problems that are at the beginning will be there at the second. There's not going to be any additional supernumeraries. It doesn't make any sense. Second of all, we're not laying off any teachers; we're going to be transferring them. We're going to best utilize the staff we have. To come up here and say we have to have teachers teaching kids in a classroom with eight when we could move them over and best utilize the staff and save two million dollars makes a world of sense to me. This was a big part of the mayor and Koldyke's plan to change this twenty-day rule. So I think it's important that we look at this, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1695 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 44 voting Yes, 11 voting No, 3 voting Present. House Bill 1695, having received the required constitutional majority, is declared passed. WICS asked -- TV asks permission to videotape. Do -- leave is granted? Leave is granted. House Bill 1716. Senator Collins. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1716.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. This bill - by now - I'm sure most of you have heard about it - is a shell. It is the Welfare to Work Act, and it is our hope that you would allow this bill to go back to the House. We still have a few days left to see whether or not we can get the Governor to see the wisdom and -- and support in this program and to get labor and the contractors to agree on some language that would be the least restrictive to -- to both of them. But I think the -- the spirit and intent behind this -- this legislation is to create some jobs for those persons on AFDC of -- of whom you often talk about ought to be out there working. And -- and -- and that's what this bill will do. It does nothing at this point. It's merely a shell, because we stripped it down to a shell. And I would just ask that we allow this bill to float back to the House, and hopefully, by the end of this Session, we would have come up with a compromise that hopefully will create some jobs for those people in Illinois, which the taxpayers are currently supporting them and their families.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I very regretfully have to stand in opposition to this bill, the reason being is that we let this bill out of the Executive Committee with -- as a shell bill, with the recommendation that there be ongoing talks and if an agreement was reached between the contractors, the contracting unions and the sponsor, that this would be in place to be able to take that amendment. No agreement has been reached. They are still very opposed to this concept, and so I do have to stand in

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opposition. I understand all the work that has been done by Senator Collins. She has tried to comply with a lot of the suggestions made by these people. She's done a very good job. We've worked; we've had several meetings on this issue, but there has not been an agreement. And I would suggest that we not vote for this bill as a shell bill and let it go flying over to the House. I would suggest that if the -- the participants want to continue meeting, and if an agreement is reached, that we could find a conference committee or we could find some way to still work it -- do something with it this year.

PRESIDING OFFICER: (SENATOR WATSON)

No further discussion. Senator Collins, to close.

SENATOR COLLINS:

Yes, I -- I -- I -- let me reiterate: I think that this issue is so important, that it is far more important and has the greater possibility of creating jobs than even our Earn Fare Program that most of you supported last year. I don't think we should allow -- leave this to chance that it will come out on a conference committee. I think your Rules may -- may put some restriction on our ability to find a bill that is germane, to even attempt to do this, even if it's possible that we can reach an agreement. But I'm still hoping that the Governor will get involved with this, because the Governor made this a top priority: that he was going to work to ensure that there was some fifty thousand jobs increase in this -- in this State of Illinois. And I have not seen anything positive come out that would even make a dent in that direction. This is the only thing that we have. This bill is not going to cost the State one dime - not one dime - but yet it will take people off of AFDC, not -- not transitional assistance, general assistance; we're talking about Aids to Families with Dependent Children. It is not going to cost the State one dime. It is not going to replace one worker. It is not going to hurt --

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or change the existing Apprenticeship Training Program already existing in this State. And so I think it's -- it's irresponsible that we, as a legislative Body, that have someone have worked as hard as we've worked to come up with a very positive initiative that -- that will definitely create jobs for that population of people, and then we turn our backs on it, simply because some special interest group decides that they're going to join together and say, "Absolutely, no" to the concept. Those same people have said "no" to every affirmative action issue that -- basically that we've ever put forth, every apprenticeship initiative that we've ever put forth, and so they're still going to say "no". But this is our responsibility: to find jobs for those people who need jobs and training opportunity for those people so that we can take them off of the -- the -- the burden of -- of the taxpayers for supporting their families, and I've ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1716 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 24 voting Yes, 30 voting No, 3 voting Present. House Bill 1716, having not received the required constitutional majority, is declared failed. House Bill 1718. Senator Geo-Karis. House Bill 1746. Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1746.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President and Members. House Bill 1746 would

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create an Advisory Task Force on Ownership Succession and Employee Ownership. It would have seventeen members, the majority of whom would be members from the private sector. Unlike most of the task forces we normally create - and we've created a number of them just recently, with all the legislation we're passing here - I emphasize that most of the members, ten out of seventeen, would be private sector people. They would focus on an economic development problem that many of us think has largely been overlooked, and would encourage small- and medium-size businesses, without the heavy hand of government, but would encourage them to focus on the problem of ownership succession, with some emphasis on the possibilities of employee ownership as a way of helping to make sure that businesses survive from one generation to the next and that the jobs that these businesses provide are preserved and -- and even expanded. I'd be glad to answer your questions, and would otherwise solicit your Aye votes.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ladies and Gentlemen, I rise in opposition to this bill. As Senator Barkhausen said, here we go again with another task force. Yesterday, we -- we -- we created five or six; today we created one, and it's early in the day. To me, this is unneeded. This is the kind of information that's rather -- rather primer. This kind of information is -- is available in your local library. It is not that difficult to obtain information, and I don't see why we have to go through the task of putting seventeen people on something, with all the staff and all the attendant costs, to just merely repeat what is readily available. As a matter of fact, DCCA -- the -- one of the sponsors on this -- or rather, one of the companies that urged creation of this, the Spartan Printing Company, in the last issue

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of the Illinois Issue Magazine, credited DCCA with giving them the information on how they formed their ESOP. This information is available in universities and business groups; chambers of commerce have -- sessions on this. I really - really - think that this would be so redundant. It is -- duplicative, and it is totally unnecessary. And I would urge that we not burden the system with still another task force.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch, for what purpose do you rise?

SENATOR WELCH:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point, Senator Welch.

SENATOR WELCH:

Mr. President, in the President's Gallery, we have a group of students from LaSalle County Dimmick School. If they would rise, we would welcome them to Springfield.

PRESIDING OFFICER: (SENATOR WATSON)

Would you please rise? Welcome to Springfield. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I -- I just simply rise to support the Gentleman's bill. It simply expands the membership on a task force. It's for a very good cause. We have done a number of other things this Session to create -- create task forces. This is one we're simply expanding the -- the membership, and we're -- I guess we are, in fact, creating it for a specific purpose, and so I don't see any harm in it. I rise in -- in favor of it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

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Yes, I rise in support of the bill. It's true that we have adopted bills that create other task force, and I know Senator Butler's voted for most of them. This is one of the best ones, though, that we ought to adopt. There's a tremendous problem of losing manufacturing jobs in the State of Illinois, and one of the reasons is because of -- ownership succession. A person starts a factory after the Second World War; they rise up and become successful; the children don't want to take over the -- the family operation; the person retires, and we lose the jobs. It's -- it's important to try to find someone to take over that position, and many times it can be the employees. The testimony in committee by the people down in Sparta were that it took them a -- a long time to try to find the assistance that was necessary. It took them a couple of years. The deal almost fell through a couple of times, and that's how it came to the attention of the proponents of the bill. So I think it's a good idea. It certainly -- it doesn't hurt to try to have a task force to see if there's ways in which we can improve our manufacturing base in Illinois. It's -- it's not a six-hundred-million-dollar tax break, as we've passed out of here; it just simply is a task force that would help keep some jobs in Illinois. And for that reason, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, as one who enjoys using the work of task forces, and -- and having them done by resolution - the reason is, they kind of come and they go. They are designed for a specific issue; they put the issue together; they report the issue out, and then they sunset and go away. The difference here is, we're creating something by Statute. Now, about roughly six or seven years ago - maybe even a little bit longer - we had this proliferation of commissions and

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task forces and things that came under all sorts of different names but amounted to the same thing: They cost the State roughly 7.5 million dollars. To that effect, we created the Citizens Assembly, of which I am the Senate Chairman, and my question, ultimately, to the sponsor is: Why is this necessary, when indeed we have the Citizens Assembly Council for Economic Development, which could already do this; or, if you wanted to create this type of task force, why don't you do it by resolution so, indeed, you can have a beginning and an end to it, rather than creating something by Statute?

PRESIDING OFFICER: (SENATOR WATSON)

That was a question, Senator? Senator Barkhausen.

SENATOR BARKHAUSEN:

I would -- answer Senator Topinka's question by just saying that this is a very specific purpose for which the task force is being created, and the -- the people who are on the task force will not necessarily be experts in the subject of economic development generally, but rather in this more narrow area of ownership succession and employee ownership. They will -- the task force will furthermore be required to -- to issue a report on a certain date, and there will be nothing that would require that they do any significant amount of work after that point.

PRESIDING OFFICER: (SENATOR WATSON)

No further discussion. Senator Barkhausen, do you wish to close?

SENATOR BARKHAUSEN:

Just to emphasize in closing, Mr. President...

PRESIDING OFFICER: (SENATOR WATSON)

I beg your pardon. Just -- just -- pardon me, Senator Barkhausen. Senator Shadid?

SENATOR SHADID:

As a -- point of personal privilege, I'd like to welcome the

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students from the Roosevelt Magnet School in Peoria, Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Welcome to Springfield. Will our guests please rise? Excuse me, Senator Barkhausen, do you wish to close? Proceed.

SENATOR BARKHAUSEN:

Thank you, Mr. President. I'd just like to emphasize in closing that the expertise that this group will provide will be coming from the private sector. It's not envisioned that it will involve a hiring of any additional public employees. The -- the private sector people are the ones with the expertise to be writing the report and will be doing all the work here, and it will be free and valuable advice that they will be providing to the State. I urge your support.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1746 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 41 voting Yes, no -- 9 voting No, 7 voting Present. House Bill 1746, having received the required constitutional majority, is declared passed. 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.

SENATOR BARKHAUSEN:

Thank you, Mr. President. House Bill 1787 does two things. First, it restores the requirement that all parties consent to a -- to a recording of conversations, which requirement was negated

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by the Illinois Supreme Court decision in *People vs. Beardsley*. Second, the bill was amended in committee to make law enforcement use of consensual eavesdropping consistent with laws that apply in forty other states and are used by the Federal Government by deleting a court order requirement in a very limited set of circumstances. The police must notify the State's attorney of the investigation, and the recording must be necessary to protect officer safety and then only in the investigation of a felony drug offense, forcible felony or gang-related felony. The recording may not be used in any proceeding except where a party to the conversation recorded was injured or killed. Most states do not have any court order requirement on these -- in these cases; so this bill is a very modest step to put Illinois in line with the practices of a number of other states - most other states. In addition, I should say the discussions are ongoing between the House sponsor and the State Police, who were the proponents of the amendment, and the bar associations and our staff, on this amended provision. A tentative agreement has been reached that will be the basis of a possible conference committee report that will move the objections that some of the bar association representatives have had to the second part of the bill. I urge your support.

PRESIDING OFFICER: (SENATOR WATSON)

Seeing no -- no discussion -- Senator Molaro.

SENATOR MOLARO:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Barkhausen just touched on -- said it's going to conference committee, and I do believe that's true, but I must just point out, they're saying this for the safety of the officers. Well, it certainly makes sense that anytime anybody who's working under cover or goes into a position where their life is in jeopardy or their safety is in jeopardy, well it certainly makes sense to me that the people on the outside in the cars,

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while this officer's in the inside, should know what's going on. That certainly makes sense. However, when I asked the question in committee -- well, if all they need is to know to have the headset on and listen to these conversations so they know when it might be a tough situation and react to it for the officer's safety, I said that's terrific. But why change the eavesdropping law? Why do we have to record this, and why can we then use it as evidence in -- in a -- in an upcoming trial if there is one? And they said, "Well, because we do." Well, that's why we have the objections. Safety is one thing; taking away the Fourth Amendment is another thing. And I think it's dangerous, in the interests of safety and law and order, that every time there's a bill like this, we want to be tough on crime, that we just blindly vote Yes, and we're picking away and chopping away at the Fourth Amendment. And I -- and I think it's dangerous. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Seeing no further discussion, Senator Barkhausen, to close. I beg your pardon. Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor will yield, Senator Hall.

SENATOR HALL:

Why is the Cook County Public Defender opposed to this?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Not having been a party to conversations with the Public Defender, I -- I'm not sure, Senator Hall. They have been historically, philosophically opposed to most anything that had to do with eavesdropping.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Hall.

SENATOR HALL:

According to my notes it says the ISBA, the Cook County Public Defenders, say they believe the tapes should not be admissible at a trial. Are these tapes going to be admissible at a trial?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yeah. The -- the -- I'm told that the Public Defender has been involved in -- in some of these discussions, and has been participating on efforts to arrive at a compromise that will be embodied in the conference committee report that we anticipate.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you -- thank you very much. Now, I understand what the sponsor is trying to do. Obviously, he's trying to be very tough on -- on -- on drugs and -- and all this kind of business. But I'm going to tell you, I've -- I've had some acquaintance with some small town policemen who, frankly, go a little overboard sometimes when they start looking at the rights of citizens versus trying to find big drug -- big operations, especially in these small towns. I've known of -- of small town police that have taken hatchets and -- and broken down doors, in -- in one of my towns, in the middle of the night, and unfortunately, they had the wrong house. I know of another case where they tried to confiscate a -- a plane in DuPage Airport, and they had the wrong plane. They almost killed the pilot in the process of trying to stop the plane from -- who was in the process of taking off and landing and trying to become a -- a pilot. You know, I just think sometimes we're just going too darn far with some of these things. I think the speaker on the other side has a -- has a good point.

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You know, we have a -- a Constitution and a Bill of Rights for a reason. I think this bill goes way too far, and we ought to stop and think what we're doing.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you -- thank you, Mr. President. I'd just like to share a few facts with Illinois' consensual electronic surveillance legislation, where currently the Illinois court order requirement for consensual electronic surveillance endangers police officers. It impairs investigations of -- of gangs, of drug trafficking and other crimes, and it also unnecessarily overburdens prosecutors in the court system. Illinois, of all the fifty states, is the most restrictive in the whole United States of America in respect to consensual electronic surveillance. There are over forty states in the federal -- and the Federal Government, which allow law enforcement to utilize consensual electronic surveillance as an investigative tool without a court order, not "with", but "without" a court order. Of the remaining states, the restrictions placed upon law enforcement are limited. And none of them, of the remaining states, are as restrictive or as severe as what we have in Illinois. A few more facts, Ladies and Gentlemen. Police must make...

PRESIDING OFFICER: (SENATOR WATSON)

Could we have some order, please? Thank you.

SENATOR DUDYCZ:

Police must make application to a court showing probable cause for a felony. Well, in -- in Illinois, also, for your information, should the application made by the police officers would be denied, the police officer must notify the suspect in writing within ninety days that an attempt was made - not that it

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was completed, but an attempt was made - to obtain an order. Also, it compromises the investigation of the law enforcement community and possibly the safety of the undercover officers that are out there protecting us. And in Illinois, police are limited to ten days in which to conduct a court-authorized consensual surveillance, and once the surveillance has been conducted, in Illinois, the police are required to notify the suspect within ninety days. I -- I disagree with Senator Fawell. This is -- this bill is not going too far. Some would say that this -- bill does not go far enough, but I would say, it's a good -- a good bill to begin with, and I would seek the affirmative support of everybody in the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition of this bill. If you look at this bill, this is a blank check for any police officer or investigator to come in and wiretap your phones, your constituent phones, and they are off the hook. They can give any excuse they want. They were doing some investigation for some idea or other. When Senator -- Dudycz says that Illinois is the most restrictive, he may say that in a critical way. I'm glad to hear that, in a very proud way. We have some protection for our citizens regarding eavesdropping, and I think that that should be a -- a point of law in Illinois that we should all go home and be very proud of. Citizens that are not charged with crimes have a degree of private conduct, private conversation, that we, as lawmakers, respect. The way -- best way to continue to respect that private conversations of our voters is to vote No.

PRESIDING OFFICER: (SENATOR WATSON)

No further discussion? Senator Barkhausen, to close.

SENATOR BARKHAUSEN:

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Let me say a couple of things in -- in closing, Mr. President. First, I think it's important to -- to respond immediately to the comments made by the prior speaker. This bill has absolutely nothing to do with authorization to conduct wiretaps. The distinction between wiretaps and nonconsensual eavesdropping needs to be understood. Wiretapping involves overhearing a conversation between two individuals, neither of whom is a law enforcement official, and this has nothing to do with the subject of -- the circumstances under which one can obtain authorization to overhear a conversation between two unrelated parties. Consensual or nonconsensual eavesdropping, on the other hand, has to do with -- with recording, if you will, and under what circumstances, conversation in which one of the parties is a law enforcement official, and that's what we're talking about here. And what this bill in its current form would permit is -- is the use of consensual eavesdropping; that is, a conversation being in which one of the -- one of the members is -- is a law enforcement official, to permit that to be overheard by another police officer, so that they might go to that officer's rescue if he or she gets into trouble. Now, that conversation could be -- could be recorded and a recording of that conversation could be used, as the bill is now written, only where an -- an individual is either injured or killed at the time that conversation is recorded. Now, as I said, this is going back to the House. It's anticipated that there will be a non-concurrence in the amendment for the purposes of a conference committee, in which, as I also said, there is already tentative agreement with the bar associations. Most of the individuals, as you know, from the bar association that were involved in these types of issues are criminal defense lawyers. So, if what we're talking about here will ultimately be something that they agree to, then I submit to you that this is not at all objectionable, and it's at least a step in the right direction,

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from the standpoint of law enforcement. I ask for your support.

PRESIDENT PHILIP:

All right. The question is, shall House Bill 1787 pass. Those in favor will signify by saying 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 35 Ayes, 21 Nays, 2 voting Present. House Bill 1787, having received the required constitutional majority, is declared passed. Now, with leave -- Senator Watson was up in the Chair and we passed over his bill. With leave, I'll go back and pick up House Bill 1507. Is leave granted? Leave is granted. House Bill 1507. Senator Watson, would like to -- leave of the Body to return to 2nd Reading for the purpose of an amendment. All those in favor, signify by saying Aye. Those opposed, Nay. Leave is granted. On the Order of 2nd Reading, House Bill 1507. Read the bill, Mr. -- are there any further Floor amendments?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Watson.

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President, and I appreciate the Members giving me the opportunity to go back to this order of business. This amendment now becomes the bill, and it adds new language concerning the date change for approval of a balanced budget by the Chicago School Finance Authority. Current language says that the balanced budget must be approved by August 31st of this particular year. We want to change that to July 1st of this year. The reason being is to try to get everybody to the table and get the -- possibly the Finance Authority involved in the process at a sooner date so hopefully some sort of resolve can come to the contract negotiations that are ongoing now between the Chicago

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Board of Education and the CTU and other -- other trades. I ask for its adoption.

PRESIDENT PHILIP:

Further discussion? Senator Berman... This is on the amendment. It should read 2nd; you're -- absolutely right. All right. All those in favor, signify by saying Aye. Those opposed, Nay. Aye have it. The amendment is adopted. 3rd Reading. Now, Senator, on the Order of 3rd Reading, House Bill 1507. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1507.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

Well, as I previously mentioned, the amendment becomes the bill. So as I discuss this amendment, and the bill now, it changes the date by which a balanced budget must be approved by the Chicago School Finance Authority for Chicago public schools. We're changing that date from August 31st to July 1st. And the reason being, as I mentioned, to try to get everybody to the table and get some sort of solution to the contract negotiations that are ongoing now in the City, between the Chicago Board of Education and the various crafts and unions involved in -- in the negotiations. And we want to see, of course, the schools open, and this is an attempt to get that resolved. Appreciate your support.

PRESIDENT PHILIP:

Senator Berman.

SENATOR BERMAN:

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

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if I might respectfully be more specific about what this bill does. The bill, as of June 15th, removes the Board of Education of the City of Chicago from the negotiating role in settling or entering into the contracts for the September 1 opening of schools. Now, I want -- that's very, very important. We have a Board of Education in Chicago. The structure of that Board was created by this Illinois General Assembly when we passed Chicago School Reform. This is a grass-roots process of a nominating commission, selection by the Mayor, and a board that runs the Board of Education of the City of Chicago. They are empowered to enter into and run the Chicago school system. Today is May 21st. Under this bill, whenever it passes - and let's say that we passed it today and the House concurs next week - it means that the -- all the unions - twenty-some unions - and the Chicago Board of Education will only have, in effect, a little more than two weeks - two weeks - in which to reach a conclusion in their negotiations. Because this bill says that if they don't reach contract closure by June 15th, then the School Finance Authority - a five-person board appointed by the Governor and the Mayor - will then have the power and the authority and the responsibility of entering into these twenty-some contracts by July 1st. Now, Ladies and Gentlemen, to put it into some improper analogy - and I say it's improper because I want to point something out to you: The Illinois General Assembly, with all of the thousands of bills that we address, has always adjourned, or tried to adjourn, around July 1st. This year, when the Leadership has indicated that we want to get out on May 28th, and we are moving towards that date - and I compliment the Leadership for that -- Senator Philip, you didn't hear that - I compliment the Leadership for moving towards the May 28th adjournment. We - we, Ladies and Gentlemen, were given, in effect, five months notice - five months notice. In January, Senator Philip announced that May 28th was going to be

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the adjournment date for this Session. So, we had -- I'm sorry, four months notice. So, we had four months in which to accelerate our movement towards adjournment. This bill says to the Chicago Board of Education, and to twenty-plus unions, that we're going to tell you that you've got, in effect, two weeks - two weeks - to do something that you thought you had till August 31st to do. How outrageous, how presumptuous, how unfair. Now that's on the merits of the bill. I've pointed out to you that the School Finance Authority is given the responsibility, as of June 15th, to settle contracts, for that two weeks after that, by July 1st. Martin Koldyke, the Chairman of the School Finance Authority, is in Springfield. About an hour ago, he was in Senator Jones' Office. I asked Mr. Koldyke if he had seen this bill. His answer was "No". I asked him if he'd heard about it. He said, "Yes." I asked him if he - Martin Koldyke, the Chairman of the School Finance Authority - agrees that June 15th should be the cutoff for the Board of Education to enter into its contracts with the twenty-plus unions. He said, "No, that's too short." Mike Koldyke said June 15th is too short. He did say he thought it might be something earlier than August 31st, but he does not support House Bill 1507 as it's presented to us today. Now, if the Board of Education and the unions and the School Finance Authority says no to this bill, should we say yes? I suggest to you we should say no.

PRESIDENT PHILIP:

Senator Collins. Senator Collins.

SENATOR COLLINS:

Senator -- Senator Watson, I cannot add anything to what Senator Berman has said, except ditto. But I would -- I would impress upon you, if you are really concerned -- and I am concerned. There is some validity to what you want to do; it's the timing that's off. I think all of us could probably agree

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with you, if the -- if you said that this bill will take effect next year and not impact upon this coming fiscal year. That's the real problem here. And I don't understand why you don't understand that it's an impossible task that you are imposing upon the Chicago School Board, and that is not fair. That is counterproductive. You know it, and we all know it, and we should defeat this amendment.

PRESIDENT PHILIP:

Senator Watson, to close. Senator Watson.

SENATOR WATSON:

Well, I think there is some agreement here, at least -- even from those people who are opposed, that maybe the date should be moved up. It's a matter of timing and I can appreciate that, and maybe that's something that we could address in a conference committee report. However, we need -- this needs to happen. We're talking about a school district right now that says their budget's four hundred and fifteen million dollars short. Now, we've all read in the papers about the limited negotiations that's been going on, and -- and already there's talk of a work stoppage, and I -- I -- that's what this is trying to prevent. We want to make sure that the students of the public schools of Chicago will get an opportunity to go to school. We want to see that negotiations go on. We'd like to see it expedited, certainly, but we'd like to make sure that if it isn't going to be done by August 31st, we want to see that date moved up so that hopefully the Chicago Finance Oversight Authority can come in and be -- a bigger player. That's what we're trying to do: just open the schools of Chicago on time and make sure that happens. And that's in the best interest of the kids.

PRESIDENT PHILIP:

On the question, shall House Bill 1507 pass. Those in favor will signify by voting Aye. Those opposed, Nay. The voting is

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open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, 34 Ayes, 24 Nays, no voting Present. House Bill 1507, having received the required constitutional majority, is declared passed. Senator Cullerton, what purpose do you rise?

SENATOR CULLERTON:

I rise for a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR CULLERTON:

Mr. President, we have in the gallery, in the President's Gallery, a sixth-grade class from my district, the St. Clement's Grammar School, but also included in that class is my wife, Pam, and my daughter, Maggie Cullerton. So would you please welcome the -- to the Senate, the sixth-grade class...

PRESIDENT PHILIP:

Would you please rise and be recognized by the Senate.

SENATOR CULLERTON:

Maggie's the one with the braces; my wife's the one with the red hair, by the way.

PRESIDENT PHILIP:

Thank you, Senator. It's the intent of the Chair now to do a little paper work and then go -- start out at the bottom of the Calendar once again on 3rd Readings and do all of the appropriations. I've been led to believe that both -- staff has been ready on appropriations. We're going to run through those quickly as we can. Mr. Secretary, any Messages?

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

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Senate Bill 944, together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1 and House Amendment 2.

We have like Messages on Senate Bill 945, with House Amendments 1 and 2; Senate Bill 946, with House Amendments 1 and 2; Senate Bill 953, with House Amendment 1; and Senate Bill 1099, with House Amendments 1 and 2.

All passed the House, as amended, May 20, 1993.

PRESIDENT PHILIP:

Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

Senator Philip, you are -- Mr. President, you are planning on -- on completing the Calendar sometime today, aren't you? Because I've still got two bills on that have never been called.

PRESIDENT PHILIP:

After we do approps, we're going to start where we left off on the Calendar. The intent of the Chair to through the Calendar at least one time today. So we will get to your bill. All right. The bottom of page 3, House Bill 5. Senator Maitland. Take it out of the record. Top of page 4. House Bill 12. Senator Maitland. Take it out of the record. House Bill 26. Senator Maitland. Take it out of the record. House Bill 848. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 848.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate.

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House Bill 848 currently stands at one hundred eighty-nine million, eight hundred and sixty-eight thousand two hundred dollars. That is a -- that is eight million four hundred fifty-seven thousand one hundred dollars below introduced level. I would seek your support.

PRESIDENT PHILIP:

Any discussion? Any discussion? The question is, shall House Bill 848 pass. Those in favor will signify by saying 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 55 Ayes, no Nays, no voting Present. House Bill 848, having received the required constitutional majority, is declared passed. House Bill 917. Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 917.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 917, which is the State Board of Education OCE for FY'94, currently stands at four billion three hundred thirty-six million nine hundred and forty thousand one hundred dollars. That is six hundred seventy-eight million four hundred and thirty-five thousand below its introduced level. It does represent the -- the Governor's allocated level at one hundred and ten million dollars over last year. I would seek your support.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, the question is, shall House Bill 917 pass. Those in favor, signify

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by voting 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, 55 Ayes, 1 voting Nay, none voting Present. House Bill 917, having received the required constitutional majority, is declared passed. House Bill 1243. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1243.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 1243 is the omnibus human services OCE for FY'94. The current level is two billion eight hundred forty-nine million six hundred and two thousand three hundred dollars, which represents a reduction from introduced level of twenty-four million eight hundred thirty-one thousand seven hundred dollars. I would seek your support.

PRESIDENT PHILIP:

Further discussion? On the question, the question is, shall House Bill 1243 pass. Those in favor, signify by voting 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, 55 Ayes, no Nays, 3 voting Present. House Bill 1243, having received the required constitutional majority, is declared passed. House Bill 1244. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1244.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 1244 is the omnibus environmental OCE. It currently stands at seven hundred and sixty-nine million one hundred thirty-three thousand seven hundred ninety dollars. Represents a forty-two million two hundred sixty-seven -- sixty-three thousand, four hundred and ninety dollar reduction from introduced level. I would seek your support.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall House Bill 1244 pass. Those -- those in favor, will signify by saying Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 58 Ayes, no Nays, no voting Present. House Bill 1244, having received the required constitutional majority, is declared passed. House Bill 1245. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1245.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 1245 is the -- omnibus regulatory bill. It currently stands at one hundred twenty-five million five hundred and seventeen thousand one hundred dollars. It represents a nine hundred forty-eight thousand six hundred dollar decrease from

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introduced level. I would seek your support.

PRESIDENT PHILIP:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in somewhat opposition to the bill in its current form, because it did eliminate the Office of the Public Counsel. I think that gives many of our Members great pause for concern, and because of the damage it did to the Human Rights Department and the Human Rights Commission, I would suggest our Members look it over very carefully.

PRESIDENT PHILIP:

Senator Molaro.

SENATOR MOLARO:

Yes, I rise in opposition, and this is to Article VII of House Bill 1245. Yesterday, we passed House Bill 749; it had to do with Fairmount Park Race Track and the days, and I was assured by the Senator -- Watson that there would be continued negotiations. As it always happens, there isn't; negotiations broke down. And what we did yesterday by passing that bill was take the Racing Board right out of the picture. We are now dictating the tracks, when they should race, when they shouldn't, how many days they should have, and Article VII funds the Racing Board. So since we basically voted them out of -- out of existence yesterday with House Bill 749, I don't see why we're giving the Racing Board any money, because we just took over the regulatory agency on when people should race and not race. And I think it's crazy to give them five million dollars, if yesterday we eliminated them. So that's why I do not support House Bill 1245.

PRESIDENT PHILIP:

Senator Maitland, to close. On the question, all those in

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favor will signify by voting 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 33 Ayes, 10 Nays, 14 voting Present. House Bill 1245, having received the required constitutional majority, is declared passed. House Bill 1246. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1246.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 1246 does represent the omnibus public safety OCE for FY'94. Currently stands at three hundred seventy-one million three hundred and ninety-five thousand one hundred forty-eight dollars, which is seven million three hundred forty-four thousand below introduced level. I would seek your support.

PRESIDENT PHILIP:

Further discussion? If -- if not, those in favor will signify by voting 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 53 Ayes, 1 Nay, 4 voting Present. House Bill 1246, having received the required constitutional majority, is declared passed. House Bill 1247. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1247.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

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Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 1247 does represent the Illinois Department of Transportation FY'94 new and reappropriations. It currently stands at five billion three hundred eighty-two million eight hundred and four thousand six hundred dollars, which represents a reduction of thirteen million seven hundred and nineteen thousand seven hundred dollars below introduced level. I would seek your support.

PRESIDENT PHILIP:

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I rise in opposition to Senate <sic> (House) Bill 1247. IDOT openly admitted that they -- they have the worst hiring record, when it comes to minorities, in the State, and I believe that -- because of that, they do not deserve this money. I urge a No vote.

PRESIDENT PHILIP:

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I too rise in opposition to this bill. I think it's time that we looked broader than the roads. As far as I know, there has been no effort to work on the question of public transportation in Chicago, and until that time, I vote No on this.

PRESIDENT PHILIP:

The question is, shall House Bill 1247 pass. Those in favor will signify by voting 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 42 Ayes, 8 Nays, 5 voting Present. House Bill 1247, having received the required

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constitutional majority, is declared passed.

END OF TAPE

TAPE 3

PRESIDENT PHILIP:

House Bill 1326. Senator Carroll. I might remind the Members, this is final action. Senator Carroll.

SENATOR CARROLL:

I think the Secretary has to read it a third time.

PRESIDENT PHILIP:

Read -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1326.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, and Mr. Secretary. House Bill 1326 is the -- in final passage form for the Office of the State Treasurer. It's six hundred one million seventeen thousand, and I would move for final passage.

PRESIDENT PHILIP:

Further discussion? If not, the question is, shall House Bill 1326 pass. Those in favor will signify by saying Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 58 Ayes, no Nays, no voting Present. House Bill 1326, having received the required

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constitutional majority, is declared passed. House Bill 1551.
Senator Severns. Read the bill. 1551. I -- I'm sorry. 1525.
Senator Maitland.

SECRETARY HARRY:

House Bill 1525.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate.
House Bill 1525 does represent the OCE for the Secretary of
State's Office. At its current level, it is two hundred
fifty-seven million five hundred and sixty-four thousand two
hundred and seventy-five dollars, which -- and it is a reduction
of eighty-one thousand seven hundred twenty-five dollars from
introduced level. I would seek your support.

PRESIDENT PHILIP:

Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I thought this bill was going to be
held, by agreement, for the moment.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Well, -- agreement with who, Senator Jacobs?

PRESIDENT PHILIP:

...(microphone cutoff)...Jones. Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Sorry, I was taking care of
some other business. As I indicated in my remarks earlier, as --
as it relate to the constitutional officers, that we were all

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supposed to be -- all supposed to be treated fairly and -- not be biased toward any. But since that has changed, then this is the reason why the Members on this side did not vote for this bill. But at this time, with further discussions on this issue and as it relate to all the other constitutional officers as we deal with the bills in conference committee, I -- I intend to support this bill at this time, knowing full well that as we -- as we deal with the other constitutional officers, that their budgets will be adjusted accordingly. And so, this is the reason why I rise in support and urge my Members to do so, but only -- only -- only to do so with the intentions of seeing the bills go into conference committee and the issue, as it relate to funding for all constitutional officers, are resolved.

PRESIDENT PHILIP:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I would still like to see this pulled out of the record, Senator, for one reason. And I -- you know, I've got some questions on the bill as it stands. But I think we have a substantive piece of legislation that has to be -- passed first in order to ensure the revenue source for this funding. That bill is House Bill 2123; it's Senator -- I mean, Senator Philip's bill, and until that is passed, you have no revenue source for thirty-three million dollars of this money. For that reason, I feel you should pull it out of the record at this time until which time that bill is passed, 'cause otherwise, you have an inflated appropriation. You're going to have to find thirty-three million dollars of General Revenue Funds in order to pay for this and take it out of the mouths of school kids, and I don't think you want to do that.

PRESIDENT PHILIP:

Senator Maitland. All right. On the question, shall House

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Bill 1525... Senator Jacobs.

SENATOR JACOBS:

First of all, I think I -- I deserve an answer to that. That was posed as a question, if he would pull it out of the record for the reason indicated, and if not, I've got a couple of questions as to the -- the amounts that I want to follow up with.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President, Members of the Senate. It -- it my understanding, Senator Jacobs, and I -- I don't know whether you've talked -- well, I -- I believe that -- that people on your side of the aisle want to vote for this and they want to vote for the substantive bill. We did our best to answer the questions for you yesterday on the amendment stage. If -- if your answers -- if you weren't satisfied with the answers, you had twenty-four hours, nearly, to come and -- and talk to me and seek additional answers. We certainly don't want to hold this bill. We want to get this program on -- on the road, and I think the Members on your side do as well. So I -- I frankly don't plan to take it out of the record.

PRESIDENT PHILIP:

Senator Jacobs.

SENATOR JACOBS:

Thank you, and that doesn't surprise me. It shows me the way we do business down here of appropriating funds without having the revenue source. That makes good sense to me, so let's -- let's continue with that. Now, to the -- to the bill: I also have a problem with the fact that we are increasing, by the House action, by the amount of thirty-three million dollars, which is the total dollar amount that we anticipate to be brought in from the -- the Live and Learn Program. This, at best, is an eight-month program.

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By the way the substantive bill is organized, you're talking about a potential ten-month revenue flow, only an eight-month appropriation level. So, what you do is you inflate your budget here by about eight million dollars, and I think that those are things -- I'm willing to allow it to go out, but I think these are things that the House and -- and a conference committee should sure address, 'cause otherwise, if we've got eight million dollars that we just want to throw around in appropriations, let's just do it all over the place. We have school kids that are not even being -- getting the proper dollars that they need. We have mental health; we have the -- the problems with the -- the nursing homes. And we're throwing around eight million dollars in an office that we're not sure has the need for all those dollars in the first place. As far as the bill itself, I could get to the substantive portion and ask you for this year, but this is not the bill to do it on - I think it's more on Senator Philip's bill - and that is, how do we guarantee, even though we're all being sold on this issue by the fact that it helps libraries, how do we guarantee next year that the money will go to libraries? 'Cause the bill does not say that.

PRESIDENT PHILIP:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Members of the Senate. Just probably, maybe more to response to some of the side questions I've been getting from Members of our side of the aisle, I am supporting this legislation, as Senator Jones is. It is our understanding that the House has basically advised us that as to this and the Office of the Attorney General, they will be in conference. The House will not be concurring in Senate Amendments, and that both will be treated with -- with parity when it gets to a conference committee, and I think we should be

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supporting this and the Attorney General under those understandings.

PRESIDENT PHILIP:

On the question, shall House Bill 1525 pass, those in favor will signify by voting 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, 55 Ayes, no Nays, 3 voting Present. House Bill 1525, having received the required constitutional majority, is declared passed. House Bill 1551. Senator Severns. Read the bill, Mr. Secretary. I might remind you, this is final passage.

SECRETARY HARRY:

House Bill 1551.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This is the Comptroller's appropriation at the introduced level, at forty-six million dollars, and I would -- urge its passage.

PRESIDENT PHILIP:

Further discussion? If not, the question is, shall House Bill 1551 pass. Those in favor will signify by saying 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 58 Ayes, no Nays, no voting Present. House Bill 1551, having received the required constitutional majority, is declared passed. House Bill 1693. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1693.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. House Bill 1693 appropriates 5.6 million dollars for grants to various agencies to begin implementing the Rural Health Initiative that passed three years ago. It was fully debated yesterday, and I would ask for a favorable roll call.

PRESIDENT PHILIP:

Further discussion? If not, the question is, shall House Bill 1693 pass. Those in favor, signify by voting 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, 58 Ayes, no Nays, no voting Present. House Bill 1693, having received the required constitutional majority, is declared passed. House Bill 1721. Senator Maitland. Oh, excuse me. Senator Madigan. Read the bill.

SECRETARY HARRY:

House Bill 1721.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 1721 makes appropriations for the ordinary and contingent expenses of the Appellate Prosecutor for the fiscal year beginning July 1, 1994 <sic>, and that level is at the amount of six million nine hundred and one thousand five hundred dollars. And I would ask for its passage.

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PRESIDENT PHILIP:

Further discussion? If not, the question is, shall House Bill 1721 pass. Those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 58 Ayes, no Nays, no voting Present. House Bill 1721, having received the required constitutional majority, is declared passed. House Bill 1861. Senator Hall. Senator Hall. Senator Hall. Read the bill, Mr. Secretary. Out of the record. House Bill... All right. House Bill -- 1885 is all right, Senator Hall? All right. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1885.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill represents indigent persons on appeals and criminal cases other than misdemeanor cases, not involving a sentence of imprisonment, when appointed to do so by the Supreme Court, the appellate court and circuit court. I move for the -- the adoption of this.

PRESIDENT PHILIP:

Senator Smith. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I merely wanted to speak in regards to this at -- of the Governor. ...(inaudible)...said that they would have monies for the attorneys to appeal the cases for people who could not help themselves and are dependent upon their attorneys. I think if we could give them more attorneys, so that

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you could take care of this backlog -- the backlog that they have is very high. Currently, it's a thousand four hundred and eight, which is one year and five months, and the amendment is adopted -- if this amendment is adopted, it'll be up to a thousand six hundred, with one -- that's one year and eight months. And if it's not adopted, then the roll would be one thousand one hundred, of which is -- amount to about a year -- one year and two months. And so I'm saying that I think we should not adopt this amendment.

PRESIDENT PHILIP:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. While I'm not crazy about the level it's at, I rise in support of passage of House Bill 1885. Obviously we have to get this budget into the conference committee, and hopefully we can resolve the differences there, and would urge its passage.

PRESIDENT PHILIP:

Senator Hall, to close.

SENATOR HALL:

I just ask for a favorable vote.

PRESIDENT PHILIP:

Thank you. The question is, shall House Bill 1885 pass. Those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 56 Ayes, no Nays, 2 voting Present. House Bill 1885, having received the required constitutional majority, is declared passed. House Bill 2203. Senator Jones. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2203.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDENT PHILIP:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. House Bill 2203 is the OCE for the Auditor <sic> (Attorney) General's Office. It's -- it appropriates thirty million four hundred and sixty-one thousand dollars. The Attorney General. Not -- I didn't say Governor. For the -- for the Office of the Attorney General, and -- and it is fifteen percent lower than the -- the current fiscal year. It is the only budget that has fallen that low. It's basically a shell bill, but it is my intent for this bill to go into conference committee to restore the -- the funds that have been taken from it. So I ask for a favorable vote on the shell bill.

PRESIDENT PHILIP:

Further discussion? If not, the question is, shall House Bill 2203 pass. Those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 53 Ayes, 1 Nay, 4 voting Present. House Bill 2203, having received the required constitutional majority, is declared passed. With leave, we'll return to 3rd Readings at the top of page 8, and the first bill is House Bill 1816. The board indicates the wrong Senate sponsor. Let's try it one more time. House Bills 3rd Reading. House Bill 1816. Senator DeAngelis. Read the bill, Mr. -- Okay. Does Senator DeAngelis wish to move this back to 2nd Reading for the purpose of an amendment? All right. Senator DeAngelis seeks leave of the Body to return House Bill 1816 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Hearing no objections, leave is granted. On the Order of House Bills 2nd Reading, House Bill 1816. Mr. Secretary, are there any Floor amendments approved for consideration?

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SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator DeAngelis.

PRESIDENT PHILIP:

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, I would like to have leave to table Floor Amendment No. 1, the major provisions of which are going to be included in Floor Amendment No. 2.

PRESIDENT PHILIP:

Senator DeAngelis moves to table Amendment No. 2 -- excuse me - Amendment No. 1 to House Bill 1816. Is leave granted? Leave is granted. Now, are there any further amendments?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator DeAngelis.

PRESIDENT PHILIP:

Senator DeAngelis, on Floor Amendment No. 2.

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 2 of House Bill 1816 contains four items, three of which were included in the first amendment that we had previously adopted, and they are the need to have the advice and consent to appoint State Fair managers at both DuQuoin and at the Illinois State Fair. Item number two -- it indicates how monies can be used by the Medical Commission. Item number three would allow LIS to charge user fees for selling the Administrative Code - charging fees for those who wish copies of the Administrative Code. And the fourth item is -- sets up the Illinois Child Care Loan Guarantee to allow IDFA to guarantee loans made by financial institutions for the financing of child care, child care providers and child care facilities. I move for its adoption.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, all

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those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Is there any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. On the Order of 3rd Reading, House Bill 1816. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1816.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The bill now is the amendment that I previously described. Be happy to answer any questions. If not, I urge a Yes vote.

PRESIDENT PHILIP:

Any further discussion? If not, the question is, shall House Bill 1816 pass. Those in favor, signify by voting Aye. Those opposed, No. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, 58 Ayes, no Nays, no voting Present. House Bill 1816, having received the required constitutional majority, is declared passed. House Bill 1821. Senator Klemm. My gosh, it worked this time. Merry Christmas. All right. Senator Klemm, do you wish to return this bill to 2nd Reading for the purpose of amendment? All right. Senator Klemm seeks leave of the Body to return House Bill 1821 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. Now on -- on the Order of 2nd Reading, House Bill 1821. Mr. Secretary, are there any Floor

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amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Fawell.

PRESIDENT PHILIP:

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This becomes the bill. It adds definitions to the Environmental Protection Act to address problems with the enforcement of the tire tax; provides that tires sold for or installed on any used automobile, tractor or farm implement shall be considered as sold at retail. Be glad -- it will mean an additional three million dollars in revenue to the Used Tire -- Management Fund. Be glad to answer any questions.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, all those in -- favor, signify by saying Aye. Those opposed, Nay. The amendment is adopted. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. On the Order of 3rd Reading, House Bill 1821. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1821.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Fawell -- excuse me, Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. The bill was just explained under Amendment No. 1. It does add a definition to the Environmental Protection Act, and I do ask for your support and move its

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adoption.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not -- oop -
excuse me. Senator Palmer.

SENATOR PALMER:

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

PRESIDENT PHILIP:

Indicates he'll yield. Senator Palmer.

SENATOR PALMER:

Senator Klemm, and perhaps my analysis is outdated in light of
Senator Fawell's amendment, but why is there opposition from the
Illinois Environmental Council and the Citizens for Better
Environment? Do you know?

PRESIDENT PHILIP:

Senator Klemm. Senator Fawell.

SENATOR FAWELL:

Thank you very much. We have heard of no such opposition.
This is strictly so that we can get the tax on tires on -- on new
tires that we are presently collecting on the new cars, so that we
can use that fund for taking care of the used tires. So -- the
EPA is actually for...

PRESIDENT PHILIP:

Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDENT PHILIP:

Indicates she will yield, I guess, Senator Welch.

SENATOR WELCH:

Senator, does this -- the existing law is, anybody who has
more than fifty tires has to have them covered. Does this change
it to one thousand?

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Senator Fawell.

SENATOR FAWELL:

Yes, it does, but it also allows the money to be collected on tires that we are not collecting on right -- right now. So, it will increase the Fund.

PRESIDENT PHILIP:

Senator Welch.

SENATOR WELCH:

What's the rationale for going from fifty to one thousand?

PRESIDENT PHILIP:

Senator Fawell.

SENATOR FAWELL:

That's -- that's one of the things that we've got to correct in -- in conference committee.

PRESIDENT PHILIP:

Further discussion? If not, Senator Klemm, to close.

SENATOR KLEMM:

Well, I think the bill's been debated. There's no opposition that I've known of, and therefore, I move its adoption.

PRESIDENT PHILIP:

All right, the question is, shall House Bill 1821 pass. Those in favor, signify by voting 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, 58 Ayes, no Nays, no voting Present. House Bill 1821, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On the -- in the middle of the page 8, in the Order of 3rd Reading, House Bill 1854. Senator Madigan, do you wish this bill returned to 2nd Reading for purposes of amendment? Senator Madigan seeks leave of the Body to return House Bill 1854 to the Order of 2nd Reading for the purpose of an amendment. Hearing no

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objection, leave is granted. On the Order of 2nd Reading is House Bill 1854. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you -- thank you, Mr. President. Floor Amendment No. 1 to House Bill 1854 deletes -- deletes the language in the bill, and the amendment becomes the bill. It -- the amendment exempts outdoor music theaters from Title VI of the Environmental Protection Act regarding noise pollution if that -- if those outdoor music theaters are in counties of one million or more inhabitants, have permanent seating of three thousand -- for three thousand or more people, and has a permitted use under the local zoning ordinances. I would -- be glad to answer any questions, and would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

What happened to the loud agricultural implements and elevators? They're -- you've got them quieted down, and now we're changing the bill, or...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

We have mufflers on those.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading, House Bill 1854. Senator Madigan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1854.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. We just discussed the amendment. The amendment was the bill. I would be glad to answer any questions again, and would ask for its passage on House Bill 1854, as amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall House Bill 1854 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, and 1 voting Present. House Bill 1854, having received the required constitutional majority, is declared passed. Senate -- House Bill 1886. Does Senator Topinka wish the bill returned to 2nd Reading for purposes of an amendment? Senator Topinka seeks leave of the Body to return House Bill 1886 to the Order of 2nd Reading for the purpose of an

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amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1886. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 5, offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 5 makes all decisions in the Juvenile Court Act subject to the best interests of the minor. It allows rights of intervention to foster parents in juvenile cases, and it creates a statewide, toll-free telephone number for foster parents to report misconduct to the Inspector General - suspected misconduct by DCFS employees, service providers or contractors. And that's what the amendment does.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill is a step in the right direction to -- to -- to solidify the importance of looking after the children that are involved in the placement services. And the fact that the foster parents will have a right to speak in these cases, I think is very important, and I congratulate Senator Topinka for getting that amendment on, because we've had too many cases of rhetoric and no care for those children. And I think this bill is a step in the right direction. I commended the -- the Governor for having initiated and having an Inspector General that's not attached to the Department of Children and Family Services, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion on the amendment? If not, all those in

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favor, say Aye. Opposed, Nay. And the Ayes have it. And the amendment is adopted. Any further Floor amendments approved for consideration, Madam President -- Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading. Senator Topinka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1886.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this is the bill that attempts to address some of the problems we've had in the child abuse situation in Illinois. Besides the -- the three parts in Amendment No. 5 that I just read that involves foster parents, the bill also defines "juvenile police officer" and the required training for that position. This also creates an Inspector General to investigate allegations of misconduct by any DCFS employee, service provider, forest -- foster parent or contractor. I think the -- the amendment we put on is probably one of the most significant changes in what we're seeking here, because finally, we're giving the foster parent a more enhanced role. And I think if this had been in effect, then maybe chances are that that poor little guy that got hanged in Chicago might have had a better chance at surviving this -- this world for him. I'd -- I'm willing to answer any questions, and obviously, I would seek your approval.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any discussion? Senator Stern.

SENATOR STERN:

Mr. President and Members of the Senate, I rise in ambivalence on this bill. First of all, I would like to say: In general, I support the tenets of the legislation. It's important the foster parents have some input to this - not too much, but some. But I do think we should be cautioned -- cautious about having an Inspector General within the Department that he/she will be reporting upon. I think this is a -- I'm not suggesting that it is timely to suggest a change. But let's keep our minds open to the possibility of removing the Inspector General from this Department and the Department of Mental Health and placing them in a freestanding position at some later date. I think if we expect competence and candor from them, we must give them the opportunity to be freestanding. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. President and Members of the Senate. I rise in support of this bill - this weaker version of the original bill - and I know this came as a result of the death of the -- of the child in Chicago. But there was legislation introduced earlier in the season long before that, that was somehow mysteriously left in the Rules Committee in the Senate. Now -- which also would have been more stronger in dealing with this particular problem. But now there -- I understand there is a compromise on this. I understand DCFS and -- and the Governor's Office and the House sponsor of the original bill have all agreed to support this weaker version of the intent of House Bill 2399, so I will support it. But again, it -- this came as a result of the death of a child rather than being pro-active in the -- in the original bill, which should have been supported, and it very

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regretfully got involved in the -- in the -- the politics of the General Assembly. But reluctantly, I do rise in support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will -- she will yield. Senator Lauzen.

SENATOR LAUZEN:

Can you tell me who the Inspector General will report to? Is it DCFS or some other agency or part of the government?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Topinka.

SENATOR TOPINKA:

The -- the Inspector General will be independent of the operations of DCFS, but will indeed report to the Director - very similar to what we already have in the Department of Mental Health, which has just worked like a top.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator LaPaille.

SENATOR LAPAILLE:

Thank you, Mr. President. In echoing Leader Jones' comments, I would have to also concur with his assessment that this is coming a little too late, if we take a look at the DCFS record here in Illinois. And perhaps if we had this Inspector General in place the last year or two, maybe Illinois would not be ranking as fourth in the nation in the number of child abuse cases. And maybe we wouldn't have had a 21.5 percent increase in one year, from 1991 to 1992, if this Inspector General was in place. And maybe seventy-five children dying in 1992, maybe wouldn't have occurred if this Inspector General was in place. Additionally, maybe if this Inspector General was in place, a

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two-hundred-and-twenty-one- thousand-dollar no-bid contract, given to a former statewide candidate who was the DCFS Director -- maybe it wouldn't have happened, and maybe the five million dollar in no-bid contracts to another contributor wouldn't have happened. So once again -- and also, maybe this DCFS audit of today wouldn't have happened, if this Inspector General had been in place. So, once again, what this shows is that this is an administration that's a day late and a dollar short.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, frankly, this -- this issue has, I think, been looked at very globally by all the parties who are involved. I appreciated Senator Jones mentioning all the people who have signed off on that. He did overlook the Public Guardian of Cook County, Patrick Murphy, who had been involved, has no problem with this, and has been brought into the discussion. I think when we address this kind of issue, we want to bring in all of the parties. This is something that is not just triggered off by the death of one child, but the abuse of many children, in what is an ever-growing problem. And that is societal. That's something not created by DCFS, or the Governor, or the leader of the Democratic Party. It is not -- it is -- it's not a political issue, and it should not be a political issue. And to be honest, I'm not going to make an election speech out of this or some kind of a political rhetorical speech. I'm saying this is good for the kids of Illinois. We don't want any more of these. Will it work? Sure, it'll work. Is it perfect? No; nothing that we do on this Floor is perfect. But an Inspector General has proved very efficacious in the Department of Mental Health; it can only be of help here. And for the first time, we

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are recognizing the influence and the ability of foster -- of foster parents to be able to get their opinions into the record and to be recognized for what they know, and give them a sense of responsibility. It's -- it's a good bill, and it's something that -- that I think we all want to be a part of, especially at this time in our history. I would seek a positive roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 1886 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays and none voting Present. House Bill 1886, having received the required constitutional majority, is declared passed. Senator Madigan, on House Bill 1957. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1957.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I would move that House Bill 1957 be re-referred to Rules.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan moves to re-refer House Bill 1957 to Rules Committee. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. On the bottom of page 8 - page 8 of the Calendar, House Bill 1985. Senator Watson. Madam Secretary -- take it out of the record. On top of page 9, House Bill 2053. Senator Molaro. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2053.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill sponsored by the Comptroller. What it basically does is this: Right now, when you have people going to funeral homes and cemeteries, they buy pre-need contracts. What they are, of course, is when you buy all the funeral services and/or the vault. And what you currently have to do is, you have to put ninety-five percent of all funeral services and eighty-five percent of all vaults in a trust fund. And this was set up back in 1955 and amended about six years ago, and it's been that way to stop fraud. It's to make sure that when someone does pass away, their money is there; it's safe, and you could go buy exactly what they put the money to do. What has happened recently is, you have insurance companies now selling pre-need contract insurance. It's basically life insurance - term life insurance - but it's to fund those needs. Now, the problem with these new contracts are that they fall out of the scope, since they are insurance and not pre-need contracts. What this bill does, it puts it under the regulatory arm of the Comptroller's Office where the pre-need contracts are now, and now we can put in provisions in these insurance contracts, such as to make sure that the funding level is there, to make sure that people are going to get exactly what they contracted to get, through the insurance. So it's just a form of putting all these death benefits under the umbrella of the Comptroller's Office where the pre-need contracts are now. And this is to stop any fraud, because once in a while, we have an independent agent who could be a bad actor, and the last thing you want is for someone to pass away, have already put their money

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aside to bury them, but the money is gone. So, this codifies that. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall House Bill 2053 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record. On that question, there are 57 Ayes, no Nays, and 1 voting Present. House Bill 2053, having received the required constitutional majority, is declared passed. Senator Raica, do you wish that House Bill 2062 be returned to 2nd Reading for the purpose of an amendment? Senator Raica seeks leave of the Body to return House Bill 2062 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 2062. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senators Watson and Raica.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 3 becomes the bill, and this was brought to us primarily by a lot of the Chicago public school reform groups, including the Chicago Urban League, Designs for Change, Leadership for Quality Education, Alliance for Better Chicago Schools, Schools First, and many other groups in Chicago concerned about public education. The -- the amendment provides that local school councils - LSCs - shall determine specific methods to use to locally assess the fundamental learning areas prescribed in the 1985 School Reform Act. It also provides that the Chicago Board of Education shall submit an acceptable district expenditure plan for allocating Chapter I funds. It

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changes the standard for one of the goals of the Reform Act from equally -- equaling or surpassing national norms to equaling or surpassing State performance standards. It eliminates the goal that by the end of 1993-94 school year that at least fifty percent of the students score at or above the national norm on standardized test. I think it's unrealistic to have a goal of that -- of that magnitude at this particular point in time with that date coming up in the near future. This also removes the date for the LSC elections to the parent -- report card pick-up date in November, and it provides that -- the reason for that is to try to get more participation in the elections. Provides that if a parent of a LSC member ceases to have a child enrolled at the public school, will then be terminated on the LSC. And it gives the LSC several new powers. It changes the thrust of the school improvement plan to provide that plans must be geared to show students who are showing progress toward meeting State performance standards, adds a parking lot lease language, originally contained in House Bill 2134. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Berman.

SENATOR BERMAN:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The sponsor indicates he will yield, Senator Berman.

SENATOR BERMAN:

All right. The reform groups have submitted to me a -- a revision of the amendment that we had adopted in committee. Is it your intention that this will go to conference?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, the -- it's Senator Raica's bill, but I understand that

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that is the intention, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Could I get a similar commitment from Senator Raica in the chair?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson. Senator Berman.

SENATOR BERMAN:

I asked Senator Raica if that same commitment, that this will be going to conference committee, if I could hear that same response from Senator Raica, as the principal sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica indicates to the affirmative, Senator. Any further discussions? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

As I understand it, you are shifting much of the responsibility for -- not the testing itself, but determining the testing, to local school councils. My question is, in this legislation - because this is the first chance I've had to see it - are there any provisions for providing local school councils with technical and professional assistance, so that they know what is best practice when it comes to testing and all other measurement?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Senator, it's not specifically spelled out, I don't believe,

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in here, but that's certainly the intent, and that's certainly -- reform groups would want that, certainly from the Chicago Board of Education.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. Again, another question. Is that likely to be considered during your conference committee? I would think that would be important to add.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

That's an excellent point, and I would -- hopefully, that will be considered.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator del Valle.

SENATOR DEL VALLE:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

The sponsor indicates he will yield. Senator del Valle.

SENATOR DEL VALLE:

Senator Watson, is -- is the original language in the bill now deleted from the bill - the language regarding the background checks?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Thank you. As I indicated earlier, this amendment now becomes the bill. The background checks is out.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

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The question regarding the use of Chapter I dollars and the language in the amendment that, in my mind, opened up the use of Chapter I dollars for uses beyond what is currently allowed - will that issue be dealt with in the conference committee?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Senator del Valle, you brought that up in committee and it was an excellent point, and that's the reason it's -- they probably will send it to -- to conference committee, is for the objection that you raise, and the concern you raise. So, yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, those in favor will say Aye. Opposed, Nay. And the Ayes have it; the amendment is adopted. Any further Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading, we have House Bill 2062. Senator Raica. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2062.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator del Valle and Senator Berman comments were -- were well-taken and it's the intent of this sponsor, just to save time, just to ask for an affirmative vote, and I do want to put this in

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conference committee and have the school board and the teachers and everyone sit down and -- and come up with some type of an agreement. Thank you, Senator Berman.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 2062 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, and none voting Present. House Bill 2062, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading, House Bill 2082. Senator Weaver. Out of the record. House Bill 2109. Senator Welch. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2109.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill was requested by several sheriffs in my area, and what the bill does is permit the service of summons on a person who is at least thirteen years of age, residing in the defendant's usual place of abode. The purpose of this is that many times when the sheriff or the sheriff's deputy goes to serve a summons on somebody, they'll send their girl friend or boyfriend to the door, have that person take the summons, while the person they're trying to serve sits on the couch and basically laughs at the deputy. So, that's the purpose of this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Seeing none, the question is, shall House

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Bill 2109 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, and -- none voting Present. House Bill 2109, having received the required constitutional majority, is declared passed. House Bill 2121. Senator Palmer. Out of the record. 2122. Senator Palmer. Out of the record. 2123. Senator Philip. Senator Philip, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Philip seeks leave of the Body to return House Bill 2123 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 2123. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

I would ask leave to table Amendment No. 1 and consider Amendment No. 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip moves that Amendment No. 1 to House Bill 2123 be tabled. Any discussion? All -- all those in favor, say Aye. All opposed. The Ayes have it, and the amendment is tabled. Any further amendments, Madam Secretary?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam <sic> (Mr.) President, Ladies and Gentlemen

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of the Senate. It's technical in nature. It makes sure that the City of Chicago has their library rate in the City. I believe their rate is .019 <sic> (\$0.19), if I remember correctly. Move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading, House Bill 2123. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2123.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. -- House Bill 2123, as amended, is the Secretary of State's Live and Learn Program. It basically has two parts. It provides additional money for libraries and for organ donor awareness program. It increases title fees from five to thirteen dollars and registration fees from two to twelve dollars. That raises about thirty-three million dollars. It also provides an increase grant for public libraries from a dollar to a dollar and a quarter, and -- and increases the organ donor program some two million dollars. Be happy to ask -- answer any questions, and seek your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, in the bill it states that moneys deposited into the Live and Learn Fund may, subject to appropriation, be used by the Secretary of State for any of -- or all of the following purposes: an organ donation awareness or education program; to provide additional funds for all types of library grants as authorized and administrated -- administered by the Secretary of State as State Librarian. And again, I emphasize the word "may". What is to stop -- or what if there is another Secretary of State who evidently doesn't care as much about libraries - maybe wants the money to go to education instead - or we get a Governor or this Legislative Body says we're going to utilize this money other than for libraries? This bill does not prohibit that. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

I -- I think that's correct. We're not going to use it all for libraries or all for the organ donor plan. Some of it's going to be used in the Secretary of State's Office. I think you're right.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

That amount, incidentally, for those who haven't been following this bill, is 12.1 for operations of the department of Secretary of State. The problem with this whole bill is not the

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intent - the intent is great. But I'm -- really a little bit surprised, Senator Philip, that you're carrying this bill. As adamant as you are on property tax caps, as adamant as you are against tax increases - this is truly a tax increase. This is a thirty-three-million-dollar tax increase. Call it a fee increase if you will, but it actually is a tax increase. This is going to pass. It's going to pass because a lot of deals have been made. It's going to pass because it -- it holds out hope for the Harold Washington Library in Chicago, and it's going to pass because the press all thinks this is innovative. I guess I -- I'm at a loss to try to figure out how tax increases to fund government is an innovative way to fund something. I see this bill ending up -- and I hope it's not the case, because I -- I know it's not your intent, Senator Philip - I know it's not. It's not your intent to pull another scam like we have in the -- the lottery and as we have on riverboat gaming, to put the money in at the top and drag it out at the bottom. That still can happen with this legislation. And I think we must be a little suspect. I'm a little suspect anyway; maybe no one else is. And call it because I'm running for the -- same office - call it what you will - but I'm a little suspect whenever we have someone coming up with an innovative plan to raise taxes by thirty-three million dollars to say and to use libraries as his reason for it, when in fact, last year, he balanced his budget on the backs of those very same people. That seems to me to be a little bit suspect. To the bill and then I'll get off of it, and these are -- this is my -- my speech if you will, Senator, more than questions: I think this bill affects the poor and the young more than it affects anyone else. For you and I to go out and to pay a five-hundred-percent increase for our registration transfer, or to pay a hundred-and-sixty-percent increase for vehicle titles, from seven to twenty-five dollars, does not mean a lot to you and I and to

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someone who can afford to go out and buy a twenty-five-thousand-dollar vehicle. But you know what? For that kid - that young person - that poor person who is making minimum wage or even five dollars an hour, we're talking about almost a whole day's pay. We're talking minimally six hours of work, just to pay for this increased tax. I -- I raised some questions earlier whenever we went to the appropriations bill first, because I felt this bill should have passed first before we addressed that. I think this bill's going to pass. It's wired; I understand that, but I think that we all should think twice when we look about what this bill is really doing, and for what many of the legislators on both sides of the aisle may be getting in return for this. Whenever these things start to pay off in the end and the people start to pay the money -- when you go home now, your libraries are going to say, "Good job, good job," but in nine months and a year from now, your poor people of your districts are going to be saying, "What did you do to me, and why did you increase my tax?" and "It makes it much more difficult for me to buy that six-hundred-dollar car so I can get back and work to my minimum wage job." I think that that is wrong. I think the bill is well-intentioned. I know it's going to pass; I just wanted to get that off my chest, and I'm not sure if I'll vote for you or not, but at least I think it's -- it's some -- some questions that should be addressed, and I think you should look at very clearly before you make your vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Mr. President. I stand in support of House Bill 2123, and basically compliment the Secretary of State. Because we do have a State official, and we've been looking at some certain State officials the last few days, talking about being indecisive

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- this is one State official that's very decisive and has courage to stand up and say we need some additional revenues - so much courage that he's going to enact a hundred-and-sixty-percent increase in auto title fees and a five-hundred-percent increase in title transfer fees to all Illinoisians, and he's going to use the majority - about half - for libraries and organ donors, and the remainder will go into his own operations. But he did have the courage to step up at the plate and say this is what we need to do, and I think he should be complimented. But I would suggest to Secretary Ryan, especially as you take a look at that twelve millions dollars going into the budget, that maybe he would like to amend the name of the program: instead of Live and Learn - Live, Learn and Load Up. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Jacobs, I certainly would agree with you, it is a tax increase, and I certainly would say that you're a candidate for the Secretary of State. Those are two facts we both know. Now we haven't raised registration fees since 1969, and I know it is an increase; there's no doubt about it. I happen to think it's going to two very, very good causes. And without further ado, I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2123 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 3 Nays and 3 voting Present. House Bill 2123, having received the required constitutional majority, is declared passed. House Bill 2152. Senator Farley. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

House Bill 2152.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2152 allows a court to authorize an incarcerated defendant to appear via closed circuit television for post-trial appearances. Yesterday we amended the bill to bring out of this the pre-trial appearances. It was thought that this bill would be presented to allow the counties that had the facilities to provide this for those that were incarcerated to appear via closed circuit TV, rather than be there in person, if that were agreed to by the county and the judge. I worked with the Chairman of the Judiciary Committee and others on the committee to make sure that this was not denying any defendant's rights, and I would move, Mr. President and Ladies and Gentlemen, that we pass House Bill 2152.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2152 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, and none voting Present. House Bill 2152, having received the required constitutional majority, is declared passed. House Bill 2227. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2227.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a very simple bill. It -- it merely allows vehicles used by security companies, alarm responders or control agencies to use amber oscillating, rotating, or flashing lights, if they have a contract with federal, State or local government. This was requested by Fermi Lab, who has such -- such lights with -- I mean, vehicles with lights, in my district.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2227 pass. Those in favor will vote Aye. Opposed, will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, and none voting Present. House Bill 2227, having received the required constitutional majority, is declared passed. House Bill 2231. Senator Hasara, do you wish to -- this bill returned to 2nd Reading for the purpose of an amendment? Senator Hasara seeks leave of the Body to return House Bill 2231 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 2231. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Hasara.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Amendment No. 2 is an agreement between Public Aid and the Management Association for release and

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transfer of information between the employer and the Department.
I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Hasara.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Amendment No. 3 is a series of
fairly technical changes in Amendment No. 1, which is the
Department's child support package. It passed unanimously out of
committee this morning, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

Amendment No. 4, offered by Senator Hasara.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hasara.

SENATOR HASARA:

Amendment No. 4 is -- actually corrects a couple of things in
Amendment No. 3, at the request of the Chicago Bar Association.
The Department of Public Aid agreed to these changes, and I would
ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading, House Bill 2231.
Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. House Bill 2231 is really the Department of Public Aid's child support package. It is the result of actually a couple of years of work on guidelines. All of the provisions are required under federal law. It will enable the Department to capture - I believe it's about forty-seven million dollars in federal money. Most of the controversial items had been -- have been removed in the Senate. I'd be glad to answer any questions, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall House Bill 2231 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, and none voting Present. House Bill 2231, having received the required constitutional majority, is declared passed. House Bill 2245. Senator Maitland, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Maitland seeks leave of the Body to return House Bill 2245 to the Order of 2nd Reading for the purpose of an

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amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2245. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate -- Floor Amendment No. 1 simply adds to the bill unincorporated Cook. That was inadvertently left out of the bill, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, all those in favor, say Aye. Opposed, Nay. And the Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading, House Bill 2245. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2245.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President, Members of the Senate. House Bill 2245, as amended, would eliminate the requirement that sanitary -- sanitarium boards provide free medical treatment and services for county inhabitants afflicted

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with tuberculosis. It authorizes the boards to adopt reasonable rules and regulations requirement payment -- requiring payment for these services by persons with private health care insurance and -- and persons entitled to medical assistance under the Public Aid Code. I know of no opposition. I would appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is... I beg your pardon. Senator Cullerton.

SENATOR CULLERTON:

Yes. Senator Maitland, would you yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he'll yield. Senator Cullerton.

SENATOR CULLERTON:

Did Senate Amendment No. 2 -- is that the one you just adopted? Did you adopt 2 or 3?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

No. I'm sorry, Senator, I understand your question now. No, just -- just Amendment No. 1, sir.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Stern.

SENATOR STERN:

Mr. President and Mr. Sponsor, I apologize. There was a conversation going in one ear and I -- I missed hearing this. I want to find out, is this a bill which would permit charging for tuberculosis treatment in a TB san run by a county?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

No, Senator. It just would require that if they have third party coverage or -- or other kinds of medical insurance under the

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Public Aid Code, that they would access that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Maitland, to close. The question is, shall House Bill 2245 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, and none voting Present. House Bill 2245, having received the required constitutional majority, is declared passed. House Bill 2262. Senator McCracken. ...(microphone cutoff)...of the record. House Bill 2265. Senator Watson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. House Bill 2272. Senator McCracken. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2272.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator McCracken.

SENATOR McCracken:

Thank you. This is the result of negotiations and agreement among the affected parties, regarding the disposition of unclaimed property. The amendment, which became the bill, was adopted yesterday. It sets a -- in effect, a Statute of Repose on how far back the Department of Financial Institutions can go, also sets forth some ground rules regarding intangible assets as that issue applies to retailers, the private sector, banks, as custodians of property which goes unclaimed or dormant for five years. There

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was, as part of this compromise, language regarding what lawful charges can be charged by the party holding the dormant property, and what effect, if any, DFI has in enforcing and exacting other charges regarding the execution of its duty. I move its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall House Bill 2272 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, and none voting Present. House Bill 2272, having received the required constitutional majority, is declared passed. ...(microphone cutoff)...leave of the Body, we will return to -- House Bill 2262, on the Order of 3rd Reading. Senator McCracken. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2262.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator McCracken.

SENATOR MCCRACKEN:

Thank you, Mr. President, Ladies and Gentlemen. This bill was also amended yesterday by Senator Palmer and Butler, to take out of its application what had been proposed as advisory councils to act along with JCAR and the agencies relative to their rulemaking. That was seen as an expense which we couldn't afford this year; that has been removed. What is left is various changes to the Administrative Procedures Act, the purpose of which is to encourage and facilitate better notice of proposed agency rulemaking, and in my opinion, better oversight and responsibilities accorded to JCAR, which I think is very important to have to act as a legislative oversight of the agency's

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rulemaking activities. I move its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall House Bill 2262 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, and 1 voting Present. House Bill 2262, having received the required constitutional majority, is declared passed. On the top of page 10 of the Calendar, House Bill 2282. Senator Watson. Senator Watson, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Watson seeks leave of the Body to return House Bill 2282 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 2282. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. Amendment No. 1 now becomes the bill. It contains several provisions which passed out of the Senate. Unfortunately, for whatever reason, maybe it didn't get a very good hearing in the House. We feel that they deserve more consideration. It's all revolving around education reform and primarily in the City, but it also has some provisions that affect downstate schools also. The first one is Senate Bill 881 that allowed for school districts to use noncertified personnel for supervising study halls, lunch -- lunch areas, detention and discipline areas. It also contains the language that was in Senate Bill 1000, which would give a sixty-day dismissal notice to

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educational support service personnel. It also contains the provisions of Senate Bill 87, which was the principal-in-charge issue that we've debated here several times. Also contains the provisions of Senate Bill 135, which is the supernumerary issue that affects, of course, only the public schools of Chicago. And it also has the language involving the Chicago Learning Zone creation. And -- and finally, it also contains the language that we debated earlier on the Floor that moves up the date by which the Chicago School Finance Authority would get involved in the collective bargaining process with the various groups in the public schools of Chicago. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me suggest: to many of us, the problem with this bill is that it's a conglomerate, some of which, in separate bills, I and others have voted for, some of which I and others have voted against, and it -- it disturbs me when we lump all of this into a single bill. And I will tell you, if you are -- you're -- you can't be a winner either way on this bill. This bill, for example, for all your downstate schools, for educational support personnel, they can be fired in sixty days. Now, I don't know where you stand on that issue with your downstate schools, but that element is in this bill. As to Chicago, again there are some things that have passed out of this Senate and that I've supported - for example, principal-in-charge. But there is also the provision that we debated earlier today that imposes a June 15th cutoff date for the Chicago Board and twenty-plus unions to reach negotiations. That's outrageous. So I would urge either a No vote or a Present vote, because there's some good things and there's a lot of bad things in this bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator Watson, how is the Chicago Learning Zone to be paid for?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

It -- it's a commission to look into a -- the potential of creation of a Chicago Learning Zone.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Is there a dollar figure attached to that commission?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

No, there is not.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading, House Bill 2282. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

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House Bill 2282.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Well, I don't believe I need to bore the Body here by going through and reiterating what was previously said as to the contents of this. The amendment is the bill. So what we discussed during the amendment debate is actually what's here. I -- I just think it's important to note and for us to say as -- or at least the Republican Members of the Education Committee have tried to create a situation by which we can decentralize, to a certain degree, the collective bargaining process. We've tried to create a more stable environment for local control of our schools, and that's what this is -- this bill is trying to do. We realize that the Chicago public schools have got a major problem. And all schools. It's just not Chicago, but that seems to be the one that gets the most attention. Obviously, when they're four hundred and fifteen million dollars short on next year's budget that creates a great deal of concern. All school districts are having problems. It's just not related only to the City. And I think what we're trying to do here - I think the Republican Members of the Committee - is to show some good faith, that maybe there is some way that we can help financially the -- the schools of -- of Chicago. Maybe there's something we can do. And Senator Berman has come up with some innovative ideas, and others, and maybe there's something out there that we can do. But we think - we think - that the Chicago Teachers' Union and those other collective bargaining groups involved in the process - in the contract process - should show some good faith also. We just don't want to be throwing more money at the schools of Chicago

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when that money ultimately will probably go into contracts and not necessarily get to the bottom line of what's best for the schools, and that's the kids. And that's what we see happening. That's what we see the potential of what's going on over the next several months during negotiations. We create more dollars; all it's going to do, in our mind, is go into the contracts. As a result, why not see some good-faith support for some reform that we've proposed here today by the Chicago Teachers' Union? That's all we're asking for. Let's see 'em come to the table and support some of these initiatives. If they want our support here for some of the finances that need to be -- come forth, then let's see them support something we want. That's what this is all about. Appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator...

END OF TAPE

TAPE 4

SENATOR BERMAN:

Thank you, Mr. President. We could play the tapes back. I thought the argument before was on 3rd Reading. I apologize for having made that -- those comments at -- on 2nd Reading. But in addition to what I previously said urging a No vote or a Present vote, I find it interesting - and I recognize the sponsor's efforts to try to encourage a settlement in Chicago - but all we've talked about - all we've talked about - are some little changes here and little changes there, and the one thing that has refused to be recognized is where we're going to come up with

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State financial support for all the schools that are in trouble. And that's not Chicago only. There's a hundred and ten school districts on that Financial Watch List, and I have yet to see any proposal to address their needs, in addition to Chicago. So this is all very nice - nice talk - but we still haven't gotten down -- even if all of these items were adopted, how are you going to address the dire financial needs of thousands of children - thousands of children - in over a hundred and ten school districts in Illinois? This doesn't solve it. I urge an -- a No vote or a Present vote, because this does nothing.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. And I, too, rise in opposition to this bill. If -- Senator Watson, I think all of you recognize that -- that all of the schools, as Senator Berman said, has some serious financial problems. You have been repeatedly passing legislation out of here directed at what you say that'll improve the quality of education in the Chicago school system. And -- and yet, you passed a bill out of here recognizing that it has somewhere -- right now, a recognizable deficit of somewhere -- about three hundred and fifty million dollars, and you took thirty-eight million dollars out of -- off the top of their budget for this year. So there's a contradiction here that just doesn't make any sense - all of this goodwill and well-wishing and -- and talking about what are you going to do for Chicago's school system and other school systems around this State. And not only Chicago, as Senator Berman has said. That same amendment that took the thirty-eight million dollars from Chicago took money away from other school districts around the State that are in dire straights for money. And -- and this is just something to send up a red signal that you are doing something for education, when you know,

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and I know, and the people know out there, that you're not. And we should defeat this amendment -- this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. As I'm sure everyone in this Body knows, I'm a very strong supporter of school reform in Chicago and in support of schools throughout the State of Illinois, but I really, really, as my seatmate and colleague said on an earlier bill, stand with great ambivalence about this bill. There is much to be commended in here, and I have worked very hard to bring together groups and factions to discuss much that I would support in here. But I have to say that embedded within this bill is so much that is meant to punish, so much that is meant to micro-manage the Chicago system and, as Senator Berman said, so much avoidance of the bottom line, folks, which is that we need money for the schools. Now I have gotten to the point where I am almost stopping my ears up when I hear this business about let's not throw more money to schools. It is time to get more money for schools. We came within three points of passing a statewide referendum. The people in the State of Illinois have said they want their schools funded. None of that is in here, and on that basis, I am very, very concerned that we are giving people a piece of something and not really addressing the real issues.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I stand in support of this bill for several reasons. First of all, in going over the -- the different portions of it, I don't see a great deal of micro-managing. One of the portions of this bill gives the principal control of his building, something that the reform

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groups have been asking for for a long time. But I'm standing in support of this bill, and I just want to say that I think the Chicago people have to understand that their school system needs financial help. And many of us are ready to -- to give them that help. But frankly, in my district and in many of the downstate districts, providing more money for the Chicago school system when our school systems are not getting more money and, in fact, get very little money, it would be almost impossible for me or any downstater to go and vote for more money for the Chicago schools unless we can also say there has been reform. And I think that this bill offers reform - much of the reform that's been asked for by the local school councils and the reformers in the City of Chicago. And I urge all downstaters to vote Aye on House Bill 2282.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR WATSON:

Well, thank you, Mr. President and... The -- it seems that we continue to hear the only way to solve the problems of education, primarily in the City, is with more dollars. Now, I don't know, and I don't believe that we have the political will at this particular time to create those more dollars. That probably would take a tax increase to do what has to be done, not only to satisfy the City, but also other -- the other school districts that Senator Berman mentioned on the Watch List. But we can do some things that can create more flexibility at the local level. Let the decisions be made locally by local school boards and people that are elected in the local communities to run the various school districts throughout this State. Several provisions in this -- this bill allows for that. The reform groups in the -- in the City of Chicago that have come to our committee -- numerously to discuss the issues that we have here

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support much of what's the provisions of this bill. Those people are working hard in the local school councils and trying to make the system work. There's no doubt about it that the City's schools have got major problems, but there are very -- a large number of groups and individuals who work hard in their community to create a better environment for which to educate their kids. And those people are working at the local level with the local school councils, and they -- reform is working. There's no doubt about it that it's going to take time, certainly. But we're trying to accelerate that reform, to a certain degree, by what we want to do here today. There's nothing in here that's punitive or punishing anyone. I can't imagine a remark such as that. We just want to see some reasonable solutions to problems that have been brought to our attention by many people from the City, and not only the City, but throughout this State, and this legislation addresses that. And I would appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2282 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 7 Nays and 19 voting Present. House Bill 2282, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading, House Bill 2307. Senator Fitzgerald. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2307.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. I hope you'll listen up for a few moments here. This is a bill on which many of you may have questions, and I'm sure you've heard a lot about at this point. And I'd like, in my opening statement, to answer some of those, or anticipate some of those questions. House Bill 2307 is a bill dealing with the Liquor Control Act. Its intent is to strengthen the Liquor Control Act in order to maintain the Act's original purpose and to avoid its erosion. In short, what it is supposed to do: it is to promote everybody in the liquor, wine, beer industry to be competing on a fair and level playing field, and it's to protect honest businessmen. A couple points I'd like to make: one, the Liquor Control Act regulates wines, beers and also spirits. We do not have a separate wine Act, a separate beer Act and a separate spirit Act; we have just one Act. And we only have distributors' licenses that are for all three things. You don't have a separate beer distributor's license, a separate wine distributor's license, and so on. Thirdly, the liquor industry is a highly regulated industry. It's regulated by federal law, and it's regulated in all fifty states. As a matter of fact, in all fifty states there is a three-tier system of distribution of liquor. There are manufacturers; there are distributors; and there are retailers. And the law in all fifty states is that manufacturers must deliver to a distributor, and only distributors may sell to retailers. That's the present intent of this bill. Now, the bill can be divided into three parts. It does three things. The first thing it does is it tries to prevent liquor distributors from discriminating against retailers. And in many parts of this State, particularly some downstate areas or in some areas where the small retailer is located, he has a hard time getting a distributor to distribute -- to -- liquor to him. And it causes a problem, because it is illegal for one retailer to go buy liquor

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from another retailer. And so, someone like that is often forced, if he can't get distribution, to resort to an illegal act, or they can be put out of business. And what this bill does is it asks -- or requires all distributors to service retailers without discrimination against any of them. It does not require retailers <sic> to go to every single retail outlet in their area. What it does, it requires them to call on them without discrimination. And it also -- language that we have here in this bill comes from a model Act that is adopted in twelve states. It would be permissible for a distributor to, say, impose a minimum order requirement. In other words, if -- if one retailer, you know, just wanted one bottle, it would be up to the distributor to just use reasonable efforts to meet the -- the retailer's requirements, and he could impose a minimum order requirement, and he would not be required to go out there, drive a hundred and twenty miles, just for one bottle. So I wanted to clear that up. And the key point about that is we'd stop forcing retailers to buy from other retailers, which is illegal. All retailers pay the same fee for their license, whether they're big or small, and they're all entitled to be serviced. The second thing that this bill does is it strengthens the original intent of the Act, which now requires liquor to be stored at a site of distribution. There's been a -- an increasing practice to ignore that requirement. And instead of storing at the distributor's warehouse, there are now trucks from manufacturers that are coming in and doing what is known as "bumping the dock". That's driving a truck into a retail -- or distributor's warehouse, instead of storing the liquor there, just checking in and then driving out and say they've stored it. This bill requires the product to be off-loaded at the distribution point, so that we do not allow this Act to become a sham. The final requirement is that manufacturers' representatives would have to do a one-page registration form with the Liquor Control

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Commission. This is not an ongoing report. It's just so that we know who the manufacturers' reps who contact retailers on a regular and continuous basis, what their names are, so that they would be under the control and jurisdiction of the Liquor Control Commission. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. If I'm the only other speaker... Well, I stand in strong support of this legislation for a number of reasons that are personal to my district. My district has been getting the devil beat out of it. We have distributors with fifty years of family business being forced out of the business. We have distributors who have taken cases from zero to twenty-five thousand cases per year in a five-year period and just have those taken away from them because of pressures applied elsewhere. In fact, in Chicago the other day, the -- the first of the week, there was a store which was closed which triggered four downstate stores to close, all because one brand was taken away from them. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. In the course of being an elected official, we are called upon quite frequently to make difficult decisions, and if those decisions involve a difficult political position or a substantive position that's difficult, it's understandable. But when we're called upon to make a decision in an arena in which there's some serious misunderstanding, some serious coercion, lack of communication, and -- to some extent mistrust, it is unfortunate that we have to make a decision in that kind of atmosphere. I am not going to charge anybody with

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anything. I will tell you that we all have friends on both sides. Most of us have friends in the beer distributor business, because there are far more beer distributors than there are wine distributors. And most of them live in our neighborhoods. In fact, Chuck Zulanis is not only a close friend, but a neighbor. But we ought not to be conducting public policy in this manner. One of the most respected Members of this Senate, Bob Madigan, was the prior sponsor of this bill. He withdrew himself, and he didn't withdraw himself because he's gutless. He didn't withdraw himself because he doesn't -- he's afraid of throwing a hard vote. He withdrew because he didn't like what was going on. I have to tell you, somebody said: "Well, we tried to negotiate this, and they wouldn't negotiate." Well, let me give you a little example. I could -- recall when I negotiated my first steel workers' contract, and I was submitted twenty-two items for negotiations. And when it was all over with, the union got twelve, and I thought I got ten. And then I realized, the twelve they had -- they got, were twelve they didn't have in the first place, and the ten they lost, they didn't have either. The people that were asked to negotiate in this didn't want to be part of the deal. And when they refused to negotiate, they were considered obstacles. Let me give you an example that I said in our Caucus. Yes, they're all part of the -- liquor industry, but if I were to say to somebody, "I own a hardware store." "Rauschenberger, you own a furniture store." "Watson, you own a pharmacy." And then we come along, because we're all three retail businesses, and somebody throws us into one pot because I, as the Ace Hardware guy, don't like my agreement with Ace -- Ace Hardware. And then I charge them with being obstacles, because they don't want to negotiate. They don't have the same dog in the same fight, and they ought not to be asked to negotiate. Senator Fitzgerald, I really would like for you to withdraw this bill, but I can tell you that if you don't, I

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am prepared to show -- because the bill on its face is not a bad bill, but the process ought not to have been the way it is. And I would urge all of you who are either as confused or upset or frustrated by what went on with this bill to show, by voting Present, and then coming back and doing what has to be done in a different manner.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Mr. President. Senator DeAngelis couldn't have said it any better. The Illinois State Senate is not the place to be the referee of two big industries going against each other. In my former role as Chief of Staff to the Speaker, this is the type of an issue where we called the people in. We'd say: "There's a room. Go in and work it out. If you don't work it out, we're not going to be the battleground." And that's what's occurring here today. We all have people that support the beer industry in our districts. We have people who support the wine-liquor industry in our district. This is a bill that both industries should have been told: "Go in a room and don't come out until you have an agreement. If you don't have an agreement, the Illinois State Senate is not going to be the pawns in this." And I also encourage you, Senator, to take this bill out of the record and have your Leader, and maybe our Leader, tell these two groups, "Go in a room and come out when you have an agreement, but we're not going to be the pawns."

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I'll be very brief. First of all, I want to extend my gratitude to Senator DeAngelis for those kind remarks about myself; however, I think it destroyed your

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credibility, as far as the rest of your comments. Secondly, I want to point out to the Body, and I want to -- that I commend Senator Fitzgerald for assuming sponsorship of this bill and assuming this most difficult task of trying to reach an agreement between the parties involved. I, too -- or was originally the sponsor of this bill, and attempted to effect the same type of amicable agreement between the parties involved. Ladies and Gentlemen of the Senate, I -- I don't think any of us doubt that there's a problem here; that there are small businesses being, perhaps, overlooked in the process of distributing wine and spirits; however, I don't know, and I'm not comfortable that this bill represents a solution to that problem. I don't know that we are on the right track on this problem, or have gone far enough in this process that I am comfortable in standing here or retaining sponsorship of House Bill 2307. There is a problem, Ladies and Gentlemen. I think that the small businesses and the retailers actually came into this process fairly late, and I commend the Beer Distributors Association for attempting to look after the retailers' interest in this matter. But I think that we can work at and -- and can and should continue working on this -- on this problem. If this bill passes, so be it. Perhaps this -- perhaps everyone besides myself thinks that this is the solution to the problem; however, I don't think that it is. And I don't want to cast a No vote on this because there is a problem; however, I don't think that this bill represents the solution, Ladies and Gentlemen, and I intend to vote Present on House Bill 2307.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR FITZGERALD:

Thank you, Mr. President. I'd like to just answer a couple things. I -- I agree that there is a need for negotiation here,

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and it was for that purpose that I convened negotiations. This bill has had a couple of weeks since it's got out of the House. And I put all the interested parties in a room, and I asked them to negotiate. And I encouraged deep compromise on both sides, and I warned both sides not to get greedy. And after a few hours in the room, the representatives from the wine and spirits industry came to me and said they -- they didn't -- they didn't want to be part of the process anymore. And I had come up with three amendments that I thought fairly and equitably addressed all the concerns that they had raised to me as the sponsor of the bill. Because I'll tell you, I am never going to put my name on any legislation in this Senate which gives one industry or one business an unfair competitive advantage over the other. And I took very seriously their concerns, and I offered language that would have, I thought, addressed their concerns in good faith. But every one of those amendments was flatly rejected, and the only conclusion that I could draw from that, after having bent over backwards, was that they may have had unstated objections - objections that they were -- for -- whatever reason did not want to tell me publicly. And I couldn't discern their motives. And so I gave up, and I felt that this was a good bill. I am confident in it, and it puts everybody on the same playing field. It's an appealing argument to say, "Take the wine industry out of this or the liquor industry out of that." But we have one Liquor Control Act, not three, and it affects all industries. And the whole point of this bill is to put everybody on the level playing field. And I remind you, folks, that most of the opposition to this bill has come from manufacturers who are based out-of-state, and this bill doesn't primarily affect manufacturers. It primarily affects distributors. So I said, "That doesn't make any sense to begin with. Why would they be opposed to it?" I urge you to vote for this bill. It will strengthen an Act that has

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worked well for some sixty years in this State. It's for Illinois jobs, for nondiscrimination against retailers, for collection of our taxes that we impose, and so that no one in Illinois is ever put at a disadvantage for being honest in conducting his business by playing by the rules we set up here. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2307 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 41 Ayes, 12 Nays and 4 voting Present. House Bill 2307, having received the required constitutional majority, is declared passed. Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Having voted on the prevailing side, I move to reconsider the vote by which House Bill 2307 passed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

I would move to table that motion.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...(microphone cutoff)...moves that House Bill... Senator Welch moves that Senator Jacobs' motion be tabled. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is tabled. Senator Molaro, for what purpose do you arise?

SENATOR MOLARO:

Yes. Mr. President, after hearing the debate, I was called to the phone room by my family. I was in there. Can I be -- if it was called, that I be recorded as Aye?

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect.

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SENATOR MOLARO:

Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...(microphone cutoff)...the top of page 10 of the Calendar, House Bill 2444. Senator Philip? Out of the record.

PRESIDING OFFICER: (SENATOR DeANGELIS)

...(microphone cutoff)...page 4. Top of page 4, Senate Bills 3rd Reading -- House Bills 3rd Reading. House Bill 132. Senator Watson, do you wish that bill called? Do you wish this bill to be returned to the Order of 2nd Reading? Madam Secretary, read the bill. Senator Watson seeks leave of the Body to return House Bill 132 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 Floor Amendment No. 1 on House Bill 132. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 1 provides that no minor who has never married or who has a child or is pregnant can receive an AFDC grant payment unless they reside with a parent, legal guardian or other adult relative or in a foster home, maternity home or other type of adult supervised living arrangement. The -- the proposal also has some exceptions to that, which is -- which is obvious, as it should have. The minor has no -- the exception would be the minor has not parent or legal guardian who is living, or maybe the whereabouts are unknown; the Department of Public Aid determines that the physical health or safety of a minor or her child would be in jeopardy; and the minor has lived apart from her parents or legal guardian for at least

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one year before the birth of the child. I'd...

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR PALMER:

Senator Watson, I'm trying to understand the intent of this legislation. What -- what is the -- why are you asking these young people to have to live with a family -- with their families -- foster or otherwise? I don't understand the purpose.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

Well, we're talking about minors -- those under the age of eighteen. I think that adult supervision and parent involvement in -- in the raising of a -- of another child is important, and I think that should -- that should be in -- in a home.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Collins.

SENATOR COLLINS:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR COLLINS:

Senator -- Senator, how -- how does this amendment track with federal law under the Emancipated Minor Act? Did the Federal Government, under reimbursement for AFDC, change the law in some kind of way so that we can do this? Because it's my understanding, under federal law, that if a -- if a girl is -- a minor becomes pregnant and she become an emancipated minor and

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lives alone, by herself, that she is entitled to -- it's an entitlement. So what are you talking about? Did they change the federal law?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

No. A provision in the amendment asks for that waiver. "The...Department shall apply for all waivers of federal law and regulations necessary to implement this Section." And also, the exceptions that we mention in here follow the Federal Family Support Act of 1988.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Collins, are you done? Then hit your light.

SENATOR COLLINS:

I...(microphone cutoff)...concept. I -- I can understand, Senator Watson, your concern for ensuring that -- that these young women - children, rather - babies that have babies need some kind of stability and probably some support in the rearing of those children while they're very young. But I think you're going about it in a punitive kind of way, and that's not what you want to accomplish here. Because in some relationships, the family relationships between the pregnant minor - just simply because she did get pregnant -- and -- and notice now, on the parental consent bill that you passed without adequate provisions and safeguards in there protecting that child's right, it could set up a very adversary position between that daughter and that parent and that family. And so, if they can't live together in the home, then -- then you set up a situation where this girl is either out - because I know if I had a daughter that -- that did not want to abide by my rules of the house, for whatever reason our relationship was bad, then she couldn't live in my house. And so, the point is, you're going to penalize that -- that child and her

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baby under this -- this Act. I don't think you want to do that. I think what you really want to do is to provide some support service for this particular child and -- and her baby to -- so that she can raise up this child to be a productive citizen. And -- and in order to do that -- is to provide more money for support services, for parenting classes and for other kinds of things that would help this child to go on and to be a child -- I mean, a mother and -- and raise her child. This is just not the right way to do this.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Butler. Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Speaker says he will.

SENATOR HENDON:

Senator Watson, what -- what will happen in a case where the parents simply do not want that young lady living there anymore, and they put her out?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

The Department would make -- that's one of the exceptions, Senator, that the Department can make that determination. If it's not in the best interests of the -- of the mother and the child, at this point, that they don't live in the home, then that -- that would be taken care of, and she would receive assistance.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hendon.

SENATOR HENDON:

But doesn't this provide that the Department has a choice?

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The -- the Department could still turn that young person down?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

Well, I guess they probably could, but -- but in the best interests of everybody concerned, I really feel that the Department would make the right decision and would make the decision that would allow the -- the young lady to live outside the home.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hendon.

SENATOR HENDON:

Well, Senator Watson, therein lies the problem, because in this day and age, when it seems that people are saying you can't have any more children and if you have any more children, you can't get any -- any assistance for those children, that the Department may just decide, for budgetary reasons, that they simply don't want to give this assistance to a number of young women who will then be forced out there to -- to acts of prostitution and other means of -- of survival. In many, many cases, you have family situations where the -- the parent just doesn't want the child there anymore. I was on my own when I was seventeen, and I think I came out all right. And I think that we should not hold it against a young person who ends up pregnant, forcing them to stay in the home when that home situation may not be in the best interest of them or their child. And to leave it to some bureaucrat to make that determination is very dangerous, because that bureaucrat could just decide, "Well, you're not at home with your parents, so you're not going to receive any assistance." And then what is that mother and child going to do?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer, for the second time.

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SENATOR PALMER:

I apologize for rising a second...

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer, just a second. Senator Hendon had a question.
Senator Hendon.

SENATOR HENDON:

My question, Senator Watson, is: What will the young woman do if the Department of Public Aid turns them down?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

I'm sorry. I don't understand what you mean by "turns them down."

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hendon.

SENATOR HENDON:

...(microphone cutoff)...brief, Mr. President. If the young person is not in the home and the Department, for whatever reason, turns them down for the assistance because they're not in the home - you know, because you did admit that it is a individual caseworker, I guess, decision - what will that young woman do if she can't get the assistance?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

Well, I would think that in that kind of a situation, that young woman is going to be forced to come back into the home. I mean, that's what we want to do here. We're just trying to provide a little common sense and a little parental involvement and guidance in the development of a young child.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer, for the second time.

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SENATOR PALMER:

Thank you, Mr. President. And I apologize, but since I asked my first question, I have received an analysis, so I would like to ask Senator Watson another question. Before this, I asked the legislative intent, and now I am seeing that this amendment also says that the resources of the entire household, including adult parents, minor and child, will be taken into consideration in determining eligibility for AFDC and benefit levels. Is that -- is that correct, and is that your intention?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

Yes, it is.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Watson, to close.

SENATOR WATSON:

Well, very briefly, Mr. President, but Senator Collins said it correctly. It's a situation by which we're having in this country today, is children having children. Now, I just don't think it's a good idea to send someone - a fifteen-year-old girl - with a -- with an infant baby out into the -- out into society and allow her and her child to fend for themselves. What we think we should be doing here is just providing for the family to be more involved in the decision-making and involved in that raising of that -- that child. That's all this is all about. This is what I would consider a pro-family approach to a problem of -- of raising our children and raising them in a way in which we should. And, Senator Palmer, that's exactly what we want to do. If -- if the family has the whereto all <sic> to -- to provide for that young woman, then I think that's a family responsibility. I think that's the family. Not the State. Not the taxpayer. Not AFDC. That is the family's responsibility. And that's part of the

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problem that we're seeing in society today. Everybody comes to government and asks for us to do something for them. Well, let's let the family provide for those people that they should be providing for. And that's what we're asking, and that's what this is all about. I appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

On the question of Floor Amendment No. 1 to House Bill 132, all those in favor, say Aye. Opposed. Roll call has been requested. Those in favor will be voting Aye. Those opposed will be voting Nay. The voting is open. All voted who wish? All voted who wish? Take the vote. On that question, there are 32 Yeas, 24 Nays, none voting Present. The amendment is adopted. 3rd Reading. Senator Watson, on the Order of 3rd Reading, House Bill 132? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

Well, I think everybody remembers what we just said and debated on the amendment. The original bill involves language that would ensure that children under the age of five receiving AFDC are immunized. I don't know of any objection to that. But I'd be glad to answer any questions on the original bill or the amendment as we have debated.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I rise in opposition to this bill. This is -- is a perfect example of -- of how a good

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bill can -- can become bad, because what this bill does -- as it started out to do, was helping children. It was immunizing children under five. And I can't think of anything more noble than that, in helping children and helping family, healthy families grow in this State. What we've done here now with the amendment, as amended, we have done -- actually have not taken into account the realities of life. And the realities of life are, there are dysfunctional families here in this society. And what this bill does, as amended, it -- it shows that -- that we really don't care about these children, because what we've done is actually exasperated those problems. And I just recommend that everyone just vote No on this legislation.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This -- to the bill, as amended: It just goes to show how sometimes good intentions can just go awry, because what will happen here, Senator Watson, is that some of these parents are simply going to not accept that little -- that daughter any more. There is no appeal process. There is no penalty, as I see it, for putting your daughter out at seventeen or sixteen, or your child out if -- if you want to do that. So what are you going to do? You say you want to keep families -- this is a pro-family bill. Well, once that young lady has had a baby, if the family puts her out because she doesn't -- she had the baby in the first place, or she won't listen, or whatever reason they give, and then if Public Aid say, "Well, we're not going to help you," you know what she's going to do, Senator Watson? She's going to go out there on the street with her baby. That's what she's going to do. You cannot force families to stay together, just like you can't force a husband and a wife to stay together. If they've decided that they're going to get a divorce,

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then they're going to get a divorce. If these families decide that they're going to put their daughter out for whatever reason, she is out, and there is no legislation that you can put to make them keep her in the home. And what's going to happen: she's going to be out there; she's going to take her baby; and she's going to be on the street and be another one of the homeless with a child out there, into the drugs, into the prostitution. And for all your well intentions, what you're going to do is end up hurting families, hurting the new family, instead of helping the family stay together. This is a bad bill - a good bill with some more bad stuff thrown -- thrown into it. And even though you mean well - and I truly believe that you mean well - it just goes to show how far from reality this Senate sometimes can be - far from reality. And what you need to do is go down into the communities where these things are taking place and talk to some of these young ladies, as I have done, and you'll see exactly what I mean. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Question of the sponsor, if he'll yield, please.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will.

SENATOR T. DUNN:

Senator, would you restate the exceptions again where -- where the minor that has a child would not be forced to move back into the home of her parents?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

Well, this is right out of the amendment: the individual has

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no parent or legal guardian who is living or the whereabouts of that individual's parent or legal guardian are unknown; secondly, the Illinois Department determines that the physical health and safety of the individual or her child would be jeopardized - and I think that answers some of the concerns that Senator Hendon may have had; and finally, the individual has lived apart from her parents or legal guardian for a period of at least one year before the birth of the child or applying for benefits.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn.

SENATOR T. DUNN:

How many such children exist in Illinois in 1993 that are in this situation?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson.

SENATOR WATSON:

The Department of Public Aid testified in committee this morning and they said there was around seven hundred.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I'd like to call attention to the fact that if you vote against this bill - and I hope you will - you will not be voting against immunization. The immunization part of this bill has actually already passed under House Bill 2336. So what you will vote against will be an attempt to punish people into a preconceived notion of an ideal family. I am very much for parental participation and concern for young women who are below the age of adulthood and for them to work with the grandchildren that are born. This is not the way to do it. You cannot put that kind of pressure on families that are already either working-poor or beneath working-poor. I suggest to you

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that you take a look at the fact that the Department of Public Aid opposes this bill for several reasons, among them that they will -- they see an increase in the use of the welfare system under this kind of amendment. I suggest that we vote No, and I remind you once again, the immunization part of this bill has already passed.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. I happen to serve on the Infant Mortality. I also serve on our DCFS Advisory Board. You know, what we're talking about are -- are children that are thirteen -- the average age of an unwed mother in this State is now fourteen years old. That means she got pregnant in eighth grade. The average age of the father is fifteen. That means he got her pregnant when he was a freshman in high school. He could not legally even support her, because he couldn't get a job legally. You talk about putting these girls out on the street. You are talking about thirteen-, fourteen-, fifteen-, and sixteen-year-olds, and I will tell you if they are picked up and there's any "john" that's with them, he's in deep, deep trouble. Not only that, but it might be of interest to those of you who represent Chicago that the vast majority of these girls are from southern Illinois, where they don't have street corners where these girls can stand on and have johns come in and pick them up. We're talking about kids. We're talking about families that ought to be supporting these kids, that ought to be helping these kids in a -- in a situation where eighty-five percent of these girls will end up keeping these -- these babies. These babies are not necessarily healthy, because when you have a thirteen-year-old pregnant girl, basically she's not going to produce a real healthy baby, because she's too darn young. And those babies are

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difficult babies to -- to take care of. They need the support of their mothers and their fathers, or at least their mothers, if their fathers aren't around, to be able to help them teach -- to teach them just some of the basic things that are needed to take care of these children, these babies. They have to learn how to change a diaper, for crying out loud. This is a good bill. We ought to be supporting it. We all ought to be supporting it. To let a thirteen- or fourteen-year-old kid out there with a brand new baby out on her own is insane. We ought to all vote Yes.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Syverson.

SENATOR SYVERSON:

What kind of society are we coming to when we start to say: "Well, our parents are sixty-five. They're no longer a need to us. Let's just throw them into a nursing home and let's let the State pay for it. Our children are an inconvenience to us because they've had a child and that's going to inconvenience us. So let's just throw them into a -- into their own apartment and let the State take care of it." We talk about dysfunctional families - this is the kind of thing that's causing dysfunctional families, when we can say, "Let's push them into an apartment and let the State pay for it." Sadly, if parents and churches and parishes and synagogues were doing what they're supposed to be doing, we, as a State, wouldn't be funding the amount that we're continuing to fund. I can't believe that I would allow my thirteen- or fourteen-year-old daughter to live on their -- on their own, trying to make decisions of raising a child. It's a difficult process. They need to be at home with the parent or parents who can help guide them in raising that child. I think this is a great bill for the taxpayers, and it's a great bill to keep families together.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Senator Watson, to close.

SENATOR WATSON:

I don't believe I could have said it any better than that. I appreciate your support.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Excuse me, Senator Watson. Senator Smith, your light went on when I was starting to ask him to close.

SENATOR SMITH:

Mr. President and Ladies and Gentlemen of the Senate, I just have to say something about this. I don't think we are living in the real world. I think we are -- think that we know the answers, but I don't think you've ever lived in a real neighborhood with people. You're talking about these young people should be going home to their parents. You have parents today that put their young children out in the street for the business of bringing money home. You have parents at home that don't care where their child is. There are young people today that don't have any parents, or they don't know where their father is or they don't know where their mother is. And yet, you said they should be at home with that parent. That would be -- that's beautiful. That's -- that's the way that life should be. But it is not like that. Young people are raising themselves. That's why they go to gangs and -- and live together, so that they can have some pride and some safety. And you're saying, "Go home to your parents and let your parents be responsible." Some of these parents -- and I don't mean poor parents; I mean mothers and fathers that go out to their parties and their bridge parties and they're in the sororities and all of that good time. They're going out yachting and all of this. They don't care where their children are, as long as it does not -- interfere with their -- their lifestyle. So when you start talking about "send the child home to a parent," that's a sad indictment there -- right there. A child will -- and

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then you have some parents know that their child is out there and they try to get them on some contraception so that they won't have -- not have no babies. You don't want them to do that; you want them to have the babies. Then after they have the babies, then you don't want to take care of them. And so there they are. The child does not ask to come here. The child comes here because your lust brought him here, be it -- I don't care who you are. And so I think we're just -- we're a little bit behind. We're not really thinking in reality. He's saying, "Send the child home to her parent." What parent? That's -- that's the question I want to ask my colleague. What child -- family do you -- are you talking in terms of? These young people are raising themselves, living in cars, living in boxcars, living in -- on trains, living in automobiles. Where are you talking about? Send them home to who? Now, that's what I would like - to get an answer there.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson, you can answer that in your close, if you choose to go ahead and close right now.

SENATOR WATSON:

That would be fine.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson, to close.

SENATOR WATSON:

Well, that's -- I'm going to answer your question, Senator Smith. That -- that's no different than what it is now. That -- nothing changes from what you or Senator Hendon -- nothing changes. They -- it -- the Department then would give them the AFDC payment. Nothing changes. So I just want -- I want you to understand it. I think there's some people reading into this a little bit more than what we're really attempting to do. I've just -- but let me just briefly make a couple of comments - and I -- I appreciate the support that -- that I've gotten for this.

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And I -- it frustrates me at times when I hear how we're being so punitive when we try to suggest, or defend, or - God forbid - that we try to do something to protect the family and get the family involved in decision-making process of a young woman, when we're having children having children. All we want to do here is break that generation after generation after generation of dependency that we're seeing on so many families throughout this country. And the reason that that is occurring is a breakdown and a breakup of the family. That's the basic reasons for all the problems that we're having. So what's wrong with saying if you are under the age of eighteen and you are a minor, that you reside in the home with your family, with your support? What is wrong with that? That's all this is trying to do. Nothing punitive about it. I get frustrated when the people I -- I think ought to be supporting legislation such as this get up and start talking and wailing about how much we're trying to hurt an individual. We're not trying to hurt anybody. We're trying to be helpful. We want the family - the family - to be involved in raising that child. Some parental guidance. Nothing wrong with that.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Smith, he addressed -- he addressed your -- your question in his closing. On that question -- well, Senator -- Senator Smith. On that question -- he -- Senator Smith, he answered your question then. On -- on that question, on House Bill -- shall House Bill 132 pass, those in favor shall say Aye. Those opposed will 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 34 Ayes, 24 Nays, none voting Present. House Bill 132, having received the required constitutional majority, is declared passed. A verification has been requested by Senator Hendon. Secretary will -- Senator Hendon has requested a verification. Will all Senators be in

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their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Does Senator Hendon question the presence of any Member voting in the affirmative?

SENATOR HENDON:

Yes, I do. Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Rauschenberger is standing over there.

SENATOR HENDON:

Senator Raica.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Raica. Is Senator Raica in the Chamber? Senator Raica? Senator Raica? Senator Raica's back there in the phone booth.

SENATOR HENDON:

That's not him, Mr. President. I have a right to see his face.

PRESIDING OFFICER: (SENATOR DeANGELIS)

You have...

SENATOR HENDON:

I -- I saw his face now...O'Malley.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Well, there aren't -- there aren't too many people that want to see it.

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SENATOR HENDON:

O'Malley.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator O'Malley. Right there.

SENATOR HENDON:

Karpel.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Karpel? Senator Karpel is standing by the well.

SENATOR HENDON:

I challenge no others, Mr. Chairman.

PRESIDING OFFICER: (SENATOR DeANGELIS)

On a verified roll call, the Ayes are 34, the Nays are 24, none voting Present. House Bill 132, having been verified, is declared passed. ...(microphone cutoff)...Cullerton, for what reason do you rise?

SENATOR CULLERTON:

Yes. I would -- thank you, Mr. President. I would ask leave of the Body to change the sponsorship on House Bill 766 from myself to Senator Shadid.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton has asked leave to change sponsorship. All in favor? Aye. Opposed. Leave is granted. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Mr. President, back on Amendment 3, House Bill 1300. I was recorded as a Yes vote. My intention is to vote No.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Thank you. Let the record show that. Senator McCracken.

SENATOR MCCRACKEN:

Did you already change the sponsorship, Mr. President? Have you -- have you...

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Yes.

SENATOR McCracken:

Senator Cullerton, was this the bill you and I talked about about not putting it into a conference committee or not calling it for a vote without an agreement? Does it -- has that changed now that the other person has the bill?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

No. No problem. I just thought I -- we'd have Senator Shadid try to pass a bill this Session, and that's why I thought to do it, but I'm sure the same agreement... It's nothing devious.

PRESIDING OFFICER: (SENATOR DeANGELIS)

For -- for what reason does Senator Demuzio rise?

SENATOR DEMUZIO:

Well, I just wanted to ask Senator Cullerton the same question, because I thought that was the bill that was being used for the cigarette tax, or the liquor tax, or something.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Your comments will be noted, Senator Demuzio. Okay. House Bill 176. Senator Dudycz, do you wish that recalled -- returned to 2nd Reading for the purposes of amendment? Senator Dudycz seeks leave for the Body -- to the Body to return House Bill 176 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 176. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 13, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dudycz, explain your amendment. ...(microphone cutoff)...Dudycz.

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SENATOR DUDYCZ:

Thank you, Mr. President. Amendment -- Amendment 13 requires certain forest preserve commissioners who are now appointed, to be elected in counties under one hundred thousand population. Most other forest preserve commissioners are also the sitting county board members from which -- and this does not affect those districts. The language in this amendment is from Senate Bill 91 which passed the Senate 36 to 11.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Any discussion? If not, all those in favor, vote Aye. Opposed, vote Nay. The voting is open. The amendment is adopted. Okay. All those in favor of adopting the amendment, say Aye. Opposed, say No. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 14, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Syverson, on Amendment No. 14. Senator Syverson? Senator Dudycz?

SENATOR DUDYCZ:

...leave to handle it for Senator Syverson.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Can Senator -- do we have leave for Senator Dudycz to handle Senate Amendment No. 14? Leave is granted. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. -- Mr. President. Amendment No. 14 amends -- 14 amends the introductory paragraph of the Boone County Building Complex Committee Law to allow the Committee to maintain any building complex, rather than just existing complexes, and clarify that the area defined is all of Boone County. Senator Syverson has just entered the Chamber, and has informed me that this merely just contains some stylistic changes.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

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

ACTING SECRETARY HAWKER:

Amendment No. 15, offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Petka, on Amendment No. 15.

SENATOR PETKA:

Well, thank you, Mr. President. Amendment 15 would permit counties over three hundred thousand population to zone land for -- land -- to zone for land use on parcels of land which are under five acres from which a thousand dollars or less of agriculture products are sold annually. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? If not, all those in favor, say Aye. Opposed, say Nay. The Ayes -- Ayes have it, and the amendment is adopted. Any further Floor amendments?

ACTING SECRETARY HAWKER:

Amendment No. 16, offered by Senator McCracken.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator McCracken, on Amendment No. 16.

SENATOR McCracken:

Amendment No. 16 requires circuit clerks in counties over seven hundred thousand to annually budget for audits, and that the audit so done will stand for all purposes, unless otherwise ordered by the county board or the Supreme Court. I move its passage.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Any discussion? If not, all those in favor,

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

ACTING SECRETARY HAWKER:

Amendment No. 17, offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Petka, on Amendment No. 17.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. Senate Amendment No. 17 is a technical amendment which was requested by the Democratic Members of the Local Government Committee to restore Cook, DuPage and Lake Counties to their existing status, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Stern.

SENATOR STERN:

I'm sorry, Mr. Petka. You sounded like Zeke Giorgi. I couldn't understand what you said. It doesn't... What does it do for Lake County?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Petka, for clarification.

SENATOR PETKA:

Senator Stern, when I -- incidentally, I appreciate the compliment. When Senate Amendment 15 was adopted, it inadvertently included Lake County where it should not have been included. Senate Amendment No. 17 restores Lake County.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Stern.

SENATOR STERN:

Okay. I -- I withdraw whatever I was going to say.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Geo-Karis.

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SENATOR GEO-KARIS:

Will the sponsor yield for a question...

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will.

SENATOR GEO-KARIS:

... on this amendment.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I understand then, by Amendment 17 - there are only seventeen amendments to this horrendous bill - restores Cook, DuPage and Lake to the existing status and does not -- and this amendment does not affect their present status? In other words, it only affects seven other counties, is that correct?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Petka.

SENATOR PETKA:

Senator, you're correct. What -- what happened here is that when Senate Amendment No. 15 was adopted, it inadvertently made reference to three counties over four hundred thousand. It was not intended to affect those counties in any way. That's why Senate Amendment No. 17 took those three counties out. They -- they just revert back to their current status.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, in that case then, I'm glad that you caught it and took my county out of there.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Klemm.

SENATOR KLEMM:

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

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for a question?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will.

SENATOR KLEMM:

I guess I want to know what it's going to do to McHenry County, obviously. It's left in there. I want to find out what really then 15 and 17, combined, does.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Petka.

SENATOR PETKA:

Senator Klemm, I had a lively discussion with Representative Hughes from your county about this. She's not in opposition to it. She feels -- what it does, Senator, is that it permits counties which -- in where there has been rapid development, where a farmer sells off his -- his farm and keeps four- or five-acre tract, where it no longer has an agricultural use, that the -- it can be subjected to the zoning ordinances of the county.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Klemm.

SENATOR KLEMM:

But is that subject to a thousand dollars of some sort of income of that five acres or less? Is that what -- it has to meet those two requirements?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Petka.

SENATOR PETKA:

Senator, reading the language, it is somewhat confusing. What -- it's actually a double negative that appears in the Statute. If there is more than a thousand dollars of produce, which is -- comes off the land - if it's like a fruit farm, a mushroom farm, nursery or the like - it will be exempted. This is simply a test that comes from, I believe, the Department of Commerce, to try --

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try to define in some small way what actually is a farming enterprise.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? If not, all those in favor of Senate -- Floor Amendment No. 17, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senator Donahue, for what reason do you seek recognition?

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point.

SENATOR DONAHUE:

In the gallery -- President's Gallery, we have a group of schoolchildren in third and fourth grades from Trinity Lutheran in Arenzville, Illinois. It's -- their teacher is Mrs. Link, and I'd like to have them rise and be recognized.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Say "welcome" to our guests. On 3rd Reading is House Bill 176. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 176.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dudycz. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I kind of feel like the conductor

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of a very long train with Senate Bill -- or House Bill 176. The bill -- as it originally came from the House, it passed unanimously. It would permit sheriffs to demand payment of fees for service of process in advance of the sheriff's office serving papers. In addition to the amendments that we had just adopted, it includes the following: Amendment No. 1 which was -- originally added from House Bill -- or originally introduced as House Bill 474, sponsored by Senator Woodyard, and House Bill 1569, sponsored by Senator Maitland; it would allow counties to sell or lease water or sewer improvements to public utilities, and allow counties to establish an adjudication process for civil offenses with fines less than two hundred and fifty dollars. Amendment No. 2, sponsored -- had -- had language originally in House Bill 1071, sponsored by Senator Klemm, allowing the presiding officer of the county board to appoint two alternate members of the zoning board of appeals, and they would serve only if the regular member was absent. Amendment No. 5 added the language from House Bill 839, sponsored by Senator Jacobs, which would give preference points to veterans who apply with municipalities: ten points for disabled or purple heart veterans, five points for veterans who served during the time of hostilities, and three points if a veteran served in the Armed Forces and -- or the Illinois National Guard or any reserve components. Amendment No. 7 contained language from -- also from House Bill 474, at the request of and the sponsorship of Senator Woodyard, which would authorize counties to sell or lease water and sewer improvements to the utilities operated by other units of local government. And finally, in addition to all those previously adopted and just explained by myself, it contains Amendment No. 10, sponsored by Senator Watson, which would raise the maximum population from fifteen hundred to five thousand for certain sanitary districts to dissolve, as long as they have no

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outstanding debt.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Any discussion? If not, the question is, shall House Bill 176 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that, there are 57 Ayes, none voting Nay, 1 voting Present. House Bill 176, having received the required constitutional majority, is declared passed. House Bill 203. Senator Weaver, you wish that bill recalled to 2nd Reading? Senator Weaver? Senator Weaver -- Weaver seeks leave of the Body to return House Bill 203 to 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Senator Weaver, on the Order of 2nd Reading is House Bill 203. Mr. Secretary -- or, Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 6, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Amendment No. 6 to House Bill 203 adds an Ethics Code to the Illinois Riverboat Gambling Act. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. On the Order of 3rd Reading is House Bill 203.

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Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 203.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 203 has been amended a couple of times. Senator Jacobs put an amendment on and I put -- two amendments on, Senator Jacobs, and I put one amendment on. This may be just a vehicle. It'll probably go to a conference committee. If there's any use for it, it will be available. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I know that there are two competing riverboat gambling ethics proposals now that are -- that have been around here, one sponsored - the one that's before us - by the Governor, and the other by Treasurer Quinn. I'd like to point out that the more stringent proposal, obviously, was the one that was previously offered and has not been afforded the opportunity to have a hearing before the -- in the Senate, a House bill that's passed, that's currently pending in the -- in the Rules Committee. But I would like to point out the differences, if I might, that are not contained in this proposal. One, there is nothing in this proposal that would require public disclosure of information regarding license holders, including registration of holding companies, and full and continuing disclosure and reporting of all parent subsidiary corporations or ownerships and interest.

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There's nothing in this proposal that has anything to do with any advanced disclosure of any plans about the corporate structure or financial arrangements. There's nothing in this proposal that would bar members from -- and staffers, from ruling or working on matters where they or the members of their family have financial interests. Nothing in this proposal that says that no one may serve as a board member or executive director if a person had an interest or employment by a licensee or applicant in the last three years. Nothing in this proposal that deals significantly with the sanctions or the penalty provisions that I raised in committee, and that means that violations of any sections of this provision that is before us today - the Governor's proposal - means that a violation is a business offense subject -- subjecting the offender to a fine of up to ten thousand dollars, which means, I suppose, that if a person were in a -- the right position and decided to leave at the right time and go back and buy a financial interest in any type of riverboat opportunity or future stock option or whatever, that that person could stand to make an awful lot of money. But if he is found to be in violation of any of these particular standards that are in this bill, it would only mean and subject that person to a ten-thousand-dollar fine. It seems to me that the more stringent proposal is obviously the bill that reposes in the Senate Rules Committee which, in fact, did not get a hearing. But, unfortunately, I guess, for us, this is the only game in town at the moment, and so if you're supposed to -- if we're going to do anything at all, I suppose this is it.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. Similar to the point that Senator Demuzio made, I think the bill is a good bill. I think it's unfortunate that this revolving-door aspect of the bill is so

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limited. In this General Assembly, we've tried several times, including this year, to pass needed revolving-door legislation for the State of Illinois. It seems to me that if the Governor thinks it's good enough for the Gaming Board, revolving-door legislation ought to be good enough for the Legislature, for State employees, and for the State of Illinois Government. Unfortunately, this bill does nothing toward that. What this bill really does is say: Revolving door, keep on spinning in Illinois.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Weaver, to close.

SENATOR WEAVER:

Well, I think there needs to be some explanation here. This is -- prohibits the Gambling <sic> Board members and employees from accepting employment, from contracting with owners, suppliers, licensees, for a period of three years following termination of service. The three-year provision is in there. If a owner is charged with a violation, you know, he has millions of dollars to lose. So, there's plenty of safeguards in this. If you wish to in the future, as we see the need, to strengthen this, I'd be happy to consider it. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall House Bill 203 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that, there are 55 Ayes, 1 voting Nay, 2 voting Present. House Bill 203, having received the required constitutional majority, is declared passed. House Bill... For what reason does Senator Smith rise? Senator Smith?

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to stand on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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State your point.

SENATOR SMITH:

We are honored to have with us tonight -- this afternoon, from the Chicago area, the Emmanuel Christian Church School. The Reverend Benny Hill is the tour sponsor, and the Pastor is the Reverend Currie. Will you stand and be recognized?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Will our guests in the gallery please stand and be recognized. On House Bill 246, Senator Collins, do you wish that bill to be returned to 2nd Reading for the purposes of an amendment? Senator Smith <sic> seeks leave of the Body to return House Bill 246 to the Order of 2nd Reading for the purpose of an amendment. Is -- Senator Collins.

END OF TAPE

TAPE 5

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Collins. For the purpose of an amendment. Hearing no objection, leave is granted. Senator Collins. On the Order of 2nd Reading is House Bill 246. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Collins, to explain the amendment.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. This amendment puts the -- this bill in the same form - it is a

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technical change - as Senate Bill 56 <sic> (57), which has now passed the House and on the Governor's desk. And let me thank the committee for allowing this amendment to pass out, because there is a -- a process of negotiations going on between the Chicago Bar Association, the State Bar Association, and the coalition that worked on the Probate Act, to clear up some other problems that is very crucial to the successful adjudication of the -- of this program. And so, we would just like for this bill to pass, put this amendment on so that it can go back to the House, giving them - all of the interested parties - an opportunity to work out an agreement, which they have just about come to at this point. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. On 3rd Reading, there is House Bill 246. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 246.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you. Now the bill is identical to the bill that we passed, 57, and I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? If not, the question is, shall House Bill 246

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pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all who -- voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. House Bill 246, having received the required constitutional majority, is declared passed. House Bill 282. Senator Watson? Senator Watson. ...(microphone cutoff)...Bill 282. Senator Watson? Take it out of the record. House Bill 317. Senator Karpziel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 317.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Before I explain what House Bill 317 does do, let me say that yesterday we tabled Amendment No. 3. Amendment No. 3 was the provision for municipalities that have a zero levy to be able to -- levy up to a quarter of a percentage without referendum. That amendment has been tabled. So I hope you all hear that and don't dictate your vote by whether or not that's in it. What it does do is that it raises the household income limit for a Senior Citizen Tax Deferral Program from fourteen thousand to twenty-five thousand. It amends the Fiscal Act Note -- Note Act to require fiscal note responses to include an analysis of both direct and indirect costs. It amends the Property Tax Extension Limitation Act to move the referenda deadline back from December 31st, 1988 to October 31st, 1986. And lastly, it amends the Property Tax Extension Limitation Act to treat the increased assessed value in TIF districts as new property when the TIF is dissolved. And I ask for your Aye vote.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Syverson.

SENATOR SYVERSON:

Just a quick question of the sponsor.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor will yield.

SENATOR SYVERSON:

It's my understanding, Senator, that three hundred and sixty-five thousand people are eligible for this program and only five hundred people are taking advantage of that. Is there a reason why this program is -- is not currently being used, and do we anticipate further expansion if we get to this higher number?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Karpel.

SENATOR KARPIEL:

There are probably two reasons for that. One I think is because the income level is too low, and that way there are many people that cannot access the program. And the second thing is that, very probably, it doesn't get enough PR and a lot of people don't know about it.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Syverson.

SENATOR SYVERSON:

That was going to be my next question. What steps are taken to inform those individuals that they have this ability?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Karpel.

SENATOR KARPIEL:

Actually, that's taken care of at the county level and the different counties do it. I -- I don't think they're probably doing a great job.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Senator Cullerton.

SENATOR CULLERTON:

Yeah. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says she will.

SENATOR CULLERTON:

Are there -- in addition to the original bill, with the amendments, are there some more exemptions to the tax cap bill?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Karpiel.

SENATOR KARPIEL:

I prefer to say there are a few corrections.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

Did we make a mistake when we voted for that a couple years ago? And could you describe what the corrections are?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Karpiel.

SENATOR KARPIEL:

The corrections are the one that treats the increased assessed value in TIF districts as new property. As you know, when we passed the original TIF legislation, it would allow them to access the higher rate, and with the cap limitation, they're unable to do that. And there are a few TIF districts, such as in Bridgeview and one other municipality, that are just about ready to dissolve, and we'd like to get this correction taken care of, because some are coming up in the next few years. The other correction is changing the referenda deadline. And that's it.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SENATOR KARPIEL:

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I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall House Bill 317 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that vote, there -- on that question, there are 56 Ayes, 2 voting Nay, none voting Present. House Bill 317, having received the required constitutional majority, is declared passed. House Bill 344. Senator Woodyard? Senator Woodyard? 344? Take it out of the record. House Bill 377. Senator LaPaille? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 377.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Mr. President. House Bill 377, in its amended form, only applies to the City of Chicago where there is a mechanism to vote a precinct dry. What it does is twofold. Number one, it now will take away the current power of a -- of a tavern owner to file faulty petitions in order to block communities from filing to vote his establishment, or her establishment, dry. It takes that away, and it allows the election authorities to -- to file more than one set of petitions and then to rule on each one separately and not block communities' groups from filing these type of petitions. And then, number two, we're also cleaning up the law pursuant to an appellate court ruling which will now allow communities to vote a particular street address dry and thus not harm other restaurants that might be in that same precinct and -- and force them to not sell liquor anymore. So, it's a good

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cleanup on a current law that is working very well within the City of Chicago. State's Attorney Jack O'Malley and -- and we were trying to work on trying to expand it into suburban Cook County and even downstate. There was some resistance. So this now only applies to where it currently applies: the City of Chicago. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? If not, the question is -- Senator LaPaille, would you like to close or... If not, the question is, shall House Bill 377 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted -- take the record. On that question, there are 29 Ayes, 10 voting Nay, 15 voting Present. House Bill 377, having not received the required constitutional majority, is declared failed. Senator LaPaille.

SENATOR LaPAILLE:

Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor requests Postponed Consideration. Senator Stern, speaking out of...

SENATOR STERN:

Both sides of her mouth. No. No. That's a joke. I...

PRESIDING OFFICER: (SENATOR DeANGELIS)

What a frank admission.

SENATOR STERN:

Mr. President, I was away from my switch. I wanted to vote Aye. Am I too late to make a difference in that -- in this whole Body, for heaven sakes?

PRESIDING OFFICER: (SENATOR DeANGELIS)

You're too late. You're too late, unless you want to go back to the House.

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SENATOR STERN:

Ha-ha-ha-ha-ha.

PRESIDING OFFICER: (SENATOR DeANGELIS)

It will be so noted.

SENATOR STERN:

Thank you, sir.

PRESIDING OFFICER: (SENATOR DeANGELIS)

On House Bill 419, the Chair requests leave to come back to that, soon as he vacates the Chair. House Bill 564. Senator Cronin, do you wish this bill to be returned to 2nd Reading for purposes of an amendment? Senator Cronin wishes -- seeks leave of the Body to return House Bill 564 to the 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading is House Bill 564. Mr. Secretary, are there any Floor amendments for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cronin.

SENATOR CRONIN:

Yes. Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. This is an agreed amendment. This was language that was identical to the contents of House Bill 565. It calls on various State agencies who provide services to the mentally ill to enter into agreements with the Department of Mental Health and Developmentally Disabled. It also seeks to allow the Department to assist with the transfer of patients in State-operated facilities to community settings. Finally, the amendment ensures that nothing in this Act will be construed to abrogate any existing doctor-patient relationship. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Any discussion? All those in favor of Floor Amendment No. 2 to House Bill 564, signify by saying Aye. Opposed, Nay. The Ayes have it. Are there any further Floor amendments for consideration, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cronin.

SENATOR CRONIN:

Thank you, again, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 3 to House Bill 564 makes merely some stylistic changes. It -- it uses the words "persons with...developmental disability", rather than the current language, which refers to those persons as "mentally deficient persons". It's a matter of style, and it's a word selection. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DeANGELIS)

All those in favor, say Aye. Opposed, say Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments, Mr. Secretary?

SECRETARY HARRY:

No further Floor amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. On 3rd Reading is House Bill 564. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 564.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cronin.

SENATOR CRONIN:

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Thank you, Mr. President. Without reiterating what was already said with regard to the amendments, the bill as a whole seeks to allow participants of the Family Support Program, a program which is within the Department of Mental Health-Developmentally Disabled, to allow these people and these families to receive lump sum payments, rather than the current monthly stipend to acquire services or tangible items which are related to the basic needs of a child with developmental disabilities. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? If not, on that question is -- shall House Bill 564 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, none voting Nay, none voting Present. House Bill 564, having received the required constitutional majority, is declared passed. House Bill 611. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Member of the -- Members of the Senate. House Bill 611 would encourage businesses to make charitable contributions to projects designed to benefit impoverished people or areas. These businesses that make such contributions toward eligible programs, such as job training, education, or community services, would be eligible for credits against corporate property taxes that they pay. This would be

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permissive by municipalities and would be done at their discretion. As amended, the amendment deletes the ten-mile area provision for model homes and makes it a three-mile radius area. It also provides that the home -- the model home furnishings, appliances, offices, office equipment used for sales activities shall not affect the tax level of the model home. I ask for your vote for House Bill 611.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I understand it, this came out of the Senate committee on the Agreed Bill List, so therefore there wasn't some witness slips, and I guess that they didn't ask if there was any witness slips in opposition. It's my understanding that this bill is opposed by the Municipal League and by the City of Chicago. Is -- is that correct, Senator?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

The -- the original bill: does have opposition from the Municipal League, even though it's not mandatory, but I'm not aware that the City of Chicago opposes this legislation.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

Well, thank you. To the bill. I just have a little problem. I don't -- you know, it's just a little one. But what's to keep a company who's going to make a ten-thousand-dollar donation, who is going to make it, say, to the United Way, to go to the City and say, "Hey, you know, I'll give it to you if you give me the fifty percent deduction. If you don't, then I'm going to give it to

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United Way," and to keep them from using that as -- as a form of blackmail of sorts, number one? And number two, isn't the -- in addition to getting a fifty-percent reduction in their city property tax, would they not also be eligible to take this off as a charitable donation on their federal income tax?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

Yes, they would be able to take it off their federal income tax. And the other question you asked regarding the money and what would happen: The money goes to the charitable organization, and then the municipality has the discretion to give them the tax credit on their property taxes.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Without belaboring the point, doesn't it also though -- just so we're -- we're correct, it doesn't limit it just to charitable organizations, is that correct? It could be a day care center, as an example. A owner of a day care center could give the city a fifty-thousand-dollar grant, which comes back to the day care center, and get a fifty-percent reduction in their -- their income tax at the same time, even though they're not-for-profit...

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

Senator, this has nothing to do with grants, only charitable contributions that would be made. As far as I know, it has nothing to do with grants from any local or State government.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

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SENATOR JACOBS:

Just in closing: as we understand it, the bill does not really address that properly. It makes no -- no reference to only charitable organizations, as we see it.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SENATOR PETERSON:

Mr. President and Members, I think the bill has been fully debated. I ask for affirmative vote on House Bill 611, as amended.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall House Bill 611 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that vote, there are 47 Ayes, 8 voting No, 2 voting Present. House Bill 611, having received the required constitutional majority, is declared passed. House Bill 701? Senator Woodyard? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 701.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. House Bill 701 actually started as a request from the superintendent of a very small school district in the Senate district. And that district, Armstrong High School, wanted to be able to negotiate the tuition cost that they were negotiating with the possible deactivation of an adjoining school district. We needed this legislation to -- to allow that negotiation to proceed, should the

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sending school district decide to deactivate by referendum. As far as I know, there is no opposition to this. The State Board of Education is -- certainly is not opposed to it, nor is IEA. The bill also contains a provision - an amendment sponsored by Senator Maitland - that deals with the Gibson City School District that was contained in -- in Senate Bill 671 that we passed out of here unanimously. When it got to the Governor's desk, it was found that it contained no effective -- an immediate effective date, and House Bill 701 does contain an immediate effective date. So, thus, that provision was also added to this bill. That's what this bill does. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Raica.

SENATOR RAICA:

Just a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsors says he will yield.

SENATOR RAICA:

Senator Woodyard, just for the record, the -- is the legislation specific to your district, as far as consolidation, or does it open up for the entire State or...

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding, it would apply to the entire State.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Woodyard, you wish to close? On that question, shall House Bill 701 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. House Bill 701, having received

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the required constitutional majority, is declared passed. Senate <sic> (House) Bill 766. Senator Shadid. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 766.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Shadid.

SENATOR SHADID:

Mr. President, I'm taking sponsorship of this bill because I -- the circuit clerks didn't feel that Senator Cullerton could get this through, and I said, well, I'd be more than -- more than happy to be the sponsor. What this... I would appreciate a Aye vote on this.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Shadid, would you -- could you do a little better job than what you've done?

SENATOR SHADID:

Presently, the circuit clerks now don't have the option -- when a bill -- a case is remanded back to the court from the appellate court or supreme court, they have to put the original number on it. This gives them the opportunity to either use the original number or a new number. Just the flexibility. Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator McCracken.

SENATOR MCCRACKEN:

Senator Shadid, you picked the wrong first bill. This has been controversial all year. When Senator Cullerton lateraled it to you, didn't you get a little suspicious?

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Senator Shadid.

SENATOR SHADID:

I guess I should have; he's from Chicago and I'm from downstate. I guess I should have been a little bit suspicious, but I'm a little naive, you know.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Shadid, if -- if this bill comes back with the -- with the State budget and some tax increases on it, what do you intend to do with it?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Shadid.

SENATOR SHADID:

I'm going to lateral it back to Cullerton.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Topinka.

SENATOR TOPINKA:

Well, having talked to the clerk of our court, he cast some awfully strong aspersions on this, and apparently has been talking to Senator Cullerton right along to try and get some modification, which Senator Cullerton apparently has resisted. Now, to be really honest, to do this to a "rookie", I think, and, you know, a new Member of the Senate, is kind of rough. I feel badly for you that you took this sponsorship, but you still have the ability to take it out of the record or kick it back over to Cullerton and fix his clock good, because he has it coming on this one.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Any further discussion? Senator Shadid, to close.

SENATOR SHADID:

The -- the clerks, I'm -- been told, are not opposed to this

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bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Is that your close, Senator Shadid? Senator Shadid.

SENATOR SHADID:

Yes. I'd like to have a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall House Bill 766 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On -- on that question, there are 55 Ayes, 2 voting Nay, none voting Present. And House Bill 766, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

House Bill 767. Senator Barkhausen? Out of the record. House Bill 770? Senator Donahue? Out of the record. House Bill 837? Senator Hasara? Mr. Secretary, will you read the bill?

SECRETARY HARRY:

House Bill 837.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- Senator Hasara.

SENATOR HASARA:

Thank you, Madam President. House Bill 837 is the Certified Shorthand Reporters Act bill. It brings their Act into compliance with the federal Act. It reduces the number of hours of continuing education, and exempts shorthand reporters working for State Government from that provision. It's been agreed to be everyone, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, Senator

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Hasara, to close. Senator Hasara, to close.

SENATOR HASARA:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall House Bill 837 be passed. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, there are 57 Yeas, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill -- I'm sorry. House Bill 935. Senator Topinka? Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 935.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Topinka.

SENATOR TOPINKA:

Madam President and Ladies and Gentlemen of the Senate, we actually have -- have seen and done a lot with House Bill 935 already. We -- unfortunately, we had some -- put some amendments on there and had to bring it back. So you've actually voted on this before unamended and liked it as it were. With the new amendments, I think you're going to like it even better. Now, as amended, it amends the Illinois Domestic Violence Act to require law enforcement officers to complete a domestic violence offense report of any allegation of domestic violence. The domestic violence offense report shall be uniform statewide and shall include information on the existence of orders of protection. The -- the bill also amends the Act to require the court to make available to the petitioner, in a proceeding for an order of

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protection, a listing of domestic violence services available to the victim, and amends the Criminal ID Act as it pertains to the reporting of domestic crime to reference the definition of family and household members in the Act. That's what it does. It is totally agreed to. It is amended to the perfection that was sought by the Judiciary Committee, and I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, Senator Topinka, to close.

SENATOR TOPINKA:

Just a good roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall House Bill 935 be passed. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Yeas, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. House Bill 1009. Mr. Ralph Dunn? Mr. Secretary, will you read the bill?

SECRETARY HARRY:

House Bill 1009.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Madam President and Members of the Senate. This -- House Bill 1009 increases the membership of the Rehabilitation Service Advisory Council from thirteen to twenty-three members. Makes other changes. It was -- the Department of Rehabilitative

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Service asked for the bill. It's necessary to comply with some Federal Rehabilitation Act amendments of 1992, which tells they have to have State advisory councils; otherwise, we might lose as much as eighty-five million dollars in federal funding. I'll be glad to answer any questions, and urge the passage.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Dunn, I'm confused. Does this bill deal in any way with coal mines or coal mine inspectors?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dunn? Ralph Dunn?

SENATOR R. DUNN:

Thank you. Senator, this is probably the first bill I've had this year that doesn't have something to do with coal mines. I don't think it does, unless they get injured on the job.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Any further discussion? Hearing none, Senator Ralph Dunn, to close.

SENATOR R. DUNN:

Urge a favorable roll call, and thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall House Bill 1009 pass. Those in favor, vote Aye. Those opposed will vote Nay, and the voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. House Bill 1029. Senator LaPaille? Mr. Secretary, will you read the bill?

SECRETARY HARRY:

House Bill 1029.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Madam President. House Bill 1029, which is sponsored by myself and Senator Syverson, basically puts into place what voters in Illinois voted for with the constitutional amendment regarding the crime victim rights constitutional amendment that passed overwhelmingly last November. That amendment -- gave the General Assembly the authorization to provide by law for the enforcement of this right. And what this simply would now do is, in law, it would provide that a court must enter an order for restitution for any conviction of a criminal offense which results in personal injury or property damage to the victim, regardless of the age of the victim. And through an amendment, we said that the payments would be made through the clerk of the court to the victim. And I would ask for its passage.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Any further discussion? Hearing none, Senator LaPaille, to close.

SENATOR LaPAILLE:

Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall House Bill 1029 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 53 Yeas, no -- none -- 3 Nays, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. House Bill

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1032. Senator Woodyard. Out of the record. House Bill 1038.
Senator Philip? Out of the record. Senate Bill -- I mean, House
Bill 1040. Senator Philip? Mr. Secretary, will you read the
bill? 1040.

SECRETARY HARRY:

House Bill 1040.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the
Senate. Simply stated, it's a shell bill for workmen's comp. If
we come to a reasonable compromise in the end of the Session, I
would hope to use this vehicle. And ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. On our side, I might just want to
suggest that we might want to think about voting Present on this
until we know what the contents of the bill will be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR PHILIP:

Favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall House Bill 1040 pass. Those in favor
will vote Aye. Those opposed will vote Nay. And the voting is
open. Have all voted who wished? Have all voted who wished?
Have all voted who wish? Take the record, Mr. Secretary. On that
question, there are 43 Yeas, none voting No, 15 voting Present.

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And this bill, having received the required constitutional majority, is hereby declared passed. House Bill 1045. Senator Philip? Did you wish to bring this back for 2nd Reading? Senator Philip. Senator Philip. Senator Philip.

SENATOR PHILIP:

Yes, I do, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Senator Philip seeks leave of the Body to return House Bill 1045 to the Order of 2nd Reading for -- for the purpose of an amendment or tabling an amendment. Senator Philip, hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1045. Mr. Secretary, are there any Floor amendments approved for consideration? Senator Philip.

SENATOR PHILIP:

Thank you, Madam President. I would like to table Committee Amendment No. 2 and adopt Amendment No. 3.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Table -- the motion is to table Amendment No. 2 to House Bill 1045. Those in favor, say Aye. Those opposed, Nay. The Ayes have it. The amendment is tabled. Amendment No. 3 was adopted yesterday. Are there any further amendments?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. On the Order of 3rd Reading, House Bill 1045, Senator Philip. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1045.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip. Senator Philip.

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SENATOR PHILIP:

Thank you -- thank you, Madam President, Ladies and Gentlemen of the Senate. What House Bill 1045 does now, it allows the four Leaders to appoint one person to be an observer in regards to collective bargaining for public employees. When -- as you know, I think it was last Session or the Session before, Speaker Madigan asked the Governor to allow a person to sit in on those negotiations, because, as you know, whatever they decide on we are obligated to. So this just allows us, by Statute, to have each one of the four Leaders send somebody to those collective bargaining -- or those negotiations. Be happy to answer any question, and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam President, Ladies and Gentlemen of the Senate. This indeed does as the Senate President has indicated, and that is, each of the four legislative Leaders in the respective Chambers would, in fact, appoint a designee to observe any collective bargaining negotiations between the State of Illinois and an exclusive -- representative. I don't know why we want to do this. I understand fully the impact of the fact that we must be obligated to the -- the final agreements that are struck by the respective negotiators with respect to the State and -- and the various unions, but simply to send designees as an observer with no specific functional right of being involved in the negotiation process, it seems to me that this is really not good public policy and ought not to be a matter of -- of law. As a matter of fact, I am told that the Speaker isn't even for this particular concept. If, in fact, we're going to do this, we ought to do it on a voluntary basis, and we ought not to do it as a matter of having these things into the Statutes. So I would rise

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in opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Severns.

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Certainly. Senator Philip yields to your question.

SENATOR SEVERNS:

Senator, between the debate in the Executive Committee and now, has the Governor taken a position on this bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip.

SENATOR PHILIP:

I believe the only thing it does now, we moved -- removed one amendment. All it does now is allow each one of the four Leaders to appoint somebody to observe collective bargaining. That's all it does. And they don't have to appoint anybody. So if -- if -- if the Minority Leader on the other side didn't want to send anybody, he wouldn't have to send anybody. Now, as you know, the Speaker requested this, I believe, the last time that the Governor's Office was negotiating. He asked the Governor to send somebody and did send somebody.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Severns.

SENATOR SEVERNS:

Is was not the Speaker's position, actually, that I was looking for. It's the Governor's position. What is the Governor's position on this bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip.

SENATOR PHILIP:

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You know what? I have no idea. I -- I'm not sure it would change any votes on the other side anyway.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Severns.

SENATOR SEVERNS:

I'm hoping it might change a few votes on your side, actually. Do you know whether or not, if this bill became law, observers from the General Assembly would also be bound by a gag rule?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip?

SENATOR PHILIP:

I'll tell you. Did you ever try to gag a Senator?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President. To the bill: I know not everyone had the opportunity to hear testimony in both the Executive Committee and subsequent testimony in the Appropriations Committee, but I can tell you the one that is charged right now with the clear responsibility of negotiations, in terms of representing the State of Illinois' management side, is Director Schnorf. And he made very clear in public testimony in, I believe it was the Appropriations Committee, if not the Executive Committee, that this is a bad precedent. I think we ought to listen to Director Schnorf. I think the fact that the Governor hasn't taken a position -- in fact, he has taken a position, I would say. If he's not for it, he must be against it. It's a bad precedent. I think we ought to vote this bill down. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you. Question of the sponsor.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

He said he'll yield for a question.

SENATOR COLLINS:

Senator Philip, I've been here now for almost seventeen years, and I still want to believe that for every action we take, there is a purpose. Could you tell me the purpose for us passing this legislation and having someone sit in on the negotiations? What would you do with the information once you received whatever information you were looking for?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President. As you're aware, whether we like it or not, what -- what they agree on, we're stuck with. And if it's a large amount of money, we would be forced into raising taxes to provide that money for the benefits and the pay increases. By us having a representative there in the meetings, in the discussions, at least we would have an opportunity to have some limited input. I happen to think that's a good idea. I happen to think it would slow them down a little bit.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Collins.

SENATOR COLLINS:

...(microphone cutoff)...Philip, if -- if I'm not mistaken, there is no input. This is for observation. Now, there's a difference between observation and -- and limited input, because if you're going to have input, that means that that person becomes a part of the negotiation. And that's a lot different from someone sitting in a room observing.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Palmer. Senator Palmer. Senator Collins, haven't you finished?

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SENATOR COLLINS:

My light is on. Thank you very much.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You're welcome.

SENATOR COLLINS:

I'm trying to find out the intent here. Is the -- is the intent of this bill observation or participation by the General Assembly? That's -- that's the question. I want an answer.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip.

SENATOR PHILIP:

It -- it merely is observation - nothing else. And hopefully they would report back to the Leadership so we could kind of keep abreast on exactly what the Governor's Office and the unions were committing us, the General Assembly, to.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. I rise in strong opposition to this. In listening to the questions that have been asked, let me just summarize what we're saying here, as I understand it. That we're saying that the four Leaders can appoint observers to sit in to tell unions the uppermost and lowermost amounts that they can expect to receive; that they are -- these observers are not bound by gag rules, which is certainly one of the main line, mainstream bottom lines of negotiation; and that in the end, we will be tying our own hands. Because if we give unions, from the outset, the amount that they can negotiate, then we do not have the negotiating power later on. And I might also point out to you that it's interesting that these negotiations affect all of the executive branches. So I would urge a strong No vote on this bill.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

For -- for those of my colleagues who haven't had the benefit of sitting on Appropriations this year, I'd like to stand up and endorse this concept. When -- when we're having labor negotiations today, they're not just negotiating next year's revenue. In some cases, inadvertently perhaps, through ignorance perhaps, or -- or maybe just through confusion, pension benefits have been negotiated that my children are going to be paying for forty years from now, at the rate we're paying into pensions. I think it's critical that the General Assembly have some observation. We represent the financial management of the State of Illinois. We're in charge of the budget. I commend the courage of my Leader in suggesting that we have -- observers. I -- I hope Mike Madigan in the House will endorse this concept. I think it's important that the executive branch and those people negotiating our labor contracts realize that ultimately we're responsible, and they're not allowed to make deals behind closed doors that we have to live up to. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I happen to think it's a good idea. I think Senator Palmer, who was reading the original bill, if she'd have had a chance to look at the amendment - the amendment is very simple and to the point. It allows each one of us to appoint one person to sit in on the negotiation. I happen to think it's a step in the right direction, and maybe would slow 'em down a little bit. Ask

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for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall House Bill 1045 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Can we have a little quiet? It's hard to hear up here. Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 28 Yeas, 25 Nays, 2 voting Present. And this bill, having -- failed to received the required constitutional majority, is hereby declared failed. Postponed Consideration? Next bill. House Bill 1102. Senator Cullerton? Mr. Secretary, will you please read the bill. Senator Cullerton, is this a recall? Senator Cullerton seeks leave of the Body to return House Bill 1102 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 1102. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Cullerton, del Valle, Carroll and Smith.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. Amendment No. 2 was approved this morning in committee. It's a permanency planning amendment that is supported by the Department of Children and Family Services. It would define permanency goals and permanency review hearings, require the court to consider the nature of the service plan at the dispositional hearing, require a dispositional hearing to be held within twelve months and for a permanency review hearing to be held within a certain period of

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time. I believe it's an agreed amendment. Would ask for its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, all those who are in favor of this amendment, please signify by saying Aye. All opposed. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 4, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. Amendment No. 4 was at the suggestion of the Department of Children and Family Services. It's a technical amendment which redefines the term "neglected child". And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, all those in favor of this amendment, please signify by saying Aye. All those opposed, -- say No. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Any further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Cullerton, on the Order of 3rd Reading, House Bill 1102. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1102.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

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SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is a Department of Children and Family Services agency bill. It deals with requiring the Department to schedule a medical examination for every child taken into custody. Requires the Department to provide a history of the child's previous placements to caretakers, including their reasons for placement changes. Allows the Department to establish a system of regional inter-agency councils. In addition, we just added an amendment, which is Amendment No. 2, which defines this -- which is known as the permanency amendment - permanency planning. This is an effort to make sure that the Department finds a permanent home for children, and it gives direction of the court as to when those decisions have to be made. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR CULLERTON:

Roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

House Bill 1102. The question is, shall House Bill 1102 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. With leave of the Senate, we will return to House Bill 419. Senator DeAngelis. Mr. Secretary, will you read the bill.

SECRETARY HARRY:

House Bill 419.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. House Bill 419, as amended, authorizes the Illinois Housing Development Authority to create a loan program to provide money to housing developers to access low-interest-rate mortgage loans to develop housing for low and low-income housing. It uses the Affordable Housing Trust Fund as a revenue source. The Affordable Housing Program Trust Fund bonds do not constitute - do not constitute - obligations of the State, and shall not be secured by a pledge of the full faith and credit of the State of Illinois. This bill passed the House 114 to nothing, and I'll be happy to answer any questions. And if not, I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, Mr. DeAngelis, to close. The question is, shall House Bill 419 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that bill, there are 55 Yeas, none voting No, and 3 voting Present. This bill, having received the required constitutional majority, is hereby declared passed.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 507, offered by Senator Topinka.

Senate Resolution 508, by Senator Demuzio.

Senate Resolution 509, by Senator Shaw.

Senate Resolution 510, by Senator Tom Dunn.

Senate Resolution 511, by Senator Syverson.

Senate Resolution 512, by Senator Tom Dunn.

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Senate Resolution 513, by Senator O'Malley, as is Senate Resolution 514.

Senate Joint Resolution 68, 69, by -- 68 and 69, by Senator Donahue.

And Senate Joint Resolution 70, by Senator Weaver. They're all congratulatory or death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. Resolutions Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all of those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, signify by saying Aye. Those opposed, Nay. The motion carries. The resolutions are adopted.

SECRETARY HARRY:

Senate Resolution 515, offered by Senator Jacobs.

And Senate Resolution 516, offered by Senator Karpriel. They're both substantive, Mr. President.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 1553, with Senate Amendments 1 and 2.

Non-concurred in by the House, May 21st, 1993.

We have like Messages on House Bill 1852, with Senate Amendment No. 1, and House Bill 1915, with Senate Amendment No. 1.

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

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

Senate Bill 262, together with the following amendments, which are attached, in the adoption of which I am asked to instruct -- or I am instructed to ask the concurrence of the Senate, to wit:

House Amendments 1, 2 and 4.

We have like Messages on Senate Bill 319 with House Amendments 1, 2, 3, 4, 5, 6 and 8; Senate Bill 411, with House Amendment 2; Senate Bill 764, with House Amendment 3; Senate Bill 142, with House Amendments 1 and 2; Senate Bill 240, with House Amendments 1 and 4; Senate Bill 290, with House Amendment No. 1; Senate Bill 436 with House Amendment 1; Senate Bill 473, with House Amendment 1; Senate Bill 483, with House Amendments 1, 2 and 3; Senate Bill 503, with House Amendment 2; Senate Bill 586, with House Amendments 1 and 3; Senate Bill 650, with House Amendment 2; Senate Bill 678, with House Amendment 2; Senate Bill 712, with House Amendments 1, 2 and 4; Senate Bill 869, with House Amendments 2 and 3; and Senate Bill 940, with House Amendments 1 and 3.

All passed the House, as amended, May 21st, 1993.

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. There's been a number of Members who have bills on Postponed Consideration, and I was wondering if we could go to that order of business before we -- before we adjourn today.

PRESIDENT PHILIP:

Well, I -- I don't think we're going to adjourn at this point, Senator Demuzio. We're going to stand at ease until the House

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sends over some more paper work for us. We're going to try to catch up on the paper work. It's the intention of the Chair to -- to stand at ease until later this afternoon, hoping to receive some of the paper work from the House, and that -- that we call it quits until Sunday night at 5, which we once again will do some paper work and then come in sometime -- first time -- first thing Monday morning. Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, I -- I beg to differ with you. It just seems to me that -- all the Members are still here. There are only four House bills that are on the Calendar on the Order of Postponed Consideration. There are two or three today. It just seems to me that as a matter of fairness, we ought to make a run at it, and if a Member wishes to call his bill, he ought to have the right to do that. And I would ask that you reconsider and give us that opportunity.

PRESIDENT PHILIP:

Well, if you'd like to put that in a motion, we will have a vote on it. We'll take a roll call and let the majority prevail. It's all right with me. But most of -- and quite frankly, some of the Members have left already, on your side and my side, and we've been here. And I'll tell you one thing: We've never gone through the Calendar seven times that I can ever remember. So everybody's had their opportunity. We all know that. Senator Demuzio.

SENATOR DEMUZIO:

Well then, would you entertain a motion orally to go to that Order of Business and for the purpose of going to the Order of -- of bills that are on Postponed Consideration?

PRESIDENT PHILIP:

Why don't we just take a vote on the question. If the majority of the Members want to stay and listen to this rhetoric again and go on Postponed, I'm with the majority. All those in

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favor will signify by voting Aye. Those who oppose, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. Well, there are 23 Ayes, 31 Nays, no voting Present, 5 not voting. They're probably on their way to Chicago. So... It looks like we're all going to get a little better weekend than we thought we were. Motion failed. All right. Senator Demuzio.

SENATOR DEMUZIO:

Is there such a thing as Postponed Consideration on a motion to go to the Order of Postponed Consideration?

PRESIDENT PHILIP:

It may be in your rule book, and not in mine. Senator Demuzio.

SENATOR DEMUZIO:

Well, let -- let me offer this as an alternative: Why don't we extend the deadline for these seven bills until Monday, and we can do them on -- on Monday?

PRESIDENT PHILIP:

You know, the Senate will stand at -- recessed at call of the Chair.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

The Senate will come to order. Messages from the House.

SECRETARY HARRY:

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

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

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the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 25, together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 1.

We have like Messages on Senate Bill 25, with House Amendment 1; Senate Bill 91, with House Amendments 1 and 3; Senate Bill 157, with House Amendments 2 and 3; Senate Bill 227, with House Amendments 1 and 2; Senate Bill 246, with House Amendment 1; Senate Bill 252, with House Amendments 2, 3 and 4; Senate Bill 345, with House Amendments 1, 3 and 5; Senate Bill 383, with House Amendments 1 and 3; Senate Bill 498, with House Amendments 1, 2 and 5; Senate Bill 522, with House Amendment 1; Senate Bill 558, with House Amendments 1 and 2; Senate Bill 571, with House Amendments 1 and 4; Senate Bill 617, with House Amendments 1 and 4; Senate Bill 664, with House Amendments 1, 2 and 3; Senate Bill 677, with House Amendments 1 and 4; Senate Bill 707, with House Amendments 1 and 2; Senate Bill 798, with House Amendment 1; Senate Bill 828, with House Amendments 1 and 2; Senate Bill 830, with House Amendments 2, 4 and 7; Senate Bill 926, with House Amendments 1, 4, 5 and 6; Senate Bill 935, with House Amendments 5 and 7; and Senate Bill 990, with House Amendment 3.

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

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

House Joint Resolution 42.

We have a like Message on House Joint Resolution 43. Both adopted by the House, May 21st, 1993. They're congratulatory.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Further business? Further business?
Seeing none, Senate stands adjourned until 5 o'clock on Sunday
afternoon.

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