

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
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PRESIDENT PHILIP:

The Senate will come to order. And will our Members please rise, and our friends in the galleries please rise, for the prayer today. Very honored to have - for the first time that I can remember - a minister from my district. Reverend Mueller is from the Trinity Lutheran Church, beautiful town of Roselle, Illinois.

REVEREND MUELLER:

(Prayer given by Reverend Mueller)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Thursday, April 15th; Friday, April 16th; Monday, April 19th; and Tuesday, April 20th, in the year 1993, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. The Illinois Information Service have request permission to videotape our Session today. Is leave granted? Leave is granted. Messages, Mr. Secretary.

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

House Bills 77, 242, 267, 282, 347, 349, 360, 419, 636, 638.

Passed the House, April 20th, 1993.

We have like Messages on House Bills 610, 957, 1097, 1364, 1728, 2230, 652, 770, 907, 949, 1071, 1102, 1147, 1204, 1205,

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1478, 1646, 1679, 1687, 1716, 1718, 1774, 1778, 1781, 1825, 1951, 1963, 1985, 2013, 2060, 2076, 2123, 2134, 2155, 2186, 2216 and 2260.

All passed the House, April 20, 1993. From Anthony D. Rossi, Clerk of the House.

PRESIDENT PHILIP:

Yeah. Just at this point, like to make an announcement to kind of give you an idea of what we're going to be doing today. Going to be doing 2nd and 3rd Readings. We did very well yesterday; we moved over fifty bills. We still have a hundred and third <sic> bills on 3rd Reading and about fifty-some bills on 2nd Reading. We will probably work late again tonight. You know, it is my -- my attitude to try to get out of here as early on Friday as we can. So it may be necessary again to work late tonight and late tomorrow night. Also, I might remind the Membership that there are some House bills that have come over here, and they're looking for Senate sponsorships. And remember, we have a six-day posting requirement. I would suggest to those Members who pick up these House bills to notify the Chairman of the respective committee to have the bill posted. I -- I don't anticipate suspending the rules on posting. So if you're a Senate sponsor of a House bill, you'd better ask the chairman of that committee to post it, and I would suggest, in some cases, it better be done today. Thank you. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 32 is offered by Senator Trotter.

(Secretary reads title of bill)

Senators Hawkinson and LaPaille offer House Bill 35.

(Secretary reads title of bill)

Senator Dudycz offers House Bill 176.

(Secretary reads title of bill)

Senator Butler presents House Bill 382.

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(Secretary reads title of bill)

House Bill 474 is by Senator Woodyard.

(Secretary reads title of bill)

Senator Hawkinson offers House Bill 667.

(Secretary reads title of bill)

House Bill 675, by Senator Fawell.

(Secretary reads title of bill)

Senator Barkhausen presents House Bill 936.

(Secretary reads title of bill)

House Bill 1077, presented by Senator Geo-Karis.

(Secretary reads title of bill)

Senator Cullerton offers House Bill 1158.

(Secretary reads title of bill)

Senator Peterson offers House Bill 1164.

(Secretary reads title of bill)

House Bill 1235 is offered by Senator Hawkinson.

(Secretary reads title of bill)

Senator Hasara offers House Bill 1261.

(Secretary reads title of bill)

House Bill 1281, by Senator del Valle.

(Secretary reads title of bill)

House Bill 1332 is offered by Senators Berman and Topinka.

(Secretary reads title of bill)

House Bill 1362, by Senators Klemm and Mahar.

(Secretary reads title of bill)

Senator Donahue offers House Bill 1426.

(Secretary reads title of bill)

Senator Hawkinson offers House Bill 1452.

(Secretary reads title of bill)

House Bill 1456, Senator Madigan.

(Secretary reads title of bill)

House Bill 1496, by Senator Fawell.

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(Secretary reads title of bill)

Senator Farley presents House Bill 1671.

(Secretary reads title of bill)

House Bill 1903, by Senator Farley.

(Secretary reads title of bill)

House Bill 1983, by Senator Cronin.

(Secretary reads title of bill)

House Bill 2152, by Senator Farley.

(Secretary reads title of bill)

Senator Cullerton offers House Bill 2160.

(Secretary reads title of bill)

House Bill 2195, Senator Jacobs.

(Secretary reads title of bill)

And Senator Garcia offers House Bill 2223.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WEAVER)

We'll start on Senate Bills 2nd Reading on page 2, the top of the Calendar. Senator Raica, do you wish to call Senate Bill 128? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 128.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 4, offered by Senator Raica.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica, on Senate Floor Amendment No. 4.

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SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What Senate Amendment No. 4 does, it's a -- it passed out on the attendance roll call, and it was an amendment to clarify current language. And I just ask your consideration.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Raica moves the adoption of Senate -- Floor Amendment No. 4 to Senate Bill 128. All in favor, signify by saying Aye. Opposed, Nay. The amendment's adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 130, Senator Raica? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 130.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 5, offered by Senator LaPaille.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille, to explain Amendment No. 5 to Senate Bill 130. Senator Raica, do you wish recognition? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator LaPaille offered a -- a correctional -- or offered an amendment that corrected a -- a drafting error which was done originally. It was voted out on an

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attendance roll call, and I just move that -- for your -- I just move for your consideration.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille moves the adoption of Amendment No. 5 to Senate Bill 130. All in favor, signify by saying Aye. Opposed, Nay. Amendment No. 5 is adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 206. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 206.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any...

SECRETARY HARRY:

2nd Reading of the bill. No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 227. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 227.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy offered one amendment -- or adopted one amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4 is offered by Senator Maitland.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, to explain the amendment.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. This amendment has been negotiated by -- by a number of people, and in essence, it prohibits location of facilities above a mine shaft or tunnel unless a showing is made to the IEPA that engineering measures have been incorporated into the facility's design as to ensure the integrity of the structural components of the...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Further in counties of less than...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR WEAVER)

Will you step to Senator Donahue's mike, Senator?

SENATOR MAITLAND:

Further, Mr. President, in counties of less than a hundred and fifty thousand, it prohibits location of a facility within one and half miles of the corporate limits of any municipality without the approval of the municipality's governing body, and I would move for the adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 4 to Senate Bill 227. All in favor, signify by saying Aye. Opposed, Nay. The amendment's adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Petka, on 246. Senator Petka? Can you break up the conference in front of Senator Petka? Out of the

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record. Senator Barkhausen, on 447? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 447.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Berman, on 473? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 473.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 498. Senator Butler? Out of the record. 499, Senator Butler? Out of the record. Senator Donahue, on 524? Out of the record. Senator Cronin, on 615? Senator DeAngelis, on 590. There's -- Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, I would like to move 590 from 2nd to 3rd Reading.

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PRESIDING OFFICER: (SENATOR WEAVER)

There has been a fiscal note requested, Senator. Have you received the fiscal note, Mr. Secretary? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I am concerned that that fiscal note will not arrive in time, but more importantly, I -- I really believe the fiscal note is unnecessary. And under our rules, I would like to move...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis, if you would like the motion to act on Senate Bill 590, it requires the majority of those voting. The question is, shall -- Senator Cullerton, for what purpose do you arise?

SENATOR CULLERTON:

What is the motion, please?

PRESIDING OFFICER: (SENATOR WEAVER)

The motion is to read Senate Bill 590 a second time, regardless of the fiscal note being filed. Senator Cullerton.

SENATOR CULLERTON:

In your opinion, is that a debatable motion?

PRESIDING OFFICER: (SENATOR WEAVER)

Whether it can be moved to 3rd, excuse me. I misstated that.

SENATOR CULLERTON:

Is that a debatable motion?

PRESIDING OFFICER: (SENATOR WEAVER)

Yes.

SENATOR CULLERTON:

Okay. Can I ask a question?

PRESIDING OFFICER: (SENATOR WEAVER)

Certainly. Senator Cullerton.

SENATOR CULLERTON:

I -- I agree with Senator DeAngelis that if -- the fiscal note should not be requested in a dilatory fashion in order to simply

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delay a bill. I -- I fully agree with him. But I would be curious to know when the fiscal note was filed, who has to respond to it. It looks to me from the -- from the bill that it would probably be the Department of Revenue, and I'm sure that they -- if they are cooperative, we can find out by today whether or not they'll be able to -- to give a fiscal note.

PRESIDING OFFICER: (SENATOR WEAVER)

The fiscal note was filed yesterday by Senator Welch.

SENATOR CULLERTON:

And do we know that the Department of Revenue has not received it, or have they indicated it will take too long for them to respond to it? Maybe Senator...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis, have you had any communications from Revenue as to when it will be filed? Senator DeAngelis, have you heard anything from Revenue on the fiscal note or how long it might be?

SENATOR DeANGELIS:

No. But, Mr. President, first of all, I would like if the person who filed the note -- give them the chance to withdraw. First of all, a note was filed on it - the original bill - which was in a more harsh form than what the amendment put it, and that was answered. Then when I amended it yesterday, there was another request, and I really believe that -- and I'm willing to debate this on 3rd Reading that the bill, by its amendment, is a prospective bill; therefore, it doesn't require the fiscal note.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis has made a motion. Senator Welch, do you wish to be recognized? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Yes, I filed the fiscal note, but it was filed yesterday. Well, the motion was just put on the bill

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yesterday at the Revenue Committee meeting. That's why the fiscal note request was filed yesterday. The fiscal note is filed in -- in accordance with the State Statutes, 25 ILCS 50/7: "Whenever any committee of either house reports any bill with an amendment of such nature as will substantially affect the costs to or the revenues of the State, units of local government, school districts, or community college districts...there shall be included with the report of the committee a statement of the effect of the change proposed by the amendment reported if desired by majority of the committee." In like manner, when any measure is amended on the Floor which substantially affects the costs - a statement of the fiscal effect should be filed as well. This is standard procedure; I don't know why we're taking this out of -- out of the ordinary realm of legislation. There's -- this bill is -- is a major piece of legislation and so is the amendment, and I do think that we need to know what effect this has. This is a major change to income to State -- to local governments. In addition, my understanding is there will a another meeting of the Revenue Committee, and Senator Berman has an amendment which he was promised would be heard in that committee. So I don't know what the reason is for the movement this morning. We're going to have another meeting of the committee. There's another amendment yet to be proposed, and the Chairman has promised that that amendment would be heard. So, this is -- I think this motion is out of order, and I would move a No vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, first of all, Senator Welch, with due respect, the motion is not out of order under any circumstances. If you will refer to Section 50-3 of 25 ILCS -- 50-2 <sic> (25ILCS 50/3)-- the sponsor can, whenever he or she thinks a fiscal note is not

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necessary, announce that; then it's up to the person who filed the fiscal note -- and I don't want to get into that kind of war right now; I really don't. But I really do believe that that motion is not out of order. Secondly, we have had bills on 3rd Reading and come back with amendments and moved them back. So moving this to 3rd does not remove the opportunity for Senator Berman to call his amendment. But I really do believe the fiscal note is unnecessary, and that's the reason why I would ask you to withdraw it.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

Well, I think we're making a mountain out of a mole hill here, because all we're asking is the cost to government. You know, in this committee, I've asked time, after time, after time for fiscal notes and we haven't gotten any response. When we do get a response, your side says "Oh, the Department of Revenue is nuts." You know, I think that for once we should have a fiscal note that may mean something, and -- and I think that we can't run the government without having these notes. That's the whole purpose of the Act. Now, if we're just going to bypass it all the time -- we've still got two days to pass this bill; I don't see the big rush. I don't see why we can't just leave it where it is, have the hearing, and go from there.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis, do you persist in your motion?

SENATOR DeANGELIS:

Yes, and frankly, we also have two days to debate the bill and we have two days to find out if you're right or I'm right, so let's move it to 3rd.

PRESIDING OFFICER: (SENATOR WEAVER)

The bill has been read a second time, Mr. Secretary. For what

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purpose does Senator Berman arise?

SENATOR BERMAN:

Is it my understanding, Mr. President, that we are now going to allow a sponsor -- are we...

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, has a fiscal note been filed?

SECRETARY HARRY:

A fiscal note has been filed and an answer has been filed, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Read Senate Bill 590 a second time.

SECRETARY HARRY:

Senate Bill 590.

(Secretary reads title of bill)

An amendment was adopted yesterday.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

I will withdraw my motion; however, Senator Welch, I will be happy to present you with a copy of the fiscal note that states, "This legislation will not" - will not - "directly impact State revenues." I urge that we move Senate Bill 590 to 3rd Reading.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further amendments?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. Somewhere here with me I have Chief Judge Wexstten from the Second Judicial Circuit from Mt. Vernon. I'd like for the Body to recognize him.

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PRESIDING OFFICER: (SENATOR WEAVER)

Welcome to Springfield, Judge. Senator Cronin, on 615? Out of the record. Senator Karpziel, on 625? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 625.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel, to explain the amendment. Let's take 625 out of the record, Mr. Secretary. Senator Fawell, on 672. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 672.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Petka? Senator Jones on the Floor? On the Order of 3rd Reading, Senate Bill 17. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 17.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill deals with a consumer protection provision dealing with the Rule of 78s, and this is a bill which we talked about in committee, and we discovered that there was a federal Statute that also applied. And so, what I'd like to do is pass the bill over to the House. We're still researching the -- the federal Statute, but we all recognize that there is a need to amend our Illinois Statute to conform with the federal Statute. The Rule of 78s is a method by which prepayment interest is calculated. It works to the disadvantage of -- of consumers in most cases if there's a prepayment, in fact in all cases if there's a prepayment. It's really not something which is appropriate any more, since we can easily now, with computers, obviously, determine exactly how much a prepayment penalty should be, using an actuarial method. So this is something which is recognized as having to be changed. As I indicated, there is a federal Statute that is on the books which we have to - and ought to - conform to so that our lenders here are -- are in conformity with federal law. From what I understand, very few banks, if any, utilize this method. There might be some finance companies that do. I'd be happy to answer any questions, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, will the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

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He indicates he'll yield.

SENATOR BARKHAUSEN:

Senator, I was under the impression that you were at least going to amend the proposal here to make it clear that the bill is supposed to have a prospective application only.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Yes, Senator, I did file such an amendment, and I would be happy to take the bill out of the record until that amendment catches up to it. But since I recognize that we do have to amend it in the House with -- to conform to federal law anyway, I thought that perhaps that might not be necessary, but I'll -- certainly as Chairman of the committee, I'll do whichever you prefer, because I understand that you -- you, and I agree with you, that it should be prospective. The amendment is filed, and so if -- if you'd like, I'll take it out of the record.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Barkhausen. What is your desire, Senator? Senator Cullerton.

SENATOR CULLERTON:

Yes. I will -- would ask to take it out of the record so that the amendment that has been filed can catch up to it. I hope it's a technical amendment, Mr. Chairman.

PRESIDING OFFICER: (SENATOR WEAVER)

Out of the record. Senator Welch, on 34. Read the bill -- you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Welch seeks leave of the Body to return Senate Bill 34 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. On the Order of 2nd Reading, Senate Bill 34, Mr. <sic> Secretary. Are there any Floor amendments approved for consideration?

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ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senators Welch and Sieben.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch, to explain Amendment No. 3 -- 2, excuse me. Senator Welch. You move adoption of the amendment?

SENATOR WELCH:

Thank you. Yeah. Do you want to hear more? The amendment creates the Local Government Energy Conservation Act as an amendment to Senate Bill 34, establishing procedures to be followed by counties, townships and cities in entering into guaranteed energy-savings contracts. Last year we passed a bill that provided for energy-savings contracts to be entered into by elementary and secondary schools, which we projected would save between eighteen and forty-eight million dollars. What we have done here is amend a bill that allows for energy-savings contracts to be entered into by a community college. This amendment here includes local governments. We believe that energy-efficient contracts will save millions and millions of dollars for our taxpayers through their local government entering into these contracts. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there any discussion? All those in favor, say Aye. Opposed, Nay. The amendment is adopted. Any further Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Mahar, on 41. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 41.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. This is very similar to a bill that passed last year, both Bodies, and was vetoed by the Governor, and that veto was sustained in the Senate. The difference between last year's approach and this year's is, the Illinois EPA has not only approved of the language, but virtually wrote the bill. What the bill does is establish a standard of due diligence on all appropriate inquiry for innocent defendants to satisfy the innocent landowner defense under present Illinois Superfund laws. It also establishes a safe harbor from clean-up costs for innocent individual single-family property owners. Some of the things that are different in this -- in this year's legislation: It expands the scope of Phase I Environmental Audit and adds greater definition to the Phase II Environmental Audit requirements in the bill; further clarifies that the -- exemption for residential property owners specifically excludes corporations; specifies that a defendant establishes a rebuttable presumption against all EPA claims; strengthen qualification of environmental professionals; clearly defines the Phase II Environmental Audit requirements for testing groundwater, soil or other media; and establishes a penalty of injury <sic>. I'd be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 41 -- excuse me. Senator Mahar.

SENATOR MAHAR:

I'm sorry, but there's one other thing I -- I wanted to add. In the last couple of days, a representative of the insurance industry has advised me of a concern they have. They provided

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language which is not -- which I support, which the Illinois Bankers' Association supports, but due to the time, we would like to add that in to the House, but I wanted to be fair and advise the -- the Members that there will be a change in that regard.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch, did you have a question?

SENATOR WELCH:

Yes, I had a question.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

Senator Mahar, the objections of the environmental community last year were very strong, and you started to explain. How did you alleviate their objections to the bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

SENATOR MAHAR:

Well, we -- we tightened up the language for the Phase I Environmental Audits and added greater definition for the Phase II Environmental Audit requirements in the bill. I think that was the principle. At this point, all of the environmental groups have removed their objection.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, the question is, shall Senate Bill 41 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 41, having received the constitutional majority, is declared passed. Senator Raica, do you wish to return Senate Bill 45 to 2nd Reading? Senator Raica seeks leave of the Body to return Senate Bill 45 to the Order of 2nd Reading for the purpose

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of an amendment. Is there leave? Leave is granted. On the Order of 2nd Reading is Senate Bill 45. Mr. -- Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator LaPaille.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille, on...

SENATOR LaPAILLE:

Thank you -- thank you, Mr. President. Senate Amendment No. 3 to Senate Bill 45 was -- unanimously approved by the Senate Local Government and Elections Committee yesterday. It would basically prohibit commissioners or family members of a commissioner of the neighborhood security patrol program to receive any financial benefit either directly or indirectly. I would move for its adoption and I'm available for questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Amendment No. 3 to House Bill 45 be adopted. All in favor, signify by saying Aye. Opposed, Nay. Amendment No. 3 is adopted. Further amendments, Madam Secretary?

ACTING SECRETARY HAWKER:

Floor Amendment No. 4, offered by Senator LaPaille.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille, on Amendment No. 4.

SENATOR LaPAILLE:

Senate Amendment No. 4 was also adopted unanimously by the Senate Local Government and Elections Committee. It would provide -- it would take away any immunity from damages from the commissioners, officers, or employees of the program. Because this is security-orientated <sic>, we wanted to make sure that there would be redress if a security officer were to cause any -- damage or harm to any individual or property, and I would move for

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its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, all in favor, signify by saying Aye. Opposed, Nay. Amendment No. 4 is adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator O'Malley, 51? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 51.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. Senate Bill 51 makes it a Class C misdemeanor to knowingly enroll or attempt to enroll nonresident students on a tuition-free basis, and would allow school boards to waive all or any portion of tuition charges for nonresident students. Be pleased to answer any questions the Body has.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate... Excuse me, Senator Hendon.

SENATOR HENDON:

Thank you, Mr. Chairman. Just one quick question of my friend. I -- I want to be clear on this. This is not a voucher, is it?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

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SENATOR O'MALLEY:

No, this is not a voucher bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. A quick question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR CULLERTON:

Who is it that the criminal penalty applies to - the student or the parents?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

As I understand it, Senator Cullerton, this would occur in most school districts by a misrepresentation by parents. They usually -- sign some sort of affidavits that verify that the children they're enrolling happen to be residents of the district and that they, in fact, are residents of the district.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, the question is, shall Senate Bill 51 pass. Those in favor will vote Aye. Those opposed -- excuse me. Senator Garcia, just turn your light on when you want recognition. I saw no lights lit up.

SENATOR GARCIA:

I am sorry. I pushed it. I thought you had received it. Thank you, Mr. President. Will the speaker -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR GARCIA:

Thank you. Senator O'Malley, what prompted the introduction

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of this bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

The largest high school district in my -- in the Senate district that I represent, Senator Garcia, has had a problem with this -- this issue, and brought the bill to me and encouraged me to bring it before you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

What do you mean they've had a problem? Have they had students from outside the area enrolling or attempting to enroll in the school? And can you tell us, if that's the case, where students have come from?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

Well, I -- I don't know that I can give you specific addresses as to where they come from, but it has been a problem there, where they have found students enrolled in -- in the district. The particular board that brought this to my attention is very concerned about this, because as you probably know, in suburban school districts, over ninety-three percent of the funding comes from local property taxpayers, and of course, most members, if not all members, of those high school district boards are local property taxpayers, and this is a real concern they have. They want to make sure that if somebody is enrolling in the school, that they are, in fact, a resident, because that's where the bulk of the funding for the school is coming from.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator -- del Valle.

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SENATOR DEL VALLE:

Thank you, Mr. President. Senator O'Malley, you'll recall that there was quite a bit of discussion on this bill in committee, and I certainly recognize the problems that you're trying to get at with this bill, but I voted against this bill in committee because I think that it is an unfair bill. Currently school districts can and have the right -- and I do want to pose a question, Mr. President, if I may. Currently school districts do have the right to ask a student to leave if they determine that that student is not a legal resident of that school district. Is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, I -- I would imagine that if -- if they -- if they can find out that somebody is a nonresident that, yes, they can tell them, "You cannot be enrolled in the school anymore." What this bill -- what this bill gets to is those people who knowingly falsify documents verifying residency.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

Well, because they have the right to do that, I really don't understand why we're going to now, with this bill, make criminals out of parents, out of families who are attempting, through -- because of circumstances, obtain an education for their children. We're going to be, I think, later on today talking about vouchers; we're going to be talking about choice, and here we have a bill to make sure that individuals who want to make a choice to send their kids to live with an aunt or an uncle or to live with a relative, who are legal residents of school districts, we want to make sure that these kids are not allowed into these school districts. I

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think this is certainly the wrong approach. We don't want to make criminals out of individuals, out of families, out of parents who are attempting to get an education for their children, particularly if the school districts have the space for those children. And I -- I think that we should move away from this bill. I think we ought to look at the problem differently. I know that the Blue Island District Superintendent came in and testified in favor of this bill, and I certainly understand what's going on in Blue Island. I understand what is going on in a lot of the western suburbs, but this is not the way to approach this problem. I urge that we defeat this bill and that we go back to the drawing board and see how we can deal with the problem that you're trying to get at. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I want to join with my other two colleagues in saying that this bill is grossly unfair, and I'm really surprised that it would have gotten this far. When I look at this to suggest that these homeowners don't want outsiders, that's not the message that the State of Illinois and people in this Legislative Body should be sending. Let's not forget that some portion of the money that supports the education - I don't care where these people live - comes from the State...

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me -- excuse me, Senator Palmer. Can we have a little order? Take your conferences off of the Floor. May I -- may I have your attention? Take your conferences off the Floor, Senator Raica. Continue, Senator Palmer.

SENATOR PALMER:

Thank you very much, Mr. President. And then to put a bounty of sorts on the heads of parents who are merely seeking a better

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education is grossly unfair, and I want to underscore what Senator del Valle said. There is a curious irony here that all of this discussion now for the last five to ten years about choice and about how magnificent that is, and that we should not stand in the way of parents making choices, and then here from your side of the aisle, which particularly has been promoting the voucher and choice process, that you would put forward such a bill that puts up a "Berlin Wall" between Chicago and outlying areas in the name of some kind of sanctity is just unbelievable to me. And I know you to be a fine person, so I'm not sure why you're carrying this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

I -- I can't believe that we're discussing this here. The problem is parents coming into a district and blatantly lying. What kind of signal are we teaching our children if we're saying it's okay for parents to come in and lie about where they live? All we're saying under this bill is that currently if you get caught for lying, we -- you can be removed from the school and sent back to your own district. This just puts a little more teeth in it so parents are told: "You'd better be careful. If you're going to come into our district and start lying about where you live, you're going to pay a price." My gosh, what are we teaching our kids, if we're saying it's okay to lie? It's incredible.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. This is not a Chicago-suburban problem; this is a suburban-suburban problem. In my elementary district, we had to sue parents to get money

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because they were bringing children in from out of the district. When you're paying ninety-seven percent of the bill out of your property taxes and you have people coming into the district, you have a right to make sure they're taxpayers in the district. I think it's obscene to have people subsidizing other people in the suburban area. Yes, there are some tax monies that come from the State, but this is becoming more and more a factor in the suburban areas. It happened in New Trier; it's happened in Buffalo Grove; it's happened in Stevenson; it's happening all over, where people are trying to get their kids in for various reasons. So don't look at it as a Chicago-suburban problem, because it's not. There are other suburban areas that have the same problem. It's a good bill. Support Senator O'Malley's bill. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he'll yield.

SENATOR COLLINS:

Senator, we -- we -- we -- I thought we had worked on an amendment in committee on this bill. What is the fine now?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

...(microphone cutoff)...Glad you asked that question. Senator Berman brought it to the attention of everybody that it was probably -- there was probably a problem technically in the law, in that what has been the practice apparently among some high school superintendents is to waive tuition either wholly or partially, and that there actually is a provision in the law today that says you may not do that. What Senator Berman's amendment

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addressed was to admit that to be the case. Current law, again, requires every district to charge tuition to nonresidents. This bill, as amended, will permit school boards to waive all or any portion of the tuition charges, and that's due to the amendment you're referring to.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Yes. I -- I understand that, and -- and that was the part of the bill that I thought made it acceptable to me because I have a lot of students, for whatever reason, needing to transfer to go to school, for example, in Oak Park. And they do have to pay tuition. So, this bill would waive those fees and allow those parents to send -- under certain conditions, to send those kids to Oak Park or to Proviso, or to some of those other suburban areas -- and River Forest. But you still didn't answer the question of what is the penalty for a false -- a falsifying an application for enrollment, of a parent.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

As the law is today, my understanding would be that the student would no longer be enrolled, and the parents can be sued for tuition. And in fact, in this district, that's what happened. The district that -- the underlying district here actually sued the parents of out-of-district residents. That's not...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

You're not answering my question. In this particular bill, what is the penalty in this bill?

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator O'Malley.

SENATOR O'MALLEY:

You'd be guilty of a Class C misdemeanor under the bill if it becomes law.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. The penalty -- the penalty under the bill is a Class C misdemeanor, which would be -- carry a maximum penalty of 30 days in jail or five-hundred-dollar fine. Let me suggest - and I understand the -- the concerns of some -- several of my colleagues regarding the bill - but let me point out that falsifying -- falsifying a home address today, without this bill, is a crime. So I would suggest that the major part of the bill really doesn't change much. The amendment, which Senator O'Malley was very courteous in working with me in adopting, does make a major change, and I would just suggest, I'm going to vote for the bill, and I think that it improves existing law in this way: It allows a board of education, legally, to consider hardship cases and to waive tuition and allow children in where in their home districts, their living conditions, their school conditions, whatever reasons, are just unbearable. And those straight-up, honest approaches to why a child ought to live with their grandparents, for example, in a different district than where their parents live, that's the way I would suggest that we address this. I don't want to condone - and neither -- none of my colleagues want to condone - falsifying information which cheats the people in the receiving district and -- and -- and gives the wrong message to the child. I don't think that the major part of the bill changes existing law. It's a crime to lie in submitting an application to a school district with the wrong address. This -- clarifies that -- but the major part, I would suggest and urge

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a Yes vote, is because it allows an honest approach to children's problems where they've got to go from their previous residential district to a different residential district and the board has the power, under this bill, to waive tuition. That's what we elect them for; that's what they ought to consider. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, I really would appreciate an Aye vote because not only is falsification repulsive, I think, to most of us in this -- in this Chamber, but, I mean, just on speaking on my district, which is especially hard hit on this, using Cicero Township, for example, we need two more schools there. We are already paying a high price in terms of property taxes. We really can't bear up much more. Referenda are going down. We literally have to build two more schools because of not only the sheer volume of new families with young children coming in, but also an influx of people coming in from all over because the school district, by and large, is better than where they come from. This has impact on the Morton High School District, which -- which just doesn't know where to put people anymore. They have -- they have occupied every single bit of classroom space and now have gone to putting IDs on students just so they can identify who is a student, who is theirs, because people are coming in from all over. It's -- it's a bad concept. I think this bill addresses that issue as long as the school board does -- does have the ability now to waiver in hardship cases, and it leaves it discretionary on the part of the board, I think this addresses a tremendous problem, and I sure would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Stern.

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SENATOR STERN:

Mr. President and Members of the Senate. As somebody who raised a few children who were not my own, I can say that I used to enter them in school, and my recollection is that you signed a statement, which was a sworn statement, saying that what you said above was the truth. With foster children, to follow them from one school to another is a very important part of continuity for them. My recollection is that there is some kind of criminal penalty for perjury. I don't know if there's a warning on that statement, but I would think that that would adequately cover the situation that this bill proposes to cover. Are we once again duplicating the problem and the penalty?

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator O'Malley may close.

SENATOR O'MALLEY:

Thank you very much, Members of the Senate, for your indulgence, and I understand there's a lot of strong feelings among certain Members about the imposition of this bill. I would only say to you that I believe that we need this legislation until such time as perhaps there is some sort of a choice Act. This is not opposed to choice, and -- and I would certainly request an affirmative vote from as many Members as possible, to send a strong message. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 51 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? On that -- take the record, Madam Secretary. On that question, the Ayes are 45, the Nays are 8, 1 voting Present. Senate Bill 51, having received the constitutional majority, is declared passed. 66. Senator Topinka? Out of the record. 87. Senator Peterson. Out of the record. 89. Senator Raica. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 89.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 89 would increase -- it's regarding dental hygienists. What it would do is the bill would increase from two to four the number of hygienists a -- dentist could supervise on a daily basis. This change would allow both the dentist and the hygienist more flexibility in working out the best care for a patient. Presently what happens is a -- a dentist in a dental office can only be assigned, technically, two hygienists under him. If -- if my father were a dentist and I were a dentist and my father was ill for a day, the patients that he had that day would have to be cancelled, because I would not be able to supervise or -- or watch over my father's two dental hygienists. This change is endorsed by the American Dental Hygienists' Association who advocate removing restrictions on the number of dental hygienists allowed within a practice setting. This also has the same safeguards that the -- when the dental hygienists are through with their work, the dentist would have to physically be present in the office while this dental hygienist does anything to a patient. And I think everybody can vote with -- on this bill with a big smile, and I just ask for your support.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 89 pass. Those in favor will vote Aye. Those opposed will -- vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are

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52 Ayes, no Nays, none voting Present. Senate Bill 89, having received the constitutional majority, is declared passed. Senate Bill 100. Senator DeAngelis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 100.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 100 prohibits a home rule unit of government from imposing a tax -- a tax on volumetric measurements. In 1988 when we did the sales tax reform, what we said at that time and passed into law, is that all sales taxes would have to be based on gross receipts imposed in quarter-of-one-percent increments and based on the same tax base as the rest of the State. The bill - Senate Bill 100 - is designed to prohibit units of government from using a tax that's based on gallonage except for the gasoline. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President and Members of the Senate. This bill attempts to expand the current home rule sales tax limitation by preempting the power of a home rule unit to impose a soda pop tax. Section 7 of the Statute on Statutes requires specific express language denying or limiting a home rule power to tax. This amendatory Act contains no such language, and therefore, neither denies nor limits a home rule unit's power to impose a soda pop tax. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Garcia.

SENATOR GARCIA:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will yield, Senator.

SENATOR GARCIA:

Senator DeAngelis, would this bill prohibit the City of Chicago, for example, from imposing any further taxes - let's say on junk food or pop - if enacted?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Only if you were to sell junk food by the gallon.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia?

SENATOR GARCIA:

That means that you can impose a tax on pop.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

If you do it based on the sales price, not on the volume of measurement.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia?

SENATOR GARCIA:

Thank you, Mr. President. A second question. Can you tell us, Senator DeAngelis, what prompted the introduction of this bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

I was going to use this for my close, but I guess I'll use it

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now. This tax is almost impossible to administer. Let me give you an example. You're going to buy a glass of pop, okay? You want to buy it out of the soda fountain, you want to buy it out of the six-pack, you want to buy it out of a two-liter bottle, or you want to buy an individual twelve-ounce? Tell me what the tax would be, since it's by the gallon. This tax would cost more to administer than what it's going to raise. It's -- it's a total nightmare, and...(machine cutoff)...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis, have you completed? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I stand in support of this legislation. As a cosponsor, I'd just like to add a few -- a few comments regarding the opposition to this -- this -- this tax that was imposed last year. The -- the tax that was imposed by the city council in many cases would triple or quadruple taxation of various refreshment beverages. Currently the State, the County and the Regional Transit Authority already tax soft drink purchases at 7.75 percent rate. Chicago taxes soft drinks at a one-percent tax rate. And if you buy soft drinks in the Loop or at Chicago's two airports, you pay another one-percent tax on the soft drinks. The city's one -- or ten-cents-a-gallon tax would triple the one percent that all Chicagoans already pay on the soft drinks, increasing the taxes that they pay to nearly twelve percent. Also I'd like to just to add that many competitive beverages, such as coffee and tea, are not subject to this tax. It's not fair to the people who -- who least can afford these new taxes and many are -- many of who are children. I think that with -- this bill should be overwhelmingly, if not unanimously, supported.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

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SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will, Senator.

SENATOR PALMER:

Senator DeAngelis, this was a very complicated bill in Revenue, and you started to talk about the consequences of it, and I wish you would pursue that further. When you were speaking with Senator Garcia, you were talking about the -- that at present the tax on a bottle of pop, whether it's a can or whether it's a liter size, is five cents, six cents, whatever, but that the -- the consequences of this would be... Would you answer that, so the people understand the complexity of this matter?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, currently, when you buy it, you would be taxed on the price you pay for it. This bill calls for it to be done on a gallonage. And frankly, how do you determine the tax on something that's either sold across the soda fountain, or in a two-liter bottle, or in an individual can? How do you break that down into increments that are determinable from an administrative standpoint? It's a nightmare.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. My concern about this bill - and I am of mixed minds about it - is that it opens up a door that I'm not sure I want to see us go through, when you start talking about gallonage. I frankly have not decided yet about how to vote for this bill, but I think that we ought to take a close look at it

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before we make decisions.

PRESIDING OFFICER: (SENATOR WEAVER)

WAND-TV requests permission to videotape today's Senate proceedings. Is there leave? Leave is granted. Further discussion? Senator Jones.

SENATOR JONES:

Yes. Thank -- thank you, Mr. President and Members of the Senate. I rise in opposition to the bill. This is another attempt to -- to prevent local units of government their home rule authority to raise the necessary revenue. If we continue to try to erode the tax base of our local units of government, then they in turn will have no alternative but to cut services drastically. We try -- we -- we passed the surtax; you want to take that away from them. You don't want them to raise property tax; you don't want them to do this, and they're being out there on the island all by themselves. I think -- I think the City Council and the City of Chicago, who are the representatives of that -- of the people of that local unit of government, they passed this legislation. They gave it considerable thought through its revenue department. So therefore, I urge the Members not to vote for this legislation. If it impacts on your area out there in Olympia Fields, Senator DeAngelis, I could see you fighting for it, but let the local unit of government decide what revenue sources that it need to -- to meet its obligations to -- to its people. So I rise in strong opposition to Senate Bill 100.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis, to close.

SENATOR DeANGELIS:

Thank you, Mr. President. First of all, I would like to point out, since there is so much concern about home rule, this amends the Section of the Municipal Code that is already a specific preemption of home rule taxing powers. We passed laws previously

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that says you cannot do this. So, for those who may be concerned of that, I'd like to make that point. I do not believe that we ought to be telling units of government how to tax. However, when, one, they put in a tax that's already been indicated they ought not to be doing it, and then, secondly, a tax that is a nightmare to administer, I think that's bad public policy from a taxation standpoint. And I would urge that we support Senate Bill 100.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis was closing, Senator LaPaille. For what purpose do you arise?

SENATOR LaPAILLE:

Just an inquiry of the Chair. How many votes will this take, since it would appear that we are taking the right away of a local government on taxes, and would appear to be a preemption?

PRESIDING OFFICER: (SENATOR WEAVER)

This bill limits or denies the power to tax or any other power or function of a home rule unit not exercised or performed by the State. Currently, the bill will require thirty-five -- three-fifths vote pursuant to Section 6(g) of Article VII of the Illinois Constitution. Senator LaPaille.

SENATOR LaPAILLE:

So that would be thirty-six.

PRESIDING OFFICER: (SENATOR WEAVER)

Thirty-six votes, yes.

SENATOR LaPAILLE:

A great ruling by your Parliamentarian. I want to compliment her.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 100 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

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record. On that question, the Ayes are 42, the Nays are 11, 4 voting Present. Senate Bill 100, having received the constitutional majority, is declared passed. 127. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 127.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 127 prohibits corporal punishment in the schools. It allows teachers to use reasonable force to maintain safety. This is a bill that is supported by the State Board of Education, the Illinois Association of School Boards, the Illinois Association of School Administrators, the Illinois Principals Association, the Illinois Committee for Prevention of Child Abuse, League of Women Voters, Illinois Association of School Social Workers, and a long list of other proponents. Let me impose upon you for just one moment and read to you what the bill says, because I think that in the description of some of the comments that have come to my attention regarding the bill, there is a misapprehension as to what this bill does. So let me read to you what the law will say after this bill becomes law. It will read as follows: "Nothing in this Section affects the power of the board" - of Education in any school district - "to establish rules with respect to discipline; except that each board shall establish a policy on discipline, and the policy so established shall provide that a teacher may use reasonable force as needed to maintain safety for the other students" - for - "school personnel...or for the purpose of self-defense, or the defense of property and may remove a

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student from the classroom for disruptive behavior and shall include provisions which provide due process to students. The policy shall not include slapping, paddling or prolonged maintenance of students in physically painful positions nor shall it include the intentional infliction of bodily harm." This is a reasonable, comprehensive approach to the question of corporal punishment. I would suggest to you that probably most school districts already provide this. I can tell you that the school districts that I represent, which -- which are about a half a dozen in suburban Cook and the City of Chicago, all have similar policies now, but this is an important bill to establish State policy. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This bill, of course, was in the Education Committee. I didn't support it there, and I don't support it now. Regardless of what you feel about the issue of corporal punishment, paddling, or whatever it may be, this still is taking away that control from the local districts to make that decision for themselves. And the Senator read from the -- the bill itself talking about some of the explicit language, but, you know, what I read and I see is a situation by which -- "inflicting bodily harm." Now what -- what can that be? And I -- I -- I see just a lot of litigation that's going to come from this. I -- I've talked to the Association of -- of Attorneys for School Boards and they have -- they have great -- grave concern about this legislation and the impact it will have possibly on the litigation and the cost of defending a school district when a case would come before it in regard to an issue such as this. So, even though he's tried to -- the sponsor is trying to tie this up as much as possible, there's always that flexibility and the language

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of this "inflicting bodily harm" and what does that actually mean? That ultimately, obviously, would be probably decided in a court case and in -- and in litigation, which would be very, very costly to the district. I still say that this should be a decision that's made at the local level, and I certainly support that concept and would ask for your opposition.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. I just have two questions of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR RAICA:

Art, can you just tell me, number one, does this include private schools - the first question. Second question, what would be the penalty or -- or what would happen to a teacher that would -- let's just say that they didn't -- when I was in school they, you know, they'd get a boat oar or a paddle and they'd paddle you in the classroom or in the gymnasium. What if one of the teachers decided that he was going to do this? What would happen?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

A. It does not apply to the nonpublic schools. B. The -- it would be the same type of disciplinary approach as a teacher would be subject to if they violated any rule of the board, because this sets forth board policy, and that -- that would be between the question of the -- of the board and the teacher.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

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SENATOR HASARA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senate Bill 127. Things have changed a lot in our society over the last few years, and I certainly think this is one issue whose time has definitely come. I would like to reiterate that it does not apply to nonpublic schools, and I feel strongly that that is an important part of this bill. This only applies to public schools. I would like to remind you that for hundreds, in fact thousands, of school children in Illinois, going to school each morning is the only place that they feel safe and feel that they are not going to be punished or beat upon. Many of us do not realize, but if you work with certain schools in your communities, you will find that that is definitely the case. Many of our children, unfortunately, are abused at home and look upon school as a safe haven. The other point I'd like to make is that many people don't like the idea that schools are usurping the power of the family. This bill certainly gives the family the proper role of disciplining their children without putting it in the hands of the school who, in fact, may usurp that power and handle it in a way that the family does not wish it to be handled. Again, child abuse has been such a big issue in the last ten or twenty years; I do not see how anyone could not support this concept in 1993. I ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. This legislation, once again, represents, in my opinion, an attempt by this Legislature to be a super school board. We have a lot of demanding tasks down here in Springfield: to balance the budget; to make sure that the people are secure in their person, places and things; to provide for a quality education; to provide

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for and promote the general welfare of this State. We have a group of people who are chosen ever two or four years by parents of students. They're called school board members, and where there -- where there is a potential, or where there has been abuse of the powers of teachers in the district, school board members can, if they choose, remove teachers who have been abusive. I might also point out that if a school board decides that corporal punishment should be maintained, they will put that on the line when they run for reelection and the voters will decide themselves at the proper election what should be the policy. I think that any attempt by the State to micro-manage the school districts and their policies is a -- is in itself a policy that is doomed to fail. No matter what your feelings may be on this matter pro and con, I do think that, once again, the State is -- is managing areas that it has no legitimate reason to manage. For that reason I urge a -- a No vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

Question of the sponsor?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he'll yield.

SENATOR SYVERSON:

Two questions. If -- if we're so concerned about the children, why did we not include private schools in this as well, or don't we care about the private school children's safety? And the second question is: How are we going to define reasonable use? You know, I see this thing as an absolute lawyer's dream, because we can't define that. That's going to end up being defined in the courts, because every time a teacher ends up having to use reasonable force, the parents see this as a gate for a wonderful windfall of profits. So I guess I'd like to have two

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answers on that. Why is it not in private schools if we're protecting children? And second of all, how are we going to define reasonable use?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

END OF TAPE

TAPE 2

SENATOR BERMAN:

The reason it doesn't apply to the private schools is because our job is to set policy for the public schools in the State of Illinois. That's the reason that I don't think that it's appropriate for us to address the question of the private schools in this bill. Secondly, reasonable force: We are setting State policy by this; we have used words like reasonable force, reasonable this, reasonable that, in many of our pieces of legislation. That sets State policy. The interpretation is done on a case-by-case basis. Whether that's good policy or bad policy, that's the way our system works, and I don't think in concern for the welfare of our children, that this should be rejected because it follows the traditional approach of setting State policy. Reasonable force means reasonable force. If a child needs some kind of discipline because of outrageous behavior, this would still allow for that. It's -- it's the unreasonable reaction to a child that this bill seeks to prevent.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Berman, to close.

SENATOR BERMAN:

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Thank you, Mr. President. I found it interesting, Senator Watson, that you've relied upon the -- advice of some of the school board attorneys. There were some bills up last night that I wish you would have listened to some of the attorneys on. The -- some of the opponents indicated that they thought this was a incursion upon the prerogatives of school boards. The Illinois Association of School Boards supports this bill. The Illinois Association of School Administrators supports this bill. The Illinois Principals' Association supports this bill. These are the people that have to work in setting this policy. They want us to pass this bill. And I would point out to you, Ladies and Gentlemen, that our major duty in this Body is to set State policy. Let me suggest to you that I think it is very interesting: We have set State policy that prohibits corporal punishment in mental institutions, in prisons, and in county jails. I think schools deserve the -- at least the same kind of recognition regarding corporal punishment ban, as we have done in those other three institutions. I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 127 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, the Ayes are 39, the Nays are 14, 3 voting Present. Senate Bill 127, having received the constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Daniel, for what purpose do you arise, sir?

SENATOR O'DANIEL:

Thank you, Mr. President. For a point of personal privilege. At the rear of the Chamber on the Republican side is a -- a group of students from Lincoln Trail College, along with their instructor, "Tancy" Finkbiner. Help me welcome them to the

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Chamber, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Will our guests in the gallery please rise. Welcome to Springfield. Senate Bill 129. Senator Raica. Senator, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Raica seeks leave of the Body to return Senate Bill 129 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 129. Mr. <sic> Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senators Shaw and Dudycz.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw, to explain the amendment.

SENATOR SHAW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 is a simple amendment. It prohibits a public official who has -- pleaded guilty to a criminal offense that would remove him or her from office upon sentencing -- this amendment would remove that prohibition, and upon a plea of guilty for such crime, it would automatically vacate the office, at that time. And I ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any discussion? Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, if for some reason the court allowed the plea of guilty to be withdrawn, would -- what would be the effect?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Shaw.

SENATOR SHAW:

The -- the effect of this -- this amendment -- it would have no effect if the -- if the court allowed the plea to be withdrawn.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

So -- so if a plea were to be withdrawn and then the person acquitted, they would not lose the office.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw.

SENATOR SHAW:

Right.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? All those in favor, signify by saying Aye. Opposed -- opposed, same sign. Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary -- Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 139 <sic> (131). Senator Raica. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 131.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 131 would eliminate the nonpartisan election

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held on the first Tuesday after the first Monday in November of odd-number years, and if you followed along so far, the measure would transfer the election of officers in a nonpartisan election to a consolidated election, which is held the first Tuesday in April of the odd-number years. The following officers are elected in a nonpartisan election: they would be the school board members, community college trustees, fire protection district treasuries -- or trustees, Springfield Metropolitan Exposition and -- and Auditorium Authority Commissioners, the Tuberculosis Sanitarium District trustees, and the nonpartisan elected officers of special districts. The above would join municipal and township officials in being elected at the consolidated election. Senate Bill 131 is a part of the State Board of Election's legislative package. The Board estimates that the legislation could result in a cost savings to local election officials of up to four million dollars. This is due to the reduced election judges' salary, the printing costs and the polling place rental, among other such charges. Senate Bill 131 will also increase voter interest in -- in -- and participation in consolidated election, because more units of government will be electing officers on that one day, resulting in more contested elections. The IEA has come to me, I guess it was yesterday, and stated that they were against this bill, even though this bill had been on the Calendar for quite -- some time. So if I were to coin a phrase, they probably should have done their homework and they would have known that this bill was on the Calendar for this length of time, and wouldn't have just come and objected yesterday. Their main objection, quite frankly, among the people here in this room, is that it's tough enough to get the IEA members to vote -- their union members to vote on -- in this election, and if they actually get their union members to vote on this election all the time, they'll always get what they want. What this actually causes is more people will

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come to the polls, and therefore their voices be heard in these local elections. And I would just ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Discussion? Senator Stern.

SENATOR STERN:

Mr. President and Members of the Senate, I rise in opposition to this bill, not to say it's irrational, because I understand -- I understand that those of us who vote in that off-year school board election go in ready to vote and perceive that there's nobody there but us and that it is a lot of fuss for little result, but let me give you a little history on how this came about. In the old days - and you can -- you know I'm an elderly person and go back a long way - we had school board elections, it seemed to me, every Tuesday and Saturday throughout the spring. They were run by the school boards or the townships or the municipalities, and you never knew where you were going to vote. A strong effort was made to consolidate these elections back in, well, I can't give you the year, and to make them uniform, so that the citizen would know where he or she was going to vote and know exactly the dates year after year after year. We now have two elections in the even-numbered years: a general primary and a general election in November. And in the odd-numbered years we have three elections: a primary, a general for municipal and township elections - we had one yesterday - and the November election for nonpartisan school boards and colleges -- community colleges and so on. I think this was an important segregation of nonpartisan elections from the party fights that take place in primaries and general elections at the other times. Yes, it is expensive. It costs us, but we made an effort to cure that by reducing the number of election judges needed. Democracy is sort of expensive, folks, and I think we have to recognize that we pay for the value of -- for the value received. I urge a No vote on

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this, because I think it is important to keep that separation, but not because I think it is an irrational idea. Do please consider carefully, and vote No.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Mr. President. I stand in support of Senator Raica's bill, in fact as a chief cosponsor. We were both presented this bill very early on in the legislative process by the State Board of Elections. It wasn't until late yesterday that we found out that a major teachers' organization in this State stood opposed. Well, let me give you some facts and you'll see why Senator Raica's bill is a good bill to pass. The State Board of Elections estimates that the average turnout - the average turnout - in this special election is fifteen percent. A fifteen percent turnout. We're spending four million dollars for a fifteen percent turnout. That is the highest cost per voter election in this State. So when the educators tell you we need more money for education, we need more money for education, what Senator Raica and I are saying is use this four million dollars for, perhaps, early childhood development programs; special education; computers in the classroom; yes, maybe even teachers' salary increases if they are deemed appropriate. But to have an election where fifteen percent of the voters come out and it's the highest cost per voter election in this State, I think we are going down the wrong road. We should turn back what we did several years ago. Just because you reform something and you consolidate something, doesn't mean you can't change it back and give the taxpayers a break. So I support this legislation, and hope the Senate also approves it. Thank you very much.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

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SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Raica, the individuals who do get elected in November of the odd-numbered years, will they have their terms shortened by six months or whatever? Is that in the bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Welch, my information is that it would probably not affect their terms. It would stay just as it is.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

I'm not sure how that would happen. If they're elected in -- in November and -- in 1991, and they had a four-year term, and they'd be up in November of '95. Your bill is effective January 1st of '94; so their reelection, it would seem, would be March of '95. Is that -- is that correct, or would they not be up until their term expires? I'm not sure of the mechanics.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Senator Welch, my information is the people, when they brought this situation to our attention, probably did not address that particular situation. However, if it is a problem, I would be more than willing to have that problem addressed in the House with an amendment. I have no problem in doing that.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR RAICA:

Thank you for being so kind, Mr. President. I would just like to -- first of all, I'd like to thank Senator LaPaille for offering to come on as a joint sponsor on this piece of legislation, and I would just also like to mention to the Membership that when Senator Stern stood and said everything about the bad things about this particular piece of legislation, I would just have everybody look at their -- their analysis, which showed this bill passed out on a Do Pass Motion, 10 to 0, in which Senator Stern is a Member, and voted Yes on this piece of legislation. This bill would save the State of Illinois approximately four million dollars. It's not a bad piece of legislation. All we want to do is get the people within the State of Illinois to get their input on -- on a particular election that should actually be part of our election process, and therefore, these people will know what exactly they're voting for, and we'll get a better turnout on important issues regarding the schools. Again, I'd like to thank Senator LaPaille, and ask everybody for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 131 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, Mr. Secretary. On that question, there are 48 Ayes, 4 Nays, 3 Members voting Present. Senate Bill 131, having received the required constitutional majority, is declared passed. Senate Bill 135. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 135.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. The original bill is no longer a part of this legislation. Amendment No. 1 deleted everything, and put language in the legislation dealing with the supernumerary -- dealing with the supernumerary teacher situation in the public schools of Chicago. Amendment No. 2 simply added an effective date. But what we're doing with this legislation -- and it comes to us as a result of a meeting we had in the City of Chicago with the Urban League and three of the Members of the Education Committee on the Republican side, and then two Members from the Democrat side, and one individual who really put the meeting together, which I appreciate, and that was Senator Palmer. The Urban League and the other reform groups throughout the process of reform in the City of Chicago have addressed their concerns about the supernumerary issue and something that needs to be done. This is certainly an attempt to do that. This would limit the payment of salary of benefits to sixty days after a teacher becomes a supernumerary, and that if within two years after the conclusion of that sixty-day period the supernumerary -- attains a certification in a new area and then is selected for a position by a principal, the supernumerary then would -- would regain all tenure rights and seniority status that had been given -- that they had lost during that particular time of -- of absenteeism. We appreciate the work of the Urban League and all those reform groups who have been involved in this legislation, and I'd be glad to answer any questions; otherwise, I'd appreciate your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would hope that the sponsor would clarify that the so-called reform groups and the Urban League -- my impression is that they do not endorse the provisions of this bill, and I specifically ask that because -- let me tell you what this bill does. Generically, yes -- generically, yes, it addresses the issue of supernumeraries, and this has become a -- a banner issue. Let me try to clarify it for all of us, so that we understand what we're talking about. By definition, a supernumerary is a teacher who has been in the school system for a considerable length of time; they have never been evaluated at anything less than satisfactory - and I want to underline that. They have never been evaluated as unsatisfactory, but the reason that they are in a category called "supernumerary" is because their class or area of specialization in a school has been eliminated. Now, that can mean that because of a reduction in population in a particular school where you used to have three English teachers, because there's a decrease in the number of students, you now only need two English teachers. And that English teacher is then moved out of that school, and because of the provision in Chicago school reform that puts the principal in charge of selecting their new staff, that English teacher has to go around to at least three schools and say, "Mr. Principal or Miss Principal, I'm a longtime English teacher. Would you take me into your school building?" And the principal, for whatever reasons that principal desires, can accept that teacher or can reject that teacher. Now, this is unique to Chicago, Ladies and Gentlemen. In every school district outside of Chicago there is a bumping procedure based upon tenure. We've abolished that in Chicago; that's why - which was a major -- supposedly a major step forward - we have created these supernumeraries, but they are

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qualified, experienced teachers. Now, let me tell you the facts. Today - today - there are two hundred and ten supernumeraries - two hundred and ten - out of a teaching force in Chicago of twenty-six thousand. That means that the subject matter of this bill addresses less than one percent of the teaching force. Secondly, of those two hundred and ten, as of yesterday, two hundred and four are in schools teaching, pursuant to their certification. Now, that's very important to remember, if that English teacher that I gave you the example of today is in a classroom teaching English. In addition to these two hundred supernumeraries, there are hundreds, perhaps thousands, of schoolrooms every day that are vacant in Chicago. For sick teachers, teachers on leave, for whatever reason, there's vacant classrooms. This bill, in order to respond to some cause celebre regarding the word "supernumeraries," in sixty days would fire - eliminate - those two hundred and ten teachers who are presently in a classroom teaching students. So instead of having, let's say, a thousand empty classrooms that we may have had today, utilizing these teachers - sixty days from now -- sixty days after this bill becomes law, we'll have twelve hundred and ten empty classrooms. Now, does that make sense? I suggest to you, it does not. I have suggested to Senator Watson - because I -- I recognize this is a -- a hot issue - we've got to do something about these supernumeraries. I want to do something about them. The reform groups wants to do something about them. Senator Watson wants to do something about them. What's provided in this bill does not address the problem. It will hurt the children. It will hurt qualified, experienced teachers. It will create more empty classrooms. I would suggest a No vote. There will be other bills, more practical approaches to the problems of supernumeraries, that we will address between now and adjournment. I urge a No vote.

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PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR WATSON:

Well, thank you, Mr. President. I -- oftentimes I think Senator Berman hears what he wants to hear, and he's very good at articulating somewhat of a misrepresentation, maybe, of what really went on in the Education Committee when it comes to the Urban League and their involvement in this legislation. They support this legislation. They -- they testified in its behalf. They signed on as -- as witnesses in behalf of the legislation, and also, so did the Leadership For Quality Education; so did the Designs For Change, and so did the Chicago Board of Education. These individuals support it. Now, it -- maybe we're talking about two hundred and ten teachers. Out of twenty-six thousand? Sure, that's not a lot, but I want to tell you, every single meeting that I've attended in the City of Chicago and in Springfield, when it's dealt with reform, the supernumerary issue comes to the top. It's one of the first things that get talked about by the reform groups, by the principals, by the media, by the -- by those people who are concerned about a quality of education for the young people of the City of Chicago. Every single time, supernumerary comes up. Sure, it's unique to the City of Chicago, and the City of Chicago, the public schools, unfortunately, have a deplorable record at this particular time in regard to their graduation. Progress is being made. Reform is working in the City of Chicago, but more needs to be done, and this issue will take a step in that direction. And I would appreciate your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 135 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 44 Ayes, 9 Nays, 4 Members voting Present. Senate Bill 135, having received the required constitutional majority, is declared passed. Senate Bill 149. Senator McCracken. Sorry. Senator McCracken is in Rules Committee. With leave of the Body, we'll return to that Order of Business. Leave is granted. Senate Bill 157. Senator Hasara. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 157.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Senate Bill 157 does two things. First of all, at the request of the Supreme Court, it asks the Secretary of State to study the feasibility of adopting a uniform traffic ordinance numbering system. If a local police officer writes a ticket under a local ordinance, there is no way presently for the Secretary of State to report that, because of all the different numbers of the local units of government. So we're asking for a study of that to be done so that we could make those numbering systems uniform. Secondly, the bill provides for the Department of Central Management Services to promulgate rules that would permit, and I add "permit," those under the State Employees' Health System to opt out if they choose. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, on that last bill, I was in the Chamber

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behind you, and I was not voted. I want the record to reflect that if I had been here, I would have voted Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

Record will so reflect, Senator Demuzio. Further discussion? Further discussion? Senator Hasara, to close. I'm sorry. Senator Jacobs? You don't wish to speak? Senator Hasara, to close.

SENATOR HASARA:

I don't believe that this is controversial, and I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 157 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, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. Senate Bill 157, having received the required constitutional majority, is declared passed. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees:

Be Approved for Consideration - Senate Amendment No. 1 to Senate Bill 17, Senate Amendment No. 6 to Senate Bill 209, and Senate Amendment No. 3 to Senate Bill 900.

Referred to Appropriations Committee - Senate Amendment No. 2 to Senate Bill 268; Senate Amendment Nos. 14, 15, 16 and 17 to Senate Bill 311; Senate Amendment No. 2 to Senate Bill 313; Senate Amendments 6, 7 and 8 to Senate Bill 314; Senate Amendments 7, 8 and 9 to Senate Bill 315; Senate Amendment No. 2 to Senate Bill 318; Senate Amendment No. 6 to Senate Bill 319; Senate Amendments 7 and 8 to Senate Bill 320; Senate Amendment No. 3 to Senate Bill

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321; Senate Amendment No. 2 to Senate Bill 520; Senate Amendment No. 2 to Senate Bill 521; Senate Amendment No. 1 to Senate Bill 524; Senate Amendment No. -- Nos. 4 and 5 to Senate Bill 525; Senate Amendments 3 and 4 to Senate Bill 527; Senate Amendments 4, 5 and 6 to Senate Bill 528; Senate Amendments 3, 4 and 5 to Senate Bill 529; Senate Amendment No. 3 to Senate Bill 532; Senate Amendments 3 and 4 to Senate Bill 944; Senate Amendment No. 3 to Senate Bill 945; and Senate Amendment No. 2 to Senate Bill 1099.

Referred to Commerce and Industry Committee - House Bills 382 and 2223.

Referred to Education Committee - Senate Amendment No. 2 to Senate Bill 928, and Senate Amendment No. 3 to Senate Bill 950.

Referred to Energy and -- pardon me, Environment and Energy Committee - House Bills 404 and 1671, and Senate Amendments Number -- Numbers 7 and 8 to Senate Bill 770.

Referred to Executive Committee from -- from Executive Committee to Environment and Energy Committee - Senate Amendment No. 5 and No. 6 to Senate Bill 770.

Referred to Executive Committee - House Bills 1077 and 1332, and House <sic> Amendments 2 and 3 to Senate Bill 577, Senate Amendment No. 5 to Senate Bill 625, Senate Amendment No. 3 to Senate Bill 899, and Senate Amendment No. 3 to Senate Bill 937, and Senate Amendments 4 and 5 to Senate Bill 900.

Referred to Insurance, Pensions and Licensed Activities Committee - House Bills 1016, 1456 and 2028.

Referred to Judiciary Committee - House Bills 35, 667, 936, 1158, 1235, 1426, 1452, 1496, 1983, 2152 and 2160.

Referred to Local Government and Elections Committee - House Bills 176, 474, 1164, 1281 and 2195, Senate Amendment No. 12 to Senate Bill 130, Senate Amendment No. 2 to Senate Bill 538, and Senate Amendment No. 5 to Senate Bill -- pardon me -- to Senate Bill 45.

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Referred to Public Health and Welfare Committee -- House Bills 32, Senate Amendments No. 4 and 5 to Senate Bill 66, and Senate Amendment No. 3 to Senate Bill 967.

Referred to Revenue Committee - Senate Amendments -- Senate Amendment No. 4 to Senate Bill 558, and Senate Amendment No. 4 to Senate Bill 672.

Referred to Transportation Committee - House Bills 673, 675, 1261 and 1362.

Re-referred from Transportation Committee to the Rules Committee and then to the Floor - Be Approved for Consideration, Senate Amendment No. 2 to Senate Bill 536.
Filed April 21, 1993.

PRESIDING OFFICER: (SENATOR MAITLAND)

Earlier, leave was granted to Senator McCracken to return later to Senate Bill 149. Senator McCracken is back on the Floor now. So in the middle of page 6, Senate Bill 149. Senator McCracken? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

Thank you, Mr. President, Ladies and Gentlemen. Current law exempts day care centers for children over three years old that are conducted by nonprofit ministries as defined in the Internal Revenue Code, Section 501(c)(3). These ministries now seek an exemption for children under three, and as added safeguards in the exemption language, require not only that it be a not-for-profit ministry and also requires that all -- applicable State health and safety requirements are -- met and maintained. It also authorizes

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the criminal background check for anyone employed by the day care center; requires the day care center to notify parents if it has not done the criminal background check; requires an inspection by the -- State Fire Marshal's Office prior to conducting the program; requires at least annually, further inspections for that purpose. And I move passage of Senate Bill 149.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in truly very strong opposition to this legislation, some of which we discussed when the amendment was up. And let me tell you again what bothers me about this proposal. I am truly fearful that should this ever become law, we will rue the day that we made this kind of a mistake; that the horrors that could come will be blamed appropriately on those who suggest this is the way to go. And let me tell you what I think is wrong with it, and I really don't want to go into what happened in Waco, though I honestly believe that, in part, would have been protected under this kind of law, were this the law in Texas. Ministry, of course, is undefined in the Act, and that's why even a situation like Waco could, in fact, happen. As Senator McCracken pointed out, Sunday schools that have child care or situations where the child care is truly a part of the religious activities of the church, temple, parish or mosque are already exempt; so that if a person is going to services to worship or -- or engaging in some other activity as part of that religion, it is exempt. But let me tell you what's not covered if this becomes law that is now covered. Let me tell you what this law would exempt that truly bothers me. First of all, these would become for-profit. Under current law, the exemption exists only if they are really part of the ministry and not-for-profit. This is taking that aspect out of it as to what

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they charge. It's not limited to the members of that particular faith - however that faith wants to define it. So they could go out and advertise for anybody they want and not have to comply with the type of safety protections we have put in for children under age five when they're in the care of someone other than their parent. They would not have to have the type of -- of ratio of adult-to-child that we now require, and the New York Times, about two months ago, very carefully identified the problems that happened there where some children got killed in a fire because there was not the adequate ratio of adults to children. They would also not have to have the criminal background checks. As Senator McCracken said, they would have to notify the parents that they are not providing criminal background checks. To me that's not good enough for kids. The law now requires it; we should not be taking that out of the law. The caregivers would not have to have the minimum health care standards that we now apply. For example, the caregivers would not have to be trained in CPR; they would not have to be trained in early childhood development. Senator McCracken's bill exempts those things from the law. Why in the world would we want to do that? He only mandates fire inspection, unlike that which he said, for programs serving kids under age three. Currently it's under age five. So for those who have schoolchildren age -- preschool children age three to five would now not have to have fire inspection. Why in the world would we want to do that? We do not have anything that gives basic health care protection to these kids. It seems to me that the way we should be going is to say - as we now say in the law - if the religious institution is providing this care while the person is going to a religious activity at that institution, that's different. We understand that. That's not day care in a profit sense. But under the McCracken bill, this day care does not have to be anywhere near the religious institution. It can be

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a building miles away. And we're taking away all of the protections - I shouldn't say that - most of the protections, the protections you and I and our people in our districts would consider important: that they be trained, that they know how to save a child's life, that the building be inspected for fire code, that the person who's giving care have a criminal background check, and so much more. I don't think we should take away those protections from our most honored and our most important possession - our children. And I think this should be defeated.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment 4 is the bill, and Amendment 4 says particularly that the programs that are exempted are those "...operated as an integral part of a ministry by a church, as described in Section 501(c)(3) of the Federal Internal Revenue Code of 1986, without government aid; provided that applicable State health, safety, and fire standards are maintained." Those standards will have to be maintained, of course. And this is a church that will be ministering to youngsters under three because, first of all, they're not-for-profit. And they're not-for-profit; they don't charge as much for a young woman who wants to work and she can't afford some of the high costs of day care. It's a -- it's a very helpful thing. Another thing is, we're separating church from State, and certainly this -- this amendment, which is the bill, has all the safeguards, all the checks. If there aren't any criminal checks, they must notify the mother or the -- the custodial parent of the child in writing, and therefore that -- that mother, or father, or custodial parent will know. I mean, I think all the safeguards have been met with this amendment, which is the bill. I think it's a good bill, and I ask for its passage

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because it's a helpful bill for not only the churches who operate these programs, but the poor women who need to have those services at little or no cost.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, this is probably a bill that has cost me more consternation than any bill, perhaps, that we've addressed, including caps, because there's some issues here that are being discussed that I believe very strongly in, but there's also some protections that I want to ensure are safeguarded. So I have a few questions of the sponsor, if -- if he would yield.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

First of all, there was discussion, and I would like an answer from the sponsor. Does the church have an option, or must the church authorize a criminal background of -- of those people involved? Yes or no.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR MCCRACKEN:

On page 2, line 31 and following, it requires the church to cause a criminal background check to be made on every person who works at the day care program. At page 31 <sic> (3), line 3 <sic> (31), it requires that if that -- if the criminal background check is not done, that the parents must be notified.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

So I read that, then, to be optional, basically; that if they

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-- if they choose to, their must; if they choose not to, then --
then they just have to notify the parents. Correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR MCCRACKEN:

No. They -- they have to provide that statement to the
parents.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Well, without going any further on that, whenever the issue
appeared to be those under three, in addition to -- to what the
current law was, why do we not just take the age three out of the
current law?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR MCCRACKEN:

That's a good point, and frankly, that is probably the logical
response; however, this has generated such heat that we are ending
up with a far more modest proposal.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Okay. Who will the child care services be offered to?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR MCCRACKEN:

There is no limitation expressed in current law for children
over three, nor is there a limitation expressed in the proposed
change.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

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SENATOR JACOBS:

Thank you. Who -- who -- who are the members -- who can the services be provided by?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR MCCRACKEN:

The reference in current law is a program operated by church or religious institutions as described in 501(c)(3) of the Internal Revenue Code. The change in the law is similar, and I'll -- and I'll read it to you: "...operated as an integral part of a ministry by a church, as described in Section 501(c)(3)...". So, the provider must be the church, as a part of its ministry.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Just one last question. Can the child care services be furnished at other than the primary source of worship of a church, temple, mosque or parish?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR MCCRACKEN:

There's no reference, either in current law or in this bill, to the location; however, in both cases, as I've said, the service can only be provided consistent with this Section, if it's an integral part of the ministry.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Just one last question, then we'll -- we'll let someone else speak. I still see some problems with -- with some of the language. Is it the sponsor's intention that this will be an ongoing dialogue to come up with a bill that -- over in the House,

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that we can all live with, that can perhaps resolve some of the issues of whether there is an option, as an example, of criminal background and some of those areas?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Palmer.

SENATOR PALMER:

Senator McCracken, who wants this bill? I have looked through my analysis fairly thoroughly, and I do not find a list of supporters that I would expect from organized religion. Do the Catholics, the Episcopalians, Methodists, members of the Jewish faith support this legislation? Because I would have thought that they would have been listed on my analysis to say that they are, in fact, enthusiastic about this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

The bill comes to me from Senator Geo-Karis' constituent, and I think it's a Baptist ministry. Is that correct? Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Palmer.

SENATOR PALMER:

Thank you. So is the answer to that question then that the other religions do not support this bill; that this is from one constituent who is a Baptist?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

Senator Geo-Karis advises that they apparently were initially, and it's been amended to this form since that time. I do not know where they are now. I saw circulated a list of supporters. I don't have it in front of me, though.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Palmer.

SENATOR PALMER:

Thank you. It is my understanding - at least I have been advised - that these religious organizations, in fact, oppose this legislation, as does DCFS.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. To the bill: I think my concern is that we cannot give certain people the presumption that they would not prey upon people under three years of age. I'd like to be able to say that, but the fact of the matter is, my experiences in life tell me that that is not so. It's especially not so in -- in recent times. And the problem that -- that I see is that where there is this notification to a parent that no background check has been given, will not hold much weight, because I think, as a general proposition, people that are religious, who go to church regularly, have a tendency to base their religion on their faith, using the term "faith" in the sense that they take on faith what the pastor tells them. And -- and my problem is that I envision some of these pastors that have been in the news recently in the last couple of years telling good faithful parishioners that "We don't need a background check on any of our people; they're all good, religious people; they're in the first pew every Sunday."

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And the fact of the matter is that that's not the case, and I don't think that we ought to take the risk. I think the sponsor's intentions are well-intended, but I don't think we ought to place our most vulnerable three-year-olds, or even ones over that, for that matter. We ought -- we ought not to take that risk.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR MCCRACKEN:

The current law gives -- to -- to the extent people are concerned about protections being written into this law, current law has none of these protections for children over three. Zero. The law is currently only in effect that they have to be a 501(c)(3) organization and conduct this as a part of their ministry. We go far beyond that in the case of persons less than three. In fact, if you give some thought to this, I would submit that the only thing this does now is not put these ministries through the pain of the DCFS bureaucratic paperwork. That's really the only difference here. Current law requires, in the case of over three years old, that all safety and health standards be met and maintained. This also requires that to be done. In effect, all we're doing is saying, "You don't have to deal with DCFS if you, as a part of your ministry, want to provide day care services." Remember, it's got to be a not-for-profit organization and activity. That is currently the law. We retain that. Far more than is currently the law is also added so that, although I'm getting credit for a radical move here, the truth is far more modest. There is no requirement now that day care checks be done, according to this Statute. Zero. So we put it in. There is no requirement in current law that we go beyond the local health and safety codes and require the State Fire Marshal to inspect. That is in conjunction with whatever local applicability ordinances on

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health and safety have for this locality. This is a very modest proposal. And really, to hold up DCFS as the paragon of virtue, and as a class, to tell society that we believe ministries should be suspect and that we should be careful, I think is the -- is -- is precisely the wrong message that we want to send. You know, you -- you talk about fear of Waco. Don't you think that bringing these ministries into the mainstream, allowing them to serve as other than just members of the church, allowing them to have as employees other than just members of the church, has a moderating influence? Haven't we gone a long way in making this a mainstream activity? This is far more protection than they've got now for -- for children in ministry day care centers over three. This is a very modest proposal, and I seek your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 149 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 32 Ayes, 23 -- 22 Nays, 3 Members voting Present. Senate Bill 149, having received the required constitutional majority, is declared passed. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR DONAHUE:

In the gallery, from Bloomington High School - and I do this on behalf of our Chair today, Senator Maitland - we have a group from Bloomington High School students' history class: Brad Bittermann, Kyle Brock, Doug Coddling, Jim Cooley, John Kramer, and Vijiya Singh, and their instructor, Stan Otto. And we'd like to

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have them rise and be welcomed by the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Will our guests please rise, and welcome to Springfield. We have some additional special guests with us in the Senate today, and the Chair would yield to Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much, Mr. President, for recognizing this group at this time. There -- there has been some -- some comments on the Republican side about the Democrats taking over the Podium again and these people serving as the -- the bodyguards. I never quite thought of it that way, but now that you've mentioned it, thank you very much. Ladies and Gentlemen, Representative Tom Ryder and I are both delighted today to have the opportunity to welcome to the Senate, finally, the -- the members of the Calhoun County football team, who won the Class -- IHSA, Class 1 Football Championship at Illinois State University's Hancock Stadium in Normal this past year. We have with us a number of the players and the managers and coaches that are -- that are with us. The Senate <sic> (House) passed a resolution recently that congratulated the Hardin-Calhoun County Warriors on winning the IHSA Class IA State Football Championship, and that we have, in fact, extended our sincere best wishes to them for success in the future and that we, in fact, will provide them today, at your request, a copy of all of the preamble and resolution that was passed by the Members of the Senate <sic> (House). And we will present those to the Principal and the Athletic Director and the Head Coach, Ric Johns. And I would like to congratulate Ric Johns and his staff, as well as the faculty and the parents of the school, who share in this great victory, as they have provided the instruction, the inspiration and the support which has contributed to this fine finish of a memorable season. And so now I would like to call upon Representative Tom Ryder to say a word, and then

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Coach Johns. Representative Ryder.

REPRESENTATIVE TOM RYDER:

(Remarks by Representative Tom Ryder)

SENATOR DEMUZIO:

At this time, I'd like to ask Coach Ric Johns to say a few words, too. Ric.

COACH RIC JOHNS:

(Remarks by Coach Ric Johns)

SENATOR DEMUZIO:

Senator Watson.

SENATOR WATSON:

I guess I should address you as Mr. President, since you're in the Chair, but that seems a little unusual these days.

SENATOR DEMUZIO:

Thank you.

SENATOR WATSON:

Question: To be IA, what is the enrollment of your school, to be in a IA Class?

COACH RIC JOHNS:

Well we -- it's a pretty complicated system. Our actual enrollment was a hundred and eighty-three students, male and female. It's a complicated system by which you're classified according to the enrollment of the schools play. So as the play-off pairings came out, I think we were listed at about 240, which was still one of the smallest schools in IA...

SENATOR WATSON:

But you actually have an enrollment of a hundred and eighty-three, you said.

COACH RIC JOHNS:

Yes, one hundred and eighty-three, and we're very proud to say that fifty-two of those boys in the school played football for us this fall.

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SENATOR WATSON:

That's what I was -- that was the next question. That's -- that's excellent. Very good, and congratulations.

COACH RIC JOHNS:

Thank you very much.

SENATOR DEMUZIO:

Well, Senator Watson, I'm very surprised you didn't know the answer to that question. Thank you very much, Ric, for enlightening Senator Watson, who is Chairman of the Education Committee. Congratulations very much. The resolutions, on behalf of the Members of the Senate, presented to the team, and thank you all very much for allowing us to do this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senate Bill 159. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 159.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 159 comes to us from the State Board of Education, and we rolled into this particular bill several other noncontroversial pieces of legislation that were -- was addressed in the Education Committee. The original Senate Bill 159, as introduced, allows the State Board to award block grants to participating school districts for specified programs designed to improve student performance. In the Committee we added the provisions of three bills: Senate Bill 27, sponsored by Senator Berman; and Senate Bill 279, sponsored by Senator Karpziel, dealing with opening up the parental training

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grant program to parents of all students; and also Senate Bill 332, sponsored by Senator Hasara, dealing with the qualifications of members of the Vocational Education Equity Advisory Committee. On the Floor we added the provisions of Senate Bill 135, and that bill was a school finance clean-up bill, requested by the State Board of Education. To my knowledge, I know of no opposition. I'd be glad to answer any questions; otherwise, I'd appreciate your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any discussion? Any discussion? Senator Watson, to close. The question is, shall Senate Bill 159 pass. Those in favor, vote Aye. Those opposed, vote No. The voting is open. 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. Senate Bill 159, having received the required constitutional majority, is declared passed. Messages, Mr. Secretary.

SECRETARY HARRY:

A Message pursuant to Senate Rule 31 -- or 3-1(d).

Please be advised that, effective immediately, I hereby seek to reappoint Senator Robert Raica to the Committee on Public Health and Welfare. Earlier today you received a resignation letter from Senator Fawell. Pursuant to Senate Rule 3-5, please arrange to have the necessary concurrence made by the Senate. Signed by Senator James "Pate" Philip, President of the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

You -- you've heard the Message, as -- is there Senate confirmation? Is -- is there Senate concurrence? Is leave granted? Leave is granted. I'm sorry. Senator Demuzio.

SENATOR DEMUZIO:

Can you tell us what we're attempting to do here? Are we on the Order of Conference Committee Reports, or -- where are we?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Yes. Senator, the -- the -- President has talked to the Minority Leader, and it is replacing Senator Raica by -- on -- on the Public Health Committee, where he had normally -- had originally been. Senator Demuzio.

SENATOR DEMUZIO:

I don't have any objections to that. It just seems to me that when we do that, we ought to have clearly a signal as to what we are, in fact, doing, and ask leave of the Body to do so, so that everybody knows that we've left the Order of Business that we are on, and that we are on some other -- some other Order. It lessens the confusion here.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, I -- I -- I did announce the change and the Order of Messages. The Secretary did read it into the record. We thought there was no problem; that the President had talked with the Minority Leader. It was just done as a -- as a -- as a matter of course. Senate Bills 3rd Reading, page 6. Senator Cullerton. Take it out of the record. Senate Bill 196. Senator Weaver. Out of the record. Senate Bill 207. Senator Cullerton. Out of the record. Senate Bill 209. Senator McCracken, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator McCracken seeks leave of the Body to return Senate Bill 209 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 209. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 5, by Senator McCracken.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken.

SENATOR McCracken:

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Thank you. Amendment No. 5 would change the requirement in the case of waiver of notice, to include acts of either parent, as opposed to acts only of both parents. It also rewrites the definition of "abortion" to conform with that found in Supreme Court cases, and... Oh, yes. And it deletes the right of intervention in the current bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Discussion? Those in favor, say Aye. Those opposed, say Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senator McCracken.

SENATOR MCCRACKEN:

6 was approved for consideration on the Floor in the most recent Rules meeting. I'd ask to call...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator McCracken, I'm sorry. The Secretary doesn't have the Message on that -- on that amendment yet. So we'll leave it on 3rd and -- and we'll get back to it. Okay? Senate Bill 211. Senator O'Malley. Senator, do you wish this bill returned to the -- to 2nd Reading for the purpose of an amendment? Senator O'Malley seeks leave of the Body to return Senate Bill 211 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 211. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. -- Mr. President and Members of the Senate. What Amendment 2 to Senate Bill 211 does is adds language which would permit an appointed board of trustees of a fire protection district to become an elected board by ordinance of the fire district board, or by an ordinance of the appointing authority - in this case limited to township boards.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any discussion? 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:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 231. Senator Thomas Dunn. Let's take it out of the record just for a minute, Senator Dunn. I'm sorry. Senate Bill 228. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 228 addresses a topic that has been in the news, and is a big topic in all of our districts, and that is health care. Health care reform is the word of the day. This bill would create demonstration projects for birthing centers in the State of

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Illinois. I would like to address the two reasons why I support this bill: one is access, and the other is cost. First of all, let's look at access. I am the sponsor of this bill because it is a big rural health issue, and I have been involved in trying to get better access in the rural areas of our State for quite some time now. I would like to tell all of you that in about a third of the counties of Illinois, you cannot have a baby at this particular time. You can be a millionaire, but you must go to St. Louis, to Evansville, Indiana, possibly to Carbondale, to deliver a baby. It is a very, very important issue that I think some people in the northern part of the State do not understand. So access is a big part of this bill, and I believe that Senator Trotter, hopefully, will address the same issue as it applies in the northern part of the State. The second issue, of course, is cost. It will be less expensive to have a baby in a birthing center. It is not as if we are operating in a vacuum on this issue. Over twenty-five states now have birthing centers. There are a hundred and thirty of them in the country. So we do have that experience that we can use and gain by. There has been a task force for a long time working on this issue. Its members include a variety of -- of groups, ranging from the Illinois Primary Health Care Association to the Illinois Farm Bureau. I would also like to point out that, as we do with many things that are new in the State of Illinois, we have created demonstration projects. So it is not as if we are not going to control how these will be established. We will move slowly and we will move carefully, and we have carefully thought out where these should go. I would be more than happy to answer any questions, but I would just like to say that we can no longer do business as we have in the past. We have very serious health care problems in this State, and we have to find some new, innovative and better solutions to them. I ask for your support of this important bill.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. I, too, rise in support of this legislation. This is timely legislation. Senator Hasara hit the nail on the head. When you think of health care and you think of health care reform, you really -- you think of really three things, which she mentioned, and that's affordability, accessibility and necessity. And to begin with: Is this a necessary bill? Yes. We know that there's a problem here in the State of Illinois when we've been designated medically underserved communities. We have them down south. We have them up in the northern area as well. Have we attempted to address this in the past? Many times. In the past four years that I've served in this -- in this General Assembly, we've done several things. We've tried to give incentives to doctors, so as they go ahead -- would go ahead and work in the medically underserved communities, we would give them reimbursement on their tuition. That hasn't worked. We have gone as far as -- as empowering midwives, so they can go ahead and deal with this -- this horrible, horrendous problem that we have going and dealing with and giving the adequate health care to the mothers of -- of the babies, who's going to be leading this State into a -- bigger and better things. What are we doing now? We're doing this: We're trying to create this -- these demonstration projects so that those communities that have been underserved in the past, will now have adequate service for prenatal care, for postnatal care and also -- and also for delivering those children. We're looking at other legislation as well. We're looking at trying to empower nurse practitioners, which has been shown throughout this country that they're qualified to help and to deliver children and deliver healthy babies into this world. This is legislation that

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is needed. It was needed last year; it was needed the year before that. And we have an opportunity today to pass it, so we can get up and moving here in our State, and make this the great State that it should be, and I ask for its passage - ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Fitzgerald.

SENATOR FITZGERALD:

Will the sponsor yield for a couple questions, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Fitzgerald.

SENATOR FITZGERALD:

Senator Hasara, I -- I agree with a lot of the aims of the bill, but I have a few questions. I'm a relatively new father. My first child was born about eleven months ago, and I -- I -- my wife had a very difficult labor. It was about an eighteen-hour labor, but it followed a relatively uncomplicated pregnancy. And I was wondering -- the bill starts out saying that a birth center is a place in which births are planned to occur following a normal, uncomplicated, low-risk pregnancy. Well, my wife had that, but when the actual delivery came, things got pretty tense and -- and it was -- it was -- what do you do in situations like that? And specifically, what quality of care provisions are specifically provided for in the bill, with respect to what kind of staffing and equipment has to be in these birth centers?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

Yes. Senator, I think you raised some excellent questions. I do feel they are addressed in the bill. Each of the demonstration centers must have an agreement, a written agreement, with a hospital within a fifteen-minute trip of a birthing center. I

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would also like to point out that there are standards that birthing centers use. Again, because we do have an experience of so many of them already around the country, we know that the standards are beneficial, and again, the most important thing, I think, that you're concerned about is that in the bill each birthing center must have a written agreement with a hospital within fifteen minutes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fitzgerald.

SENATOR FITZGERALD:

Well, I understand the part that it has to have an agreement with the hospital or it has to have some connection with the hospital, but are there any staffing requirements? Do these centers have to have -- there doesn't seem to be anything in the bill that even requires them to have physicians.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

A couple of points: believe me, Senator, if in rural Illinois we could have a physician available to deliver babies in every hospital, we would be thrilled. We have worked for years, tried to give incentives, and there have been some improvements in the availability of physicians. I understand the concern that the Medical Society has, but we keep saying, "Get us the physicians. We would love to have them." But, for reasons which we can understand, many of them don't want to go to these areas and practice. So there will probably not be the number of physicians available twenty-four hours, as you would have in your area, or I would have in Springfield, but believe me, there are standards. I'm standing here with the book, Standards For Freestanding Birth Centers", and there are standards and requirements for staffing. In -- there will be physicians. Hopefully there will be mid-level

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practitioners that will also be allowed to operate in these birthing centers. So we certainly are sensitive to the requests of the -- of the Medical Society, but there simply are not physicians to staff hospitals in rural areas. That's why we need the birthing centers in the first place.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fitzgerald.

SENATOR FITZGERALD:

Will -- will the centers be able to perform c-sections, or cesarean deliveries?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

I...

SENATOR FITZGERALD:

Will -- will the centers be able to perform c-sections?

SENATOR HASARA:

No. That would be done in the hospital.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fitzgerald.

SENATOR FITZGERALD:

So you'd have to transport them to the hospital?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

That's exactly why we have mandated in the bill an agreement with a hospital within fifteen minutes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Will the sponsor yield for a -- a couple of questions?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Lauzen.

SENATOR LAUZEN:

Is there not an increased danger in these deliveries, as this is structured now? If I'm not mistaken, the percentage of babies that are delivered c-section is some large number. Can you give me any idea about how many -- or what that percentage is, as far as c-sections, and then the need to transport the mother and baby being born to this facility fifteen minutes away?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

Thank you, Senator. Actually, you raised what I believe is a very controversial subject. I cannot honestly remember the exact figure, but I do know that Illinois has the highest rate of c-sections, I believe, in the country, and many question, in fact, whether that rate is too high, and too many of them are being performed. And so I think you raise a side issue that I'm very interested in, and that is: Why does Illinois have so many c-sections? I would, however, like to bring up another point: These birthing centers do not just deliver babies. They will also provide very valuable prenatal care in these communities that do not now have this kind of care. So we would hope that by receiving better prenatal care, we would reduce the incidence for the need for cesarean, and also reduce the incidence of high-risk pregnancy and delivery by having a birthing center in that area. So the issue you raise, in fact, is very important, I think, in that birthing centers, hopefully, would help solve that problem.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. Chairman. The three -- three then -- three

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questions: Number one, can prenatal care that you speak of be provided without a birthing center? Number two, is there not an increased danger? You know, my -- my point is not what the statistic is in Illinois - that was a question - but the point of that question is, is there not an increased danger with that high -- relatively high percentage of c-section births, and then the transfer of the -- the mother and child being born? And then number three, if this is a matter of access for these rural communities, how far into the rural communities can we go if we still have to remain within fifteen minutes of an existing facility?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

Okay. First of all, in many communities, and not just rural areas, but I think Senator Trotter would also say that -- that in the inner city, many, many women are now receiving no prenatal services. They show up at the hospital to have a baby, and they have never seen a physician. So one of the major purposes of this bill is to provide good prenatal service, which is more accessible and more affordable to these women. So we, in fact, again would hope to cut down on the incidence of the need for emergency services in the hospital, and on the incidences of c-section, by being able to provide prenatal care under this bill. Secondly, very honestly, the fifteen minutes was a negotiated figure. Thirty minutes would be more helpful in rural areas, because you are correct: It will cut down somewhat upon the availability of some women in rural areas by having the fifteen-minute limit. But you have to remember, many of them are traveling out of State to be able to deliver babies now, and so it still would be more convenient to be able to have a baby closer to home than traveling far away. We believe that the percentage of danger, again with

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the availability of prenatal care, would be reduced, if you look at the number of women now who show up to have a baby and have never seen a physician before delivery.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have a few questions of the sponsor before I make a comment, Mr. President, if I may.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator, a few of our Members on this side of the Floor have made an issue of the particular part of this legislation that does not say that it has any guidelines that it's going to be using as far as physicians or staffing of this type of facility. My question to you is: Do we know, at the present time, whether this type of facility is going to be staffed by physicians, or nurses, or technicians, or midwives? Do you -- can you please answer that?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

I will try to answer that. Very honestly, I -- I believe we're hoping to work on the bill in the House to specifically address standards. I -- again, I have a book of standards here that are used in most birthing centers across the country. We believe that the birthing centers would be staffed by all different levels. Again, if they were all staffed by physicians, we would be delighted, but I -- I have to remind you that in a third of the counties in the State it is very, very difficult to find physicians to come into those areas. We do anticipate that

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in some of them there will be mid-level practitioners involved in the care, but there would also be physicians.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator, one other question. Can you tell me how the patient would be transported to a hospital from this birthing center, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

SENATOR HASARA:

Senator, it would be up to each specific situation. It would either be by ambulance; in some -- in some cases in birthing centers in other states it is, in fact, by automobile. So there is a variety of ways that it could be handled.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Butler.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR MAITLAND)

Oh, I'm sorry. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. I would like to speak to the bill now, Mr. President, if I might, and I would ask the Members to -- to pay attention to what we might be doing here. In a statement that was provided by the Illinois Med Society, if I can -- I know a lot of people have it. It says, "The American College of

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Obstetricians and Gynecologists also oppose freestanding birthing centers, in part, because prenatal screening cannot predict high-risk and potential life-threatening conditions which occur during labor." Ladies and Gentlemen, I've delivered a good number of -- dozens of children since I've been a paramedic. There is no way - no way - that prescreening can ever detect an emergency delivery - can ever detect an emergency delivery. The sponsor of this legislation, when I asked the question about staff, and I was particular attempting to key in on physicians, stated that in some areas, although that would be preferred, there are a lack of physicians, so we might not be able to. Ladies and Gentlemen, about forty minutes ago I put through a piece of legislation regarding dental hygienists and how that law specifically said that only two hygienists can be per dentist. We are, if we put this piece of legislation into effect, going to attempt to allow - because we don't know, because the guidelines aren't in this legislation - possibly a nurse, possibly a midwife or a technician, to judge the fate of an unborn child or an emergency delivery at this freestanding clinic. Now, close your eyes as you might, and try to picture your wife or relative being taken to one of these facilities, in the best case attempting to possibly save money, but have a child be born. If these rural areas do not - and I repeat - do not have physicians, they do not have an ambulance fifteen minutes away. To attempt to get an ambulance to respond to this situation, unless there is one that is standing by, that mother would most likely be better - if not all the time be better - being taken to a hospital. Fifteen minutes in a delivery of a cesarean section or a breech birth is crucial in any case, if not all cases. This should not be an attempt by any sponsor to address the problem of a lack of physicians in any community. This is not the answer to a lack of physicians. This may be an answer -- or if I might say, the biggest problem this

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State would ever get into, and that's of the child mortality rate in this State, which would rise in this particular situation. C-sections, by admission of the sponsor, are one of the largest in the State of Illinois. But what if it is an emergency? Who are we to second-guess the physician that we pay for when our wives deliver a child and follow that case from conception to delivery? I, as a legislator, do not want to second-guess our physicians at this point in time. This is probably one of the most crucial pieces of legislation that are going to affect, hopefully, our family members or unborn child. This is not the way to go. If you're going to travel fifteen minutes, can you sit here and say you're going to be -- put your wife or your daughter or your -- your relative in a car to be transported fifteen minutes in an emergency situation? I dare say, this is the wrong step for this Body to take, and I ask for a No vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you. Will the Senator yield, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Butler.

SENATOR BUTLER:

Senator, I -- you may have -- excuse me. You may have answered this and I missed it, but my question is that if a hospital must be fifteen minutes away, or even thirty as you would have preferred, why do you need a birthing center when the hospital is -- a hospital is that near? There are portions in Chicago you couldn't get to a hospital in fifteen minutes or thirty minutes. So I'm a little confused as to the necessity of this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara.

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SENATOR HASARA:

Senator, right now, again, in over thirty counties of the State, you cannot have a baby now. The hospitals are not delivering babies - for a number of reasons. So, birthing centers would be another option that many women do not have now. They can't go to the hospital and have a baby. Under this bill, there will be an agreement with a hospital that is fifteen minutes away, in case of an emergency where you would need surgery.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Well, thank you, Mr. President and -- and Members of the Senate. I rise in support of this bill. I happen to live in a county of -- the entire county is less than twenty thousand people. The county seat of that county is Paris, Illinois; has a hospital in it and a very nice facility, less than twenty years old. That hospital hadn't delivered a baby in seven years. Why? Because we don't have any OB/GYNs down there, and unless it is an emergency situation, they just absolutely will not deliver babies. The babies that are delivered in Paris, Illinois, are delivered at Danville, which is forty-five minutes away; at Charleston, which is forty-five to fifty minutes away; or Terre Haute at Terre Haute Union Hospital, which again is forty-five to fifty minutes away. And by the way, I might add, that our Medicaid patients that go to the Terre Haute hospitals -- the Indiana doctors love our Illinois Medicaid money over there, I'll tell you that. But the example I think many of you are concerned about is this contract with a hospital within fifteen minutes of the birthing center. Well, the Paris hospital would be within fifteen minutes of -- of a birthing center, and in the case of an emergency, that person certainly could go -- go there with the doctor on call - the physician on call - at that -- at that hospital. But the other part of the

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bill that -- that certainly is very important to us, many -- many of our, particularly young people, and -- and in my home county we've seen teen pregnancies and teen deliveries double in three years. Most of those young people have no prenatal whatsoever - whatsoever. They show up at an emergency room in one of those three cities I -- I mentioned, and -- and the baby is delivered. And so I think as much -- an important part of this bill as anything else, at least those people would have -- have an opportunity for prenatal. I -- I -- it's not a panacea. I think Senator Hasara knows that; that maybe it's not the perfect solution, but for we downstaters in very rural areas, with long distances between health care facilities, it's at least giving us an opportunity for better care for a lot of our patients.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Yes, I apologize to the Body for rising twice in debate. However, I just want to reiterate some of the -- the facts here that we have. Prenatal care is required by this bill. This isn't something that we just said we should do or we would like to do; it's required by this bill. And in that prenatal care, in most instances, what you're going to find, you're going to find out if there is going to be any complications, in most instances. There are complications; there's complications in anything that we do in this life, and especially when you're talking about in the medical field. There are going to be complications and they can't always be foreseen, but its required and those complicated -- points will be seen. It's -- also in this bill -- it's required in this bill that the birthing center shall maintain the ability to transport a patient with complications to another hospital. It's required that there's an ambulance there. So you don't have to dump your -- your wife into a car and take her someplace or to a van or call a

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neighbor. It's required that there would be services available for them. It's also -- in this legislation, it's saying that it's required that this birthing center participate in the Illinois Perinatal System, which is governed by standards by the Department of Public Health. This is also -- bill is also required by Federal Government to have certain standards and requirements. So there are things in this bill that's written in to ensure that you're going to get quality health care and quality services for that pregnant woman and her -- her baby. There -- this is a good bill. It's a necessary bill, and it's a long-overdue bill. And all of this waving of the red flag that -- what are we going to do -- if necessary, in some instances, there might be a helicopter available if it has to go for emergency services, but the thing is, we're not taking care of our children right now. Illinois has one of the highest rates of infant mortality, and that's because we do not have places in which we can treat our children; we do not have services where we can -- women can learn about parenting, where women can learn about how to feed their children. We do not have that. This bill addresses some of those problems. It is not the full answer, but we have to start somewhere, and this is a great start, and I ask all for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hasara, to close.

SENATOR HASARA:

Thank you, Mr. President. You've heard many viewpoints on this bill, and I hope that we've been able to answer many of your questions. Let me address just a couple of things. One of the opponents said, "Listen to what we might be doing under this bill." Seems to me, we always take a bill and look at the very worst thing that could happen, without looking at the good that it does. Let me tell you what I know will happen under this bill, because, again, we have a hundred and thirty models to use. It

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isn't as if this is something new and we have no experience to go by. I swear to you that in states that have birthing centers, the incidence of infant mortality has dropped. That is already a fact. So I can tell you what this bill does is to reduce infant mortality; it has been proven. It also has been proven that it will lower the incidence of low-birth-weight babies, which is a problem in many areas, and I think Senator Woodyard definitely pointed out a specific incidence in his county where a woman cannot deliver a baby in his county. So we -- that is what we do know it will do. I am the first to admit this is not the answer to all our problems of health care. But it is giving people an option. No one is saying you have to go to a birthing center to have a baby. It gives another choice to a family, a less expensive, more available choice that has been proven in twenty-seven other states to work well. It is not as if we're going to go out and create a birthing center within fifteen minutes of every hospital. I think it's wise policy in the State of Illinois to create demonstration projects, and that's what we are going to do. We will move very slowly and very carefully. So again, I ask you to give women another option. No one's forcing them to do this, but personally, I'd like to see some of the women who are now getting no prenatal care, and who are having babies at home, look at using birthing centers as an option to have a baby delivered and definitely as a means to get prenatal care which has been proven to lower the incidence of infant mortality and low-birth-weight babies. I ask you to please help some of us who have severe problems, particularly in rural areas and in the inner city. Please vote Yes on this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 228 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

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wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 27 Ayes, 23 Nays, 6 Members voting Present. Senate Bill 228, having not received the required constitutional majority, is declared passed. Senator Hasara, for what purpose do you arise? Declared lost, I apologize. Senator Hasara, for what purpose do you arise?

SENATOR HASARA:

Yes, Mr. President, I would request Postponed Consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Postponed Consideration.

SENATOR HASARA:

Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR GEO-KARIS:

In the audience upstairs behind the President, is the Reverend Rocky Seffinga and the children of his parish from the concerned -- the Zion Christian School from Zion. Would you help me welcome them here?

PRESIDING OFFICER: (SENATOR MAITLAND)

Would our guests in the galley please be -- rise? Welcome to Springfield. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

For a point of announcement, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR DONAHUE:

That the Senate Appropriations Committee will meet at 1:15,

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knowing that we have other committees meeting prior to that, but if -- if you are on Appropriations and you have to be at another committee, please get to Approps as soon as possible, at 1:15.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, to the members of the Public Health and Welfare Committee, we will be meeting right after Session with a -- five-minute little pre-meeting for our Members, the Republican side, Democrats if you wish to do that as well, but we're going to be meeting over in the -- in A-1 immediately after Session.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Senator Madigan, for what purpose do you arise?

SENATOR MADIGAN:

Thank you, Mr. President, for purpose of an announcement that the Insurance, Pensions and Licensed Activities Committee will meet immediately upon recess.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you -- thank -- thank you, Mr. President. Just to announce that the Executive Committee will meet in Room 212 immediately upon adjournment.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right, thank you very much. The Senate stands in recess until the hour of 2:30.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR WEAVER)

Committee Reports.

SECRETARY HARRY:

Senator Karpziel, Chair of the Committee on Executive, reports Amendment No. 3 to Senate Bill 57 <sic> (577) Be Adopted, Amendment 4 to Senate Bill 625 Be Adopted, Amendment 5 to Senate Bill 625 Be Adopted, Amendment 3 to Senate Bill 718 Be Adopted, Amendment 3 to Senate Bill 899 Be Adopted, Amendment 2 to Senate Bill 900 Be Adopted, and Amendment 3 to Senate Bill 937 Be Adopted.

Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports Amendment No. 1 to Senate Bill 207 Be Adopted, Amendment 2 to Senate Bill 207 Be Adopted, Amendment 3 to Senate Bill 533 Be Adopted, Amendment 1 to Senate Bill 603 Be Adopted, and Amendment 3 to Senate Bill 680 Be Adopted.

Senator Topinka, Chair of the Committee on Public Health and Welfare, reports Amendment 3 to Senate Bill 66 Be Adopted, Amendment 1 to Senate Bill 275 Be Adopted, Amendment 3 to Senate Bill 967 Be Adopted; Amendment 2 to Senate Bill 570 Tabled by Committee, and Amendment No. 3 to Senate Bill 570 Tabled by Committee.

Senator Watson, Chair of the Committee on Education, reports Amendment No. 2 to Senate Bill 87 Be Adopted, Amendment 1 to Senate Bill 730 Be Adopted, Amendment 2 to Senate Bill 928 Be Adopted, Amendment 3 to Senate Bill 950 Be Adopted.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Amendment 4 to Senate Bill 183 Be Adopted, Amendment 4 to Senate Bill 231 Be Adopted, Amendment 4 to Senate Bill 477 Be Adopted, Amendment 1 to Senate Bill 779 Be Adopted; Amendment No. 2 to Senate Bill 246 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR WEAVER)

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

House Bills 152, 256, 383, 575, 1464, 1623, 1970, 2057, 2194 and 2242.

Passed the House, April 21, 1993.

We have a like Message on House Bills 187, 296, 436, 480, 580 <sic> (581), 690, 1259, 1341, 1965 and 2183.

Also passed the House, April 21st, 1993. From Anthony D. Rossi, Clerk of the House.

PRESIDING OFFICER: (SENATOR WEAVER)

Resolutions.

SECRETARY HARRY:

Senate Resolution 282, offered by Senator Cullerton.

And Resolution -- Senate Resolution 283, offered by Senator Peterson.

They're both congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 69, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 161, by Senator Cullerton.

(Secretary reads title of bill)

Senator Berman presents House Bill 293.

(Secretary reads title of bill)

Senator Molaro presents House Bill 469.

(Secretary reads title of bill)

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Senator Berman offers House Bill 579.

(Secretary reads title of bill)

House Bill 672, by Senator Fawell.

(Secretary reads title of bill)

House Bill 689, Senator Demuzio.

(Secretary reads title of bill)

Senator Hendon offers House Bill 691.

(Secretary reads title of bill)

House Bill 895, by Senator Hendon.

(Secretary reads title of bill)

House Bill 961 is offered by Senators Smith, Vadalabene and others.

(Secretary reads title of bill)

House Bill 979 is presented by Senator O'Malley.

(Secretary reads title of bill)

Senator Fawell offers House Bill 1224.

(Secretary reads title of bill)

House Bill 1325, by Senator DeLeo.

(Secretary reads title of bill)

Senator Berman offers House Bill 1356.

(Secretary reads title of bill)

House Bill 1476, presented by Senator Hawkinson.

(Secretary reads title of bill)

House Bill 1539, by Senators Hasara and Cullerton.

(Secretary reads title of bill)

Senator LaPaille offers House Bill 1570.

(Secretary reads title of bill)

House Bill 1652, Senator Berman.

(Secretary reads title of bill)

House Bill 1729 is offered by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 1809, offered by Senators Philip and Madigan.

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(Secretary reads title of bill)

House Bill 1855, Senator Hendon.

(Secretary reads title of bill)

And House Bill 2173 is offered by Senator Fawell.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WEAVER)

We're ready to get started. The first sponsors on the Order of 3rd Reading are Thomas Dunn, Madigan, Hasara, Madigan, Mahar, LaPaille. Is Senator Thomas Dunn on the Floor? Senator Dunn, do you wish to call 231? Do you wish to bring 231 back to the Order of 2nd Reading for the purpose of an amendment? Senator Dunn seeks leave of the Body to return Senate Bill 231 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 231. Mr. -- Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4 is offered by Senator Tom Dunn.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dunn, to explain Amendment No. 4.

SENATOR T. DUNN:

Thank you very much, Mr. President. This amendment was adopted in the Judiciary Committee 8 to 2 earlier today, and in essence, it does not change the substance of the bill, but in fact, makes it a better bill. This is the Neighborhood Drug Solicitation Act. There were no fundamental changes in the bill, but the amendment, as I said, made it a better bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Dunn moves that -- Floor Amendment No. 4 to Senate Bill 231 be adopted. All in favor, signify by saying Aye. Opposed, Nay. Amendment's adopted. Are

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there further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 252. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 252.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Senate Bill 252 renews the Private Detective, Private Alarm, and Private Security Act, which expires this year. Institutes several small changes in the -- in that Act, all of which are agreed upon by those affected parties, and I would be glad to answer any questions; there being none, I would ask for its -- passage.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not -- this bill preempts home rule power pursuant to subsection (h) of Section 6, Article VII of the Illinois Constitution, and under that constitutional provision will require thirty votes for passage. I would note that -- the Membership that this bill calls for the exclusive exercise of specified powers by the State, and for that reason, falls under subsection 8 <sic> (h). The question is, shall Senate Bill 252 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take -- take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 252, having received the constitutional majority, is declared passed. 258. Senator

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Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 258.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Senate Bill 258 establishes a clear statutory preference for DNA testing. DNA testing is definitely the most scientifically reliable type of paternity testing, and we feel that this would speed up, hopefully, the collection of child support from fathers of children. It should save the State money; even the testing is less in cost. So I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there a discussion? Senator Trotter.

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she will, Senator.

SENATOR TROTTER:

Yes. Who -- Senator Hasara, who does the testing? Is it a -- any place...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara, please.

SENATOR HASARA:

Senator, test -- testing is done at labs around the State. It's done now there.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Trotter.

SENATOR TROTTER:

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Okay, there's no special training that someone should have to have, like a DNA expert, or -- that they would...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

SENATOR HASARA:

Yes, Senator, there is a provision in the Statute for an expert to -- to perform this test. It's now performed in many cases in Illinois, so it would not require any new people to do this testing.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Trotter.

SENATOR TROTTER:

Yes. I voted for this bill in committee and I believe it's a good bill. I believe that anything that's -- that we're going to go ahead and now determine parentage so we will get child support payments that we know are really behind here in our State is -- is a good effort, and I applaud you for your effort in presenting this bill. And I ask everyone to vote Aye on our side as well.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, the question is, shall Senate Bill 258 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 258, having received the constitutional majority, is declared passed. 262. Senator Madigan. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 262.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

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SENATOR MADIGAN:

Thank you, Mr. President. Senate Bill 262, as amended, contains, first of all, in the original bill, numerous housekeeping changes to the Insurance Code, as suggested by the Department of -- Insurance, which are deemed to be necessary for compliance with the NAIC. Senate Amendment No. 1 that was adopted required that participants under the CHIP program be United States citizens or resident aliens. Additionally, the amendment extended the sunset on certain articles of the Insurance Code for three years. Senate Amendment No. 3 was technical. Senate Amendment No. 4 represented an agreement between the limited health service organizations and the HMOs regarding the statutory deposits with the Director. And Senate Amendment No. 5 that was adopted addressed concerns that personal information submitted to the Director shall remain confidential. I would be glad to answer any questions regarding Senate Bill 262, as amended.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I would just indicate that there's -- I don't really have opposition to this bill; however, it does do one thing, and I had suggested in an amendment that we debated in committee that failed, that we take one different approach to one portion of this bill and that is the sunset of the Insurance Code. Now what this bill does is to extend that sunset for three years, from the end of this year to the end of 1996. We on the Democratic side thought that it would make much more sense to extend this sunset only until September 31st of this year and hold public hearings; require the Director of Insurance to hold public hearings and make any recommended changes to the -- the Act. The best time to review a Statute is to do it when their sunset is up. That's why we have

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sunsets. And that -- unfortunately, that amendment was defeated in -- in committee, and I -- I think, as a result, this bill could have been improved dramatically. So, I just wanted to indicate that for -- for the record, and -- and I would suggest that if this bill doesn't pass in the House, that maybe we'd consider this and revisit this suggested amendment again. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further -- discussion? Senator Madigan may close.

SENATOR MADIGAN:

Thank you, Mr. President. I would ask for a favorable roll call on Senate Bill 262, as amended.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 262 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 49 Ayes, no Nays, 7 voting Present. Senate Bill -- 262, having received the constitutional majority, is declared passed. Senator -- 275. Senator Mahar. Read the bill, Madam Secretary. Do you wish Senate Bill 275 returned to the Order of 2nd Reading for the purpose of amendment? Senator Mahar seeks leave of the Body to return Senate Bill 275 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Hearing no objections, leave is granted. Madam Secretary, are -- have there been Floor amendments filed for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar, on Floor Amendment No. 1.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 275 allows the Department of -- of Mental Health to use up to two percent of the

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funds appropriated to them for the operation of State facilities as if they were funds which were appropriated for community services and programs. The purpose of this provision is to assist with the transfer of people who reside in State-operated facilities to community-based settings. The purpose of the amendment, as a condition of using the two-percent transfer, is that DMH staff to ratio -- staff to patient ratio must be at least equal to the national average for facilities which serve a similar population, and I would move adoption of Floor Amendment No. 1 to Senate Bill 275.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, all in favor, signify by saying Aye. Opposed, Nay. Amendment No. 1 to Senate Bill 275 is adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senate -- Senate Bill -- 292. Senator LaPaille. For what purpose does Senator Severns arise?

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR SEVERNS:

It's my honor to have with us in the Senate today, as a Page, Joshua Sloan and his proud parents and younger brother joined us in the President's Galley -- Gallery. Rick and Jackie Sloan with their son, Rogan, so I would like us to welcome the Sloan family today.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests please rise and be welcomed by the Senate. Is

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Senator LaPaille on the floor? Senator del Valle. On -- read the bill. 310, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 310.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. Senate Bill 310 establishes new fee caps for appointed counsel other than Public Defenders, and that's all it does. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 310 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 6 Nays, 1 voting Present. Senate Bill 310, having received the constitutional majority, is declared passed. Senator Fitzgerald. 340? Out of the record. 341? Out of the record. Senator Karpziel, on 376. Out of the record. Senator DeAngelis. Senator DeAngelis. Senator DeAngelis, do you wish to call 384? Do you wish to bring 384 back to the Order of 2nd Reading for the purpose of an amendment? Senator DeAngelis seeks leave of the Body to return 384 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. On the Order of 2nd Reading is Senate Bill 384. Are there any Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen, on Senate Amendment No. 2 to Senate Bill 384.

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SENATOR LAUZEN:

This amendment changes the -- the definition in this assessment to gross income rather than net income, including finance charges.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there any discussion? If not, Senator Lauzen moves the adoption of Floor Amendment No. 2 to Senate Bill 384. Is there discussion? All in favor, signify by saying Aye. Opposed, Nay. The motion carried. Senate amendment -- Floor Amendment No. 2 to Senate Bill 384 is adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator DeAngelis, on 387. Out of the record. Senator Garcia, on 435. Senator Garcia, on -- 435. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 435.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. Senate Bill 435, as amended, creates the Language Assistance Services Act. It authorizes hospitals and nursing homes to adopt policies for providing language assistance services for limited-English-speaking, non-English-speaking and deaf persons. This bill, as amended, Mr. President and Members of the Senate, came out of the Committee on Health. It essentially seeks to establish effective communication between patients who go to or are admitted to a hospital or who reside in a nursing home. The -- bill -- it does the following,

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essentially: It authorizes hospitals and nursing homes to consider reviewing and revising their existing policies, procedures and guidelines regarding language assistance for basic health care services as the need arises. It seeks to develop community contact groups which will enable the facility and the limited-English-speaking, non-English-speaking and deaf communities to adequately oversee the interpreter releases. There were no groups opposed to this bill in committee, Mr. President and fellow Members, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Syverson. We're getting awfully noisy this afternoon. Let's be in our seats, and those not entitled to the Floor will retire to the galleries. Senator Syverson.

SENATOR SYVERSON:

Thank you. If the sponsor would yield.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR SYVERSON:

A couple of questions. First, if this bill is only permissive, why -- why do we need to have a -- a law for it?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

Thank you, Senator Syverson. I'm glad that you've raised that question. What we want to show, and the intent of this bill, Senator, is to demonstrate that the Legislature in the State of Illinois recognizes the diversity of the State, and wants to provide a clear direction for hospitals, for nursing homes, for those agencies and institutions that are in the business of caring for people - particularly with essential, basic health services - and provide them a good way to do it. This bill is essentially a

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blueprint which provides hospitals and nursing homes with some very specific and concrete ways that they can develop to ensure that they can deal with patients who have different language needs, who need assistance because they are deaf, and to ensure that no hospital is caught off guard because a patient is brought into a trauma unit - someone who needs a service. They will have a plan in effect for contacting someone who can ensure effective communication.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

Follow-up -- thank you. I think I heard a little bit of that. Again, I think it -- it comes back to the point, I'm not sure, hospitals are currently doing this under -- from a liability standpoint. And just from a publicity standpoint, I don't -- the hospitals that I know of are certainly doing this. Doesn't this put them -- if we're really concerned about this, then it shouldn't be permissive; it should be mandatory that we have this in. Is there...(microphone cutoff)...I guess we didn't make it mandatory.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

It is not mandatory, Senator Syverson, because we didn't want to impose an unfunded mandate upon hospitals or nursing homes. We come in good faith, saying these are some very good guidelines for you to adopt. Recognizing the difficult situation that many hospitals and nursing homes are in right now, we wanted to be sensitive, realistic and prudent in today's fiscal environment, but we did want to go on record, as a General Assembly and as a State Senate, saying we recognize that there are these needs and here are some concrete ways that you can ensure that you are

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actually caring for people.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

Again, thank you. Just a couple more follow-up questions. One is, where does the Hospital Association stand on this? And second, I have a little bit of problem in the wording on here. A couple times there are sentences that use the word -- that health care is a "right", and it's a "right of every resident", and can this be mistrusted <sic> as a mandate for universal or socialized State medicine?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

I -- there is no intent, Senator Syverson, on our part, to make this in any way a part of any universal health care. I want to be very straight -- up front with you and straightforward. That is not the intent of the bill. As a matter of fact, because we didn't want to get into any unfunded mandates, we have made this legislation permissive because we want to be sensitive to hospitals and institutions who don't have all the money in the world to exist or to provide services.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

...(microphone cutoff)...the last time. Again, I appreciate your answers. I guess I see this bill as redundant, and there's some wording in here that I feel a little uncomfortable with. I think your ultimate goal is -- is good, and I certainly think every hospital ought to be doing this and most are. But I think because of some of the wordings and concerns that I have, I think we should vote No on 435, and maybe bring it back in a little

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different form later. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Topinka.

SENATOR TOPINKA:

Mr. -- Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 435, when it came to our Senate Public Health Committee, was indeed mandatory, and it had some awfully strong verbiage. It was the will, especially of the Republican Members of that committee, to turn it into what you now see it, and it makes it permissive. And I think it addresses a large need that we have, especially in metropolitan areas, which are havens for various ethnics -- groups which come, immigrants who come to the United States, while they are learning English, they -- they still -- or when they are -- they are still speaking their native tongue or under the exigencies of being ill or in the emergency room or wherever they wind up, they revert back to their native language. It gives a percentage. It -- it basically directs the attention by virtue of percentages to those hospitals that would be serving that type of a population. However you may feel about people speaking English or not in the United States, the point is is that in metropolitan areas there are numerous people who do not, and they get sick too, and they get seriously sick. Hospitals to date and -- and a number of them have done some really wonderful voluntary programs, accessing programs that -- Ameritech has in terms of translators; many of their doctors are bi or polylingual, nurses, nurses' aides, other personnel in the hospital, but it's still not like having translations that can get at specific illnesses. At the time we discussed this in the -- in the committee, the Illinois Hospital -- Association had absolutely no position. They did not testify; they did not bother with this bill, and as usual, came in Johnny-come-lately, when finally they decided, for whatever their esoteric reasons are, that this bill

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was no good. And frankly, I don't like working that way because we all know what the schedule is. I went on as a joint sponsor because I think Senator Garcia did what he could to -- to touch base with the committee and assuage our problems and our concerns, and has put together a very fine bill, and I would encourage support for it.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I can't say it any better than Senator Topinka just did. I think her -- her statement, her analysis is right on target. I rise in strong support of this bill. It is a permissive piece of legislation, but it's a permissive piece of legislation that encourages health care providers, primarily hospitals, to make sure that they're communicating - communicating with patients. What is more important than communicating when we're talking about emergency rooms and when we're talking about people's lives? I urge an Aye vote for this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I, too, rise in strong support of this bill, and I am amazed that it would elicit such discussion. This is a bill, very simply, to ask hospitals to provide communication with the patients. Those are the people whom they serve, every day, at a time - in a hospital - when people are most vulnerable. I think this bill is useful if we look at it that way, as an assistance to the medical staff, particularly in an emergency situation when they do not and should not have to take time to figure out how to talk to the patients whose lives they're trying to save. I suggest that we vote for this and not have to

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spend any more time on a day that's going to be very busy as it is.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in strong support of this legislation. I just have a new district, and I have all types of nationalities that I represent. And when a person is sick and has to go to the hospital, he doesn't think in terms of having an interpreter with him. All he knows is that he's hurting and he wants relief, and this is what we're working for. I understand that the Federal Government, through our State and federal laws, require courts, schools, polling places to use interpreters and translate materials. Illinois clinics and hospitals are not required to provide interpreters; however, the American Hospital Association and the American Medical Association recommend hospitals to provide translators, et cetera, and I'm hoping that they will do that in time, but for now, we -- let us -- I say support this legislation so that these people who do have to come to the hospital can be relieved by the personnel that's there. Thank you very much.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia, to close.

SENATOR GARCIA:

Thank you, Mr. President. In closing, I just want to again reiterate the importance of this bill for many people in the State of Illinois. I think that it's quite clear that the State of Illinois has a very global quality about it in enacting this legislation, cosponsored by my colleague to the west of my district, Senator Topinka, we will ensure that Polish- and Russian- and Arabic- and Chinese- and Japanese- and

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Spanish-speaking individuals in the Land of Lincoln will communicate effectively and receive the best possible health care.

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 435 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 12 Nays, 1 voting Present. Senate Bill 435, having received a constitutional majority, is declared passed. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Yes. A point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

We're awfully noisy today. Senator Watson.

SENATOR WATSON:

Yes, thank you. I just wanted to make an announcement that the Education Committee which was scheduled to meet at 6 o'clock has been canceled and will not be meeting this week at all. The Education Committee which was scheduled to meet at 6 o'clock will not meet this evening. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. For similar purpose, the Judiciary Committee, which was scheduled to meet this evening at 7 p.m. will be canceled and not meet.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio, on Senate Bill 437. Do you wish it called? Out of the record. 442, Senator Cullerton? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 442.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill had been -- we started to debate this bill a few days ago and Senator Stern had a question, and I took the bill out of the record in order to answer her question. She thought, and our analysis indicated, that we were changing the amount of time that we gave tenants notice that the building was going to be converted to condominiums. It turned out that -- and the -- the thought was, at the time, that we were changing it from a hundred and twenty days to thirty days. Well, it turns out that that change, from a hundred and twenty days to thirty days, is the time given to record the declaration of condominiums. And the committee members of the Chicago Bar Association believe that, in practice, this hundred-and-twenty-day period was -- was of no practical benefit to tenants then, -- in fact, has been injurious to tenants who wish to purchase, because mortgage banks will not and -- and cannot guarantee or lock in a possible presently existing favorable interest rate for any extended period of time. So this is something which was actually viewed as a tenant's benefit. We did explain that to Senator Stern, and I believe she understands. You may recall that we did start to debate, or I at least started to explain the rest of the bill. It's a bill that's the product of the condominium law subcommittee of the Chicago Bar Association -- of the Chicago and the Illinois State Condominium -- Illinois State Bar Association. It makes a number of technical corrections. One of those that's perhaps not technical, but is important, is that there are problems that exist under the present

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Sections governing adoption of the annual budget and separate assessments. And this -- bill proposes a compromise in balancing the rights of unit owners and duties of the board and the public interest. So, be happy to answer any questions. I believe we've answered those that were raised before, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there any discussion? If not, the question is, shall Senate Bill 442 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 442, having received the constitutional majority, is declared passed. Senator Cronin, on -- out of the record. Senator McCracken on -- you wish Senate Bill -- out of the record. Senator McCracken seeks leave of the Body to return Senate Bill...(machine cutoff)... Senate Bill 468 <sic> (486). Senator McCracken. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 486.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator McCracken.

SENATOR MCCRACKEN:

Thank you, Mr. President. Senate Bill 486 contains two provisions regarding administration of trusts. The first provision would allow a trustee and all beneficiaries, where all primary beneficiaries are adults and not incapacitated, to agree on a construction given to the meaning of a trust document without having to go to court seeking a -- a -- a construction holding from a court of law. This can only be done where all the beneficiaries agree on the construction, all -- all the primary

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beneficiaries are adults and not incapacitated. It passed out of the Judiciary Committee on an agreed roll call. The second portion of this bill would allow trustees, for the purposes of consideration of generation-skipping trust tax, to create two -- two trusts, that is to split a trust into two trusts. This is necessary because, although people do plan to minimize generation-skipping taxes in their trust plans, the area is so complex that oftentimes nobody knows how it's going to be construed. In order to minimize the tax as intended by the maker of the trust, the trustees are seeking authority where it is agreed upon by all beneficiaries to create the two trusts. This is legislation that has been adopted in other states, and others, in fact, are in process of doing the same. I move its passage.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he'll yield.

SENATOR TROTTER:

Yes. Senator McCracken, in this -- says that the trust shall be final and binding, and if ordered by the court. Can you give me some clarity on that binding? Can they do that?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator McCracken.

SENATOR MCCRACKEN:

In cases of legitimate ambiguity, the law is so arcane that right now the trustee is required to go to court to get a construction of the meaning of the document. This will obviate the need to go to court in cases where there's a legitimate ambiguity under the conditions specified here.

PRESIDING OFFICER: (SENATOR WEAVER)

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Any further discussion? If not, the question is, shall Senate Bill 486 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. Senate Bill 486, having received the constitutional majority, is declared passed. Senate Bill 405, Madam Secretary. 504, excuse me.

ACTING SECRETARY HAWKER:

Senate Bill 504.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes, thank you. Amendment No. 2 to Senate Bill 504 actually becomes the bill. This is the statewide alternative teacher certification program. And we've established a program similar to the way Glenview and Chicago has right now. We're creating this statewide. It's been successful in those areas, and we think that this is something we'd like to see done all over. The amendment requires that the candidates for the Illinois Teacher Corps program -- to earn a resident teacher certificate - already provided for in Section 21-11.3 of the School Code - to earn a certificate, the candidate must have a bachelor's degree with a grade point average of 3.0 out of 4, five years of professional experience, successfully passed the certification tests, enrolled in an approved master's program, and completed a six-week summer training course. School districts that would wish to participate must -- school districts with which -- which want to participate in the Teacher Corps must have a negotiated salary and benefit package, a mentor teacher, quarterly evaluations, and a written document outlining district supports for the teacher. The

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master's degree program requirement must have -- be no longer than three summers and two academic years to complete, and make the participant a fully certified teacher upon completion. The State Board of Education supported this legislation in committee, along with the Lieutenant Governor's Office, and I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This started out as a great bill. It has been amended now to the point where it really doesn't -- really doesn't matter, so I would just urge Members to vote for it. This is part of the Governor's program, and I guess it'll give him something to talk about in the next campaign. So, it doesn't -- doesn't do anything, so I guess it's all right.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 504 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 504, having received the constitutional majority, is declared passed. 530. Senator Mahar. Out of the record. 533. Senator Madigan. Read the bill, Madam Secretary. Senator Madigan, do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment?

SENATOR MADIGAN:

Yes, Mr. President, I do wish to recall Senate Bill 533 to 2nd Reading for the purpose...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan seeks leave of the Body to return 533 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, Senate Bill 533. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 4 <sic> (3), offered by Senator McCracken.

PRESIDING OFFICER: (SENATOR WEAVER)

Senate No. 4 <sic> (3). Senator McCracken, will you explain the amendment, please?

SENATOR MCCRACKEN:

Thank you, Mr. President, Ladies and Gentlemen...

PRESIDING OFFICER: (SENATOR WEAVER)

If you break up that conference in front of you we might be able to hear you. Senator McCracken.

SENATOR MCCRACKEN:

Senate Amendment No. 4 is language, frankly, in the process of drafting, regarding the creation of what are called QILDROs. Those would allow a divorce court, in allocating property between the spouses, to allocate a portion of the public employee pension. This, however, does not allow for the increase of any benefits or costs to the pensions. Federal law currently preempts any other regulation as to private pensions. It's already the law in all of the United States as to private pensions. We are seeking to draft a comparable law which will apply to public pensions. This has been on the back burner for a number of years now, and as I told the committee this afternoon, I think the only reason we've made any progress to date is -- is the thought that something may actually happen on the subject. I respectfully request consideration, even though we will continue to talk about it, and I anticipate further revision.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Molaro.

SENATOR MOLARO:

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Well, if -- Senator McCracken, after I talked to him in committee, stated that he would try to put himself or his staff in touch with the twenty or twenty-two so-called public pension funds that this would affect. If I could have his assurance, because when I talked to them, Senator, almost twenty out of twenty had some opposition to it and their opposition was vented towards that if these people who are in, or did have, marital problems, if this becomes so burdensome that it becomes a big cost, that it would be in effect, be paid for by other pensioners. And we really don't want that to take place. So if you could talk to them and get their input, I would certainly have no opposition to whatever language you could draft.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator McCracken.

SENATOR MCCRACKEN:

As it turns out, we seem never to get all of the pension systems in one room at the same time. However, those who have participated in this, I think have come to a -- I'll call it a virtual conclusion, on how this is to operate relative to the divorce court. There is a form set forth in the amendment, which essentially requires checking boxes and filling in blanks. That is to be sent to the system. The system has an opportunity to review it, and if it refuses to enter the order as drawn, sends it back again with another form checking the boxes. This is the problem. We have an agreement in concept that the intention of this is -- is not to cost the systems anything. Now, I realize intentions don't go a long way when you're talking about the letter of the law, but we have made a lot of progress; we have brought in the Chicago systems recently to discuss it. And my experience in the short time I've been involved with it is, if something doesn't move along, nothing gets accomplished. This should facilitate the discussions, which I can assure you are

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ongoing. Candidly, there may come a point in time where we feel we've addressed everything we can address and there may be a disagreement. I can't say that won't happen, but we have every intention of continuing to talk.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Molaro.

SENATOR MOLARO:

Just quickly, Senator. I mean I -- you know, if it turns out that you talked to these systems, I just -- you know, I don't want to call for a roll call on an -- on an amendment, put everyone in the middle, but I'm saying if you -- there's twenty-two systems and you talked to twenty-one and out of the twenty-one Executive Directors, they tell you it's going to be a nightmare and it's terrible for the system, I -- I mean, would it -- would you at least think about it? Would it get to you? Or -- or...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator McCracken.

SENATOR McCracken:

It would tug at my heartstrings. Yes, I certainly will. Yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator McCracken moves the adoption of a Floor Amendment No. 3 to Senate Bill 533. All in favor, signify by saying Aye. Opposed, Nay. The amendment's adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Geo-Karis, do you wish to return 536 to the Order of 2nd Reading for the purpose of an amendment?

SENATOR GEO-KARIS:

Yes, Mr. President, Ladies and Gentlemen of the Senate. I'd like to...

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis seeks leave of the Body to return Senate Bill 536 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 536. Miss -- Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis, to explain Floor Amendment No. 2.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, Floor Amendment No. 2 is a clarification amendment that's been approved by the Chairman of Transportation, and also the Minority Spokesman, Senator Jacobs. And I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Floor Amendment No. 2 to Senate Bill 536. All in favor, signify by saying Aye. Opposed, Nay. Motion carried. Floor Amendment No. 2 is adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Karpziel, on Senate Bill 538. Out of the record. Senator Burzynski. Madam Secretary, would you read Senate Bill 545?

ACTING SECRETARY HAWKER:

Senate Bill 545.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amends the Toll Highway Act. It primarily says that the tollway has the authority for overpasses on township and county roads. We've got a situation that exists in my district where those overpasses are in disrepair, holes through them, and no one seems to have the authority or wants the authority or responsibility for them. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. I just wanted to find out if the tollway is in favor or opposed to the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

I would -- I have had discussions with the Tollway Authority. As far as I know, they are not in support of this bill; that it does have a financial obligation to them.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Yes, thank you, Ladies and Gentlemen of the Senate. Really, I -- I think this is an idea whose time has come. The only question I have -- I know in committee we had some debate and some question over whether legally we could do this because of the ownership of the overpasses, but we all must stand and understand that the overpasses are in because of the -- the tollway, and therefore it should be the responsibility -- in my estimation, the majority of it, anyway, to fall upon the tollway. Did we -- did we ever come

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to resolve on that issue of ownership and whether or not we can fund something that is not owned by the tollway?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

I don't recall some of that discussion, Senator, but I do -- would indicate that these overpasses, as you indicated, are there because of the Tollway Authority. I don't know if -- if that's a problem or not. I do know that the tollway has entered into some agreements with some counties, municipalities and the State - IDOT - in order to fund repairs and maintenance of those bridges. However, there are several throughout the State where they have not, so I would -- I would assume that they possibly could take over the repair and maintenance of those tollway -- bridges without any problem.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

And -- and just real quickly, because I think it's a bill that we should -- should pass, but the -- the tollway -- it indicates that the bill for the tollway would cost 60.5 million to implement. I think that whenever we read that, it scares some people that that would be a yearly cost. Can you explain that, Senator?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Certainly. I don't think that that would be a yearly cost. Basically what the Tollway Authority has said is that over a fifteen-year period, they budget about four hundred and forty-five thousand dollars a year for bridge -- for maintenance and upkeep, and they said that in -- if they looked at all of

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their bridges they have in the system it would be about sixty million dollars.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, the question is, shall Senate Bill 545 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 545, having received the constitutional majority, is declared passed. 548, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. In my twelve years on the Audit Commission, we have found time after time...

PRESIDING OFFICER: (SENATOR WEAVER)

Will you take your conferences off of the Chamber Floor, please?

SENATOR DeANGELIS:

...this long list of payables -- or receivables for the State. Many of those are through audits which end up being in dispute. And many of those audits are in dispute because the Department of Revenue does not have a clear definition of how it's supposed to audit certain things. And I want to apologize to the Body up front, because I've had quite a few bills this Session. Some of these are tough votes. But I'll tell you, if we do not address some of these problems that exist within the taxing system of Illinois, we will continue to have this problem of utilizing

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auditors in the wrong areas, not collecting the money, and also having the continuous litigation that goes on. Now, let me go back to the exemption on the rolling stock. Right now, if you are a school bus transporter and you get audited on your purchase of your buses, you play Russian roulette, depending on who the auditor is. The Department already admits that it does not have a standard, but let me tell you what some of these standards that are arbitrarily used, depending on who your auditor is. They have the regular and frequent use test, that when you ask somebody, "What does that mean?" they don't know. Then you have another one that says if you have to use it more than fifty percent. And then we have somebody else who has a mileage test. And in many instances, they're even going against case law which says you only need to use it for thirteen percent of the time out of state. This bill seeks to clarify the exemption for school buses for sales tax. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I think that everybody should pay attention. This is another raid on the treasury. This one's going to cost seventy million dollars. You know what we should have here is like a telethon. We should have a tote board and keep toting up the numbers. We passed one bill; there's a twenty-million-dollar grant for business. We passed another one, with six hundred. Now this one is seventy million dollars. What we need is somebody with figures here, just keep adding them on to the tote board for the business telethon, because we're giving them the entire treasury of the State of Illinois. The fiscal note, filed by the Illinois Department of Revenue, says that the Department estimates that State tax receipts would be reduced in excess of seventy million dollars by this Act. This estimate does

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not take into account pending audits pertaining to rolling stock exemptions that would be cleared of liability in the event of this bill becoming law. So when we put the total on the tote board, we should put a plus after it, because it's going to be even more, and they can't determine how much. This is going to settle cases that are going to be settled in favor of businesses. The Department also says the immediate effect of this bill is to generate a considerable number of sizable claims for refunds against the State; the prospective effect of removing from the tax base all commercial vehicles traveling under certificate of the ICC, or a vehicle or aircraft certified by the Interstate Commerce Commission. Ladies and Gentlemen, we can't afford this. I haven't seen any bills to replace this money in the treasury. If we're going to be giving the money to a good cause, there's probably a better one than business. This is another choice. It's a choice between kids and big business. I think that what the Governor said the other day in the State of the State Address should be amended. The choices that we're having are not between kids and concrete; they're between kids and giving money back to corporations and their shareholders, and I think that we should be voting No.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I agree, we should vote No. This is a bad bill. In addition to costing us seventy million dollars that we can count, this bill also says that pending audits pertaining to rolling stock exemptions would be cleared of liability in the event that this bill becomes law. When that is the case, that means that there will be another cost to us that we cannot even tally at this point. I know we're tired, and I know people aren't paying attention, but I agree with Senator Welch -

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you better listen to these bills. We're adding up millions of dollars and taking it away from the State. So don't be surprised when we get down to the appropriations bills and the things that you care about cannot be in there because the money has already been ticked away, penny by penny. Vote No on this one.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will, Senator Hall.

SENATOR HALL:

Senator DeAngelis, what are you trying to do to us? You know, I'm shocked.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hall's shocked. Will you tell him what you're trying to...

SENATOR HALL:

I am; I actually am, for him to try and attempt this thing now. One thing and it's -- and ever since this has started, it's made me know and believe, after all the years that we've been here, we need a Session to do nothing but repeal. And here he comes with so many bad bills, it's just shocking. I tell you, let's put all the red lights you can up there. And, DeAngelis, I'm shocked by your actions.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis may close.

SENATOR DeANGELIS:

No -- okay... Well, Senator Hall, I want to answer your question; I really do. You know, when -- the seventy-million-dollar figure, which I just saw this afternoon --

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and I really want the Body to hear this, because these numbers have been quoted. Seventy million dollars would mean that a million -- a billion one hundred and twenty thousand dollars worth of buses would have to be bought a year. In addition to that, they would have to be all for private transportation companies. And in order for it to be a billion one hundred and twenty million dollars worth of sales, you would have to buy thirty-five thousand buses a year with private bus companies. In the State of Illinois - in the State of Illinois - there are only nineteen thousand total buses, and they last an average of ten years. But even more, only forty percent of those are owned by private bus companies. Senator Weaver, can I -- because I want to straighten this seventy-million-dollar number out.

PRESIDING OFFICER: (SENATOR WEAVER)

Ladies and Gentlemen, can we have a little peace and quiet, and listen to your colleagues as they try to explain their bills. Thank you. Senator DeAngelis.

SENATOR DeANGELIS:

Now, when I confronted the Department of Revenue a few minutes ago on this fiscal impact, they said, "Oh, we included jet airplanes and a whole bunch of other things into this fiscal note." I said, "Why?" They said, "Well, we think - we think - that maybe your bill exempts them." Well, I put an amendment on in committee purposely to straighten that problem out, and now I find out that perhaps they think that amendment doesn't work. So I have made an agreement with them that I would alter the bill and they could write the cotton-picking amendment, but don't come in here with this cockamamie seventy-million-dollar exemption on something in which the total number of sales - total number of sales per year - is twenty four million dollars. Okay? Twenty four million dollars; that's the cost of the buses. Okay? And we're going to -- take away seventy million dollars. Now, let me

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tell you what promoted this. You know, this is like the person that says, "I saved a hundred dollars because I bought a three-hundred-dollar suit for two hundred dollars." All right? Frankly, you also spent two hundred dollars. Okay? Now, I have seen in one area where three auditors from the Department of Revenue stayed for nine months to come up with a number that I know is going to be litigated. And the longer they stayed, eating their nice chocolate doughnuts and drinking up their coffee and sitting in a nice air-conditioned office, while we in the State of Illinois are complaining about all these other bills that are not paid, they're sitting there cooling their heels in these offices. And only because - only because - of one reason: there is no statutory language on how they should audit. And all this bill is simply saying is, "Here's the way," and you are going to collect the tax, and you will really save the money. Right now, you may not be collecting anything, but please do me -- spare me. The seventy-million-dollar number is absolutely incorrect.

END OF TAPE

TAPE 4

SENATOR DeANGELIS:

I urge that we pass this bill onto the House, and I will go ahead and work with the Department of Revenue to ensure that this bill only applies to the area we talked about and what we intended to do. But the seventy million in late hits just got to stop.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 548 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Take the record. On that question, there are 7 Ayes, 44 Nays and 2 voting Present. Do you wish to put this on Postponed Consideration, Senator? Senate Bill 548, having failed to receive the constitutional majority, is declared passed -- failed, excuse me -- badly. Senator DeAngelis, do you wish to continue on 549? Out of the record. Senator Ralph Dunn, do you wish this bill, 552, returned to 2nd Reading for the purpose of amendment? Senator Dunn seeks leave of the Body to return Senate Bill 552 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. On the Order of 2nd Reading is Senate Bill 552. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Thomas Dunn.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Thomas Dunn, to explain Amendment No. 3.

SENATOR T. DUNN:

Thank you. Thank you, Mr. President. This is the infamous Dunn-Dunn bill, and I put an amendment on that would have required a fourteen-day mutual exchange of information between the taxpayer and the Board of Review. That amendment draws -- drew so much heat that I filed an amendment to withdraw that, and that's what this amendment does. So, urge adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dunn moves the adoption of -- Floor Amendment No. 3 to Senate Bill 552. Is there discussion? If not, the question is, shall the Senate adopt Amendment No. 3. All in favor, signify by saying Aye. Opposed, Nay. Motion carries. Senate Amendment No. 3 is adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

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3rd Reading. Senator Klemm. 554. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 554.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Some time ago - November, actually - we held an advisory question to the electors of the State of Illinois about unfunded mandates on local government. And they overwhelmingly said by almost eighty-two percent that we should not do that without funding to local government those expenses and costs incurred that we mandate. Senate Bill 554 creates the Unfunded Mandates Act which provides that a bill which requires the expenditure by a unit of local government or a school district, or exempts privately-owned property or other items from the local tax base shall not become law, unless either of two things happen: the bill passes with the concurrence of at least three-fifths of the Members elected to each House; or, two, the bill passes with the concurrence of the majority of the Members elected to each House, and a companion bill is passed that provides the reimbursement by the State to the units of local government or the school district. The bill further allows the assurance that the appropriation to meet those requirements of the bill that was passed, shall not be subject to a governor's reduction or veto item unless the governor totally -- vetoes the substantive bill requiring the expenditure of funds. This is, I think, a bill that has reached the point that we must address in behalf of our citizens, and I do ask your support of Senate Bill 554.

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PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR PALMER:

Senator Klemm, I certainly understand the motivation that led you to put together this bill. My analysis, though, says that it is quite likely that this bill could lead to a flood of litigation because we would be in the position of having to require local governments to live up to federal mandates, which, of course, we would not necessarily be successful doing, which leaves us in the position of being responsible. Now, perhaps I'm wrong, but I wish you would respond to that question.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Well, I don't think it's our responsibility necessarily for federal legislation; however, if, in fact, a mandate seems to be appropriate, we need three-fifths vote, and therefore we could -- accommodate any of those -- you know, questions you have.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Thank you. No. Perhaps I am not stating this well. The fact is that if we say to a local government that -- if we cannot ensure that a local government -- let's say that there are matching funds, and we don't have part of it, but that's part of our responsibility. Then, are you suggesting that we forego our obligation to match that money if we cannot -- if we don't have it

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in the budget? I'm just not clear what it is you're saying we should not do here.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Well, if we're required by federal law to match funds, that's not a mandate imposed by the State, and therefore I don't think this would apply.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I -- I just want to make a point that I suppose that we've had a significant battle over the rules here since January the 13th, and this takes a three-fifths vote for anything that would require any type of mandates to -- to local government. I really -- I really find that sort of repulsive, but, quite frankly, this may be the only game in town for us. It puts us in the ball game.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a couple of questions of the sponsor, if he would yield.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR JACOBS:

First of all, Senator, not to be facetious, but this bill does, according to the way I read it and as you stated, make it a three-fifths vote necessary for passage of any of the bills that you're in reference to. Would you be willing to use this as a test case and have a three-fifths vote on this particular piece of legislation that you're talking about? But to the point: The

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provision as I see it, in the veto provision, in effect, would be unconstitutional. You look in Section 9 of the Constitution under Veto Procedure, "The Governor may reduce or veto any item of appropriations in a bill presented to him. Portions of a bill not reduced or vetoed shall become law. An item vetoed shall be returned to the house in which it originated and" it "may become law in the same manner as..." it vetoed it. And then it goes on, "If a reduced item is not so restored, it shall become law..." I think the issue here is what you are asking in this legislation is unconstitutional as it stands on its face, and for that reason alone, I think it should be -- should be not approved. But I -- but I would ask one further question as to whether -- we've had some trouble getting some proper rulings, and we've got some good rulings from the Chair. In regards to a three-fifths majority -- and will this always be at the whim of the Chair as to whether a three-fifths majority is needed?

PRESIDING OFFICER: (SENATOR WEAVER)

No.

SENATOR JACOBS:

That wasn't -- that wasn't for you; that was for him.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman?

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Bills like this sound great when we issue our press releases and we say that we voted for a bill that would require a three-fifths vote before we impose a mandate, and everybody's against mandates, until you start asking: What are mandates and which ones don't we like? Let me give you a specific example. The federal government passed in 1968 - I'm sorry, in 1978 - a bill which we called 94-142 - that's the Education of All Handicapped Children's Act; it's special education. And they said that every state, in order

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to receive federal special ed funds, had to pass a bill to comply with these guidelines. And we passed a bill. It mirrored the requirements, but it was our bill. Now the Federal Government never funded special ed as it promised to do, and we have never funded special ed as we've promised to do; but if that bill, for some reason, hadn't passed with three-fifths votes, all of the special education programs that we presently have wouldn't be there, number one; and number two, hundreds of millions of dollars of money that we did get from the Federal Government, even though it was inadequate, would never have come to us. Every day on this Floor this Session, or almost every day, we've had bills that would fall under this kind of a mandate requirement. When we'd passed a bill -- and I think there was on the radio the other day a bill that you can't carry a loaded rifle within a thousand feet of a school or a park. Well, that's a mandate, because there is going to be increased local county activity regarding crime and prevention and prosecution and jail. You're going to neutralize everything that a majority that the people vote here to control -- your majority, under this present structure of this Senate, is able to pass. I just suggest to you that these bills sound great for a public -- public relations press release, but when you get down to it, for the most part, they just aren't workable. You might as well submit your resignation, Ladies and Gentlemen, at the same time that you vote Yes on this bill. I urge a No vote in order to be responsive to your constituents who elect and expect a majority to respond to the needs of their desires in this State. I urge a No vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I rise in support, and I -- you know, everybody -- we say we're against mandates. The

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previous speaker just mentioned that we're against mandates. I don't know that he's ever seen a mandate that he hasn't loved. Two of the previous speakers, as a matter of fact. But this is the way local units of government get in trouble. This -- this is why we have such a divided process in regard to the surtax. Units of local government tell us, "We have to have the money in order to fulfill the obligations that the General Assembly -- dictates upon them." So, what's the answer? More taxes, more money, throw money at it. Our response over here is, why not sit back and take a look and ask for an extra majority to be able to dictate that policy onto -- that unit of local government. What is wrong with that? If it's special education or if it's something we feel very strongly about, it'll get three-fifths vote, but if it's not, then we ought to fund it or it shouldn't be required. The taxpayers end up picking up the bill regardless of who it is at what level, when we mandate a program onto a unit of local government, and especially education, and the municipalities, and the counties. There isn't a bigger issue with those individuals and those groups than us sitting up here voting, time after time after time, to dictate one more responsibility onto a unit of local government, without the proper funding. All we're saying here is if we're going to do it, then let's take a little extra majority to get it done. I think this is a responsible approach, and I support it. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and Members of the Senate. And let me just start with the last speaker's comment, and he indicated that we can be responsible and if it's something that is needed as determined by this Body, and we will be responsible. But for the sixteen years that I have been here, I would hate to

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trust my fate in what is determined here in terms of priority as being responsible, in terms of the needs of the people back there, because if this Body determined that the overcrowding situation in -- in the Cook County Jail, or the situation in Chicago in the Chicago school system, which we will probably get a good example of that come September when the schools will not open unless we take some action here, that -- that is not a priority. And I have watched, over and over again, major pieces of legislation here not being determined a priority, even when we were in a majority. And I don't think that we will ever get a three-fifths vote based on the track record of things that I have seen determined as a priority this Session. I would be really afraid to leave that up to this Body to make that decision, when there are vital and very serious types of services that is needed at the local level - what this Body will not provide the money and yet we are saying, because it will not find it within its wisdom to make it a priority, then we can just ignore the fact that these are critical needs of the constituents at the local level. I think this may sound good; it sounds good because people have been talking about mandates, which we are all concerned about, but I think there ought to be some safeguards here that will have some kind of guidelines and criteria to determine in the legislation, not on a case-by-case basis, but something to draw on to make a decision as to when something is essential and necessary to -- to protect the welfare and interests of the citizens all over the State of Illinois, not just in certain places, but all over. That's our mandate and that's our responsibility from the people who elected us, and we cannot get out of that by passing this piece of legislation and legislation like this and say that we don't have to do nothing, just turn our heads and not respond to those needs, simply because we passed a bill that says if it doesn't get a three-fifths, then we can't mandate it or make it a law. I think

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that's irresponsible, and we should vote No.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm, to close.

SENATOR KLEMM:

Thank you, Mr. President. You know, we could find a lot of excuses to -- to avoid trying to be responsible in government, and I've heard a few today. But, you know, when I look at some of the lists and just see what some of the voters have said and you're saying we're abandoning our voters, let me just hit a couple of counties: Tazewell County, with 83.9 percent of the voters, said we should be doing something, that we should not do unfunded mandates; St. Clair County, eighty-three percent of the voters, for example; Macon County, 82.8 percent of the voters on that question said we should do something; Macomb <sic> County, 80.7; Rock Island, 79.4; even Cook County, 79.3 percent of the voters. Now, if you can't say that the voters care about what we're doing and to even suggest that two parties, because of the three-fifths vote, can't work together to solve some problems, we're in sad shape. Maybe that's what some of the problems are in State Government. For once, maybe both sides can sit down and find out what -- what impacts are we giving to local government; how are they supposed to pay it. And then you get letters and I get letters on property taxes, because we have to raise them all the time. Schools are crying to be helped, and we mandate expenses that they can't even afford, at the cost of education of children, and you tell me and you tell our colleagues we shouldn't do something. This is our time to put up or shut up. I'd ask your support for Senate Bill 554, and I know you'll all support it.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 554 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, the Ayes are 34, the Nays are 21, 2 voting Present. Senate Bill 554, having received the constitutional majority, is declared passed. 558. Senator DeAngelis. Senator DeAngelis, do you wish to call 558? Out of the record. Senator Geo-Karis. 561. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 561.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 561 amends the State Finance Act by stipulating that fifty percent of the revenue deposited into the Illinois Beach Marina Fund shall be transferred to the General Revenue Fund through the third quarter of Fiscal Year '93, and thereafter, twenty-five percent of the first two million dollars deposited into the Fund shall be transferred to the General Revenue Fund, and seventy-five percent of any amount in excess of two million dollars shall be transferred to the General Revenue Fund, the total of which shall not exceed two million dollars in any fiscal year. I move the passage of this bill. This affects the -- the North Point Marina in Winthrop Harbor, Illinois, in Lake County, which is the largest marina in the State -- in the country, rather, 1500-boat slip. And it has to have some funds to operate, and they're paying back, little by little, what they borrowed from the State.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 561 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Take the record. Senate Bill -- on that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 561, having received the constitutional majority, is declared passed. Senator Donahue, you wish to bring 570 back to the Order of 2nd? Senator Donahue seeks leave of the Body to bring -- to return Senate Bill 570 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 570. Are there any Floor Amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue, on Floor Amendment No. 1.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This simply adds a July 1 effective date, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. Senate Amendment -- Floor Amendment No. 1 to Senate Bill 570 is adopted. Any further amendments?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Karpel, do you wish to recall Senate Bill 577? Senator Karpel seeks leave of the Body to return Senate Bill 577 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. On the Order of 2nd Reading is Senate Bill -- 577. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

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Floor Amendment No. 3, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel, to explain Floor Amendment No. 3.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment 3 makes it very clear that this legislation applies only to the Metropolitan Airport Authority, which is in DuPage County, and it states that the county auditors shall maintain a continuous internal audit of the operations, financial records of the agents, departments and divisions of the Airport Authority.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 577 pass. Those in favor will vote Aye. Opposed, Nay. Voting is open. Excuse me, we're dealing with Floor Amendment No. 3. Is there any discussion? All in favor, signify by saying Aye. Opposed, Nay. Motion carried. Amendment No. 3 is adopted. Are there further amendments, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senate Bill 582. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 582.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. -- thank you, Mr. President. Senate Bill 582, as amended, is a bill that -- legislation that comes at the initiative of the independent agents, and what it does, it repeals

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the grandfather clause as far as insurance agents in Illinois, with regards to continuing education. They must continue their education. It lowers the continuing education requirement to fifteen hours, raises the fee for a continuing education provider license to five hundred dollars. I would like to point out to the Body that this bill is not in its final form, where the -- discussion continues as far as language regarding captive agents with insurance companies, and whether or not to adopt the NAIC model. I would ask the Body to adopt -- adopt this legislation with the understanding that further language will be required in the House to put this bill in its final form. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 582 pass. Excuse me. Senator Hendon. Excuse me.

SENATOR HENDON:

Thank you, Mr. President. I think this is a fine piece of legislation, and I -- I look forward to working with my House Members over on the -- in the other side, to work with Senator Madigan on this bill, and I urge -- urge an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? The question is, -- shall Senate Bill 582 pass. All in favor will -- the question is, shall Senate Bill 582 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 582, having received a constitutional majority, is declared passed. Senator Woodyard, do you seek leave to bring Senate Bill 586 back to the Order of 2nd Reading for the purpose of an amendment? Is there leave? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 586. Madam Secretary, are

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there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard, on Amendment No. 2.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Amendment No. 2 to Senate Bill 586 was suggested by Senator Severns, and I think it's a good amendment. The bill itself deals with provisions in -- with the Illinois State Fairs. This amendment would certainly clarify the prohibition that you cannot, and we will not, commingle funds within the revolving fund of the Illinois State Fairs. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there any discussion? All in favor of Floor Amendment No. 2 -- signify by saying Aye. Opposed, Nay. The Ayes have it. Floor Amendment No. 2 is adopted. Are there further amendments, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Cronin. Read the bill. 592, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 592.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 592 creates the Scholarship Schools Pilot

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Program Act. This bill seeks to establish a four-year pilot program in one subdistrict in Chicago to give low-income parents of children residing in that subdistrict an educational voucher to attend the scholarship school of their choice. The background of this bill is rooted in proposals that have come out of an organization known as Teach America, as well as the School Choice Program that is currently in operation in Milwaukee. This program has essentially nine elements to it, and I'll go through them very briefly for you in hopes that this will answer some questions that there may be. The first element is that the bill sets up the Scholarship Schools Council. It is my intention, and the proponents of this idea, to take it out of the hands of -- to try, as best as we can, to take it out of the hands of politics and to put it into an appointed council. The Council would consist of five members: one appointed by the Governor, one by each of the four legislative leaders. The second element is with regard to the selection of the subdistrict. The Council must select one subdistrict in Chicago by January 1st, 1994, as the area for the operation of the pilot program. The Council is to hold hearings before they select the subdistrict. The third element is scholarship eligibility. Beginning with the '94-'95 school year, any pupil residing within the selected subdistrict shall be eligible for a scholarship if the pupil's family income does not exceed 1.65 times the family income necessary to qualify for free meals under the National School Lunch Act. So for a family of four, 1.65 times the income level would be thirty thousand dollars. The bill limits the number of scholarships to no more than two thousand pupils. The four-year program contemplates that, during the first two years of the program, this would only apply to public schools; the second two years of the program, it would be opened up to all schools. The fourth element, real quickly, is, the scholarship schools themselves that are awarded under the

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Act may only be redeemed -- or the scholarships may only -- be redeemed at the scholarship schools. A private school may become a scholarship school by filing an application with the Council and meeting the requirements. These requirements - and I'd like to emphasize - the requirements include prohibitions against discrimination, the advocating of unlawful behavior, the teaching of the inferiority of any person or group, providing false information. In addition, these schools are allowed to teach moral or social values, philosophy or religion. The funding of the scholarships: The funding of the scholarships is tied into an amount equal to forty percent of Chicago's operating expense per pupil, not to exceed the actual amount of tuition or twenty-five hundred dollars. The State Board is prohibited - prohibited - from withholding the amount from Chicago's allocation of Chapter I funding under the formula. Accountability is the sixth element. The bill spells out accountability standards. The seventh element is transportation. The eighth element is -- parental information. And finally, the ninth element is the fact that this Act will be repealed on August 1st, 1998. This is a pilot program, and I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I love it when we seem in this Session to be one right after another making all these decisions for the people of Chicago. If this is so great, why don't we locate it in DuPage County instead of Chicago? Let me draw the Body's attention to a number of things. This -- this is so Byzantine and so awful that it's -- it's hard to know where to begin. First of all, that we would once again seduce people into believing that for twenty-five hundred dollars, which will be taken out of our funds - our taxpayer dollars - given to select

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people - and I want everybody to have a good education; I think we all understand that - but to take it out of the general pool of funds to give it to selected students in a pilot program, to take additional funds out to pay for transportation to send them to private schools, at which they will be allowed - the scholarship schools - to teach what is being termed "morals, social values, philosophy and religion." When we have made a very clear point in this country of separating church and State, we are going back on every promise that we have made to provide public education to all children. This is wrong, and I think it is absolutely awful that this would be proposed for Chicago. If you want to do this, do it in your own backyard.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR COLLINS:

Senator, I'm assuming that -- that the -- that the purpose behind doing this pilot or experimental program is to somehow get some unbiased definitive data to make a decision as to whether or not the voucher system is a good system. And I'm assuming the question is -- that your answer is yes. Given that, I'd like to know, is this program controlled? Do you have a control group here and a non-control, meaning that you're going to select some schools to do this with, and then the students can use the vouchers to go to any school that they wish to go to, including DuPage County, if they wish to go out there, as long as it's a public school; and then you're going to have some within a -- within a setting? Or are you just going to go and select -- based on what I heard, you are selecting a group of schools within the

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City of Chicago where these students can go.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Thank you, Senator. Yes, it is indeed my sincere intention to gather reliable data as to whether or not this concept is one that can genuinely improve schools. My response to your inquiry about whether or not, or why there isn't a control school is as follows: This subdistrict would be located in the City of Chicago. The comparison would be made between those schools in the City of Chicago that don't -- or are not part of the program and this subdistrict that is part of it. That's the data that we would seek to compare and to contrast.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

So -- so then, you would have, I think, a very narrow sample here, and the results would not be that reliable in order to make a Statewide program that was -- that was actually based on some kind of validity to the data that you collected. Because if you're talking about private schools in the -- you're talking about in the depressed or poor areas, which you made a statement that you wanted to give these -- these children -- these people, or these children usually, a chance -- a parent, a chance; but you're talking about people within the same geographic area that shares basically some of the same problems and same needs and concerns. So then, how do you know that those variables does not impact on your sample? If you -- if you really wanted to do a sample program and the data was going to be valid in any way, you would need that kind of setting, but you would also need another setting. And I would think DuPage County would probably make a very good choice by allowing some of these children to go to

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DuPage County to some select schools - and I'm not trying to be funny - to some select schools out there, as well as to some select schools in the City of Chicago.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Thank you...

PRESIDING OFFICER: (SENATOR WEAVER)

Did you ask a question or make a statement? Senator Cronin may try to answer her question.

SENATOR CRONIN:

I -- I think I understand, in a general sense, what you're getting at. I would just answer you in this way. The problem - if you want to call it a problem for purposes of this bill and this concept is -- is that DuPage County is a wealthier area than the City of Chicago, and so -- the -- the purpose behind this legislation is to empower poor people, and I think that I want to start in the City of Chicago and see how it works there because, unfortunately, that's where the highest concentration of poor people are.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Thank you. To the bill: I -- actually that's a very faulty premise, but let me say to the bill: What you are doing, Senator, at a time when we don't know whether or not Chicago will be able to open their doors come September, you are really taking off five million dollars out of that budget - off the top of that budget. This is just not the time to do that. You know it, and I know it. It is unfair, given the fact that you just passed a -- a law here saying that any -- any -- any bill that we pass - attempt to pass here - to help to bail that system out so those children can go to

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school in September would have to have a three-fifth vote. This is unfair for you to take this money from Chicago, especially at this time, and we ought to defeat this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will, Senator.

SENATOR BERMAN:

Is this a model fashioned after the Milwaukee Parental Choice Program?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

There are some elements in it that we tried to -- to model after the Milwaukee program.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Well, from the point of view of educational achievement, let me quote two sentences from a report of the analysis of the second year of the Milwaukee Parental Choice Program. And those -- the report of that analysis is that in the first year of the program, the Choice students gained more than the low-income Milwaukee public school students in reading, but were behind them - behind the Milwaukee public school students - in mathematics. The reading gain for the Choice students was not statistically significant, but the Milwaukee public school gain in mathematics was. In the second year, Choice students' scores dropped considerably in reading and remained approximately the same in mathematics. What that says to us is that in Milwaukee, where a

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somewhat similar program was tried, there was no meaningful improvement in the education of the students that were removed from the Milwaukee public schools. On the question of finances, let me point out - and I ask every Chicago legislators to -- legislator to pay attention to this: This bill takes one thousand three hundred and fifty-three dollars of Chicago property taxpayers' money and uses that to fund this voucher scholarship program. Takes -- thirteen hundred and fifty-three dollars of the twenty-five hundred is from real estate taxes paid by Chicago real estate taxpayers. And I think that it's very nice that the sponsor sees fit to allocate Chicago property tax money for a voucher program that he thinks -- that he wants to pass in the Illinois General Assembly. The -- another shortcoming of this bill is that it does not provide for access by the students to even neighboring public schools in neighboring suburbs to Chicago. So that if a Chicago student that lives in my district on the edge of Chicago wants to take this money and go and enroll in the Evanston school district, this bill doesn't allow that. It requires that the child go to a nonpublic school, using public money, limited to Chicago. Now, of course, the sponsor wouldn't even think of suggesting that transportation be used to bring these Chicago schoolchildren out to his community out in DuPage County. On the question of transportation, Chicago must pay the transportation costs involved in this voucher program. So that that cost isn't even paid for by the State, who the sponsor is suggesting ought to pass and impose this bill on Chicago citizens. For all of those reasons, Ladies and Gentlemen, not even to touch on the merits or demerits of a voucher program, I would strongly, respectfully ask for a No vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz.

SENATOR DUDYCZ:

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Thank you, Mr. President. I wasn't -- I wasn't going to even stand up and speak on this -- on this bill, because Senator Cronin is doing such an admirable job, but it's -- I don't know whether I was more upset, more frustrated or more amused by Senators Berman and Senators Palmer when they started comparing Chicago and DuPage County. I -- I failed to see the comparison, unless you're trying to evoke some sort of a message out there to the suburban legislators. I, for one, as -- as you are, Senator, am a Chicago, as well as a suburban, legislator. And if you would just think back a few years, why this is applying -- this pilot program is applying strictly to Chicago, you can recall that a few years ago, the former -- United States Secretary of Education did not mention the -- DuPage County school system, but they compared -- or he compared the Chicago public school system as the worst - not one of the worst, but as the worst - in the country. Now, you know, in your debate you're talking about the school bureaucracy in the school system, and I think the transcripts, Mr. President, will show not much mention was talked -- not much was mentioned about the education or the best education for the schoolchildren. Now this -- you know, this is my backyard too, Senator. I don't know what you're afraid of. This is a pilot program. It repeals August 1st of 1998. You know, if you're really, really sincere in improving the education of all the children of the City -- in the City of Chicago, why don't you try the Scholarship Schools Program? Forget about your friends in the bureaucracy - your friends and my friends in the bureaucracy. Let's start thinking about those people who are going to the schools, those children that are trying to learn something, and let's try the Scholarship Schools. Now if -- if you're satisfied with preserving the status quo, then maybe you should vote against it. But if you really want to try to improve the education of our children in the City of Chicago, try Scholarship Schools and vote Yes.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. I find it rather ironic our colleagues on the other side of the aisle from the City of Chicago who are opposed to this. I don't know what the latest count is with the new Legislature, but in the past several years, it was my understanding that I think there were only two Chicago legislators that had their children in the public schools in Chicago. All the rest send their children to private schools. I heard the legislator from Milwaukee, Representative Molly Williams, who represents the poorest inner-city district in Milwaukee, the legislator there who fought for this program in Milwaukee, and I heard her speak. She is a dynamic woman, a dynamic legislator, and I'll still - I still recall and remember the words she used. She said, "My constituents - my children in my district - are not able to have any choice. They cannot go to the private schools. They don't have the money to move out of where they're living. They are stuck with this bad situation." She's talking about Milwaukee. I think if it's good enough -- if it's not good enough for our legislators' children, that we should at least give some of these other kids a choice and a chance. And as Senator Dudycz said, it's only a pilot program. If it doesn't work, it doesn't work. But why are we all so afraid of some innovation? Why are we always so afraid to shake things up and try something different? I strongly urge an Aye vote on Senate Bill 592.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President. You know, it seems -- it -- it seems as though that we -- we have -- probably have some of the best brains in the world probably serving in this Body, but those

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same people that report to have some of the best brains and the -- and the ideas that -- to make everything work in this State, like this Senate Bill 592, don't seem to understand that not only does Chicago children need money, every child in Illinois need money. But you're not willing to do that. There's a lot of schools in this State that needs money, same as Chicago. I have suburban schools that need money - on the Watch List. You are not willing to vote for additional tax dollars to -- where we can educate the children of this State. But you are willing to come in and try and bankrupt a system that's already at the verge of bankruptcy. And this is against the children of Chicago, in this case. One of the speakers mentioned that -- a previous speaker's mentioned the fact that the former -- what the former Secretary said. What the former Secretary didn't say is that this Body is responsible for it, because they will not fund the system. You will sit there and watch the kids, the school system in Chicago go down not only in Chicago, across this State, and shift the burden to the property tax, taxing senior citizens, you want -- in terms of property tax increase to finance the school, when the State itself have a responsibility to educate all of its children. You could -- it's -- demagoguery to sit up here and talk on one hand about what you're trying to do for the children of this State, and then on the other, you won't give them no money. You won't even give them their lunch pail to go to school with. You won't put the sandwich in there. To bring a bill up like this is just ludicrous, and I think that when the people of this State recognize what our friends are doing on the other side of the aisle - and they should look at the roll call on this vote. And you have the votes to pass this. But people of this State should look at the roll call of the Members who vote for this, because right now, what are you going to do when -- you're already three hundred million dollars in the red in Chicago schools. Now you're going to take five

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million dollars -- over five million dollars out - twice the amount of money that Chicago school system get in terms of State aid, according to the analysis. You want to take that out, but you won't vote to give them additional money. You won't vote to give the suburban schools additional money. I think -- I think this is wrong. I think the bill should be defeated, and certainly I think the people of this State should wake up and recognize that you don't want to fund education; you don't want the people of -- the children of this State to get an education, because you will not fund it. And when you talk about -- well, I don't want to go into that. I could talk a long time in terms of jobs and so forth; what the future holds for this State if you don't educate the young people of this State. But it's good to live in those suburban communities where people are well-off, have a good tax base, and vote for something like this for people of Chicago, but you will not vote for it for your own community. That's hypocritical. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fawell.

SENATOR FAWELL:

The other night I was on -- I was -- just before I went to bed, I was watching a television program. I believe it was called Lifeline. And it was the biography of a teacher in Chicago who, a few years ago, decided on her own that she would start her own private school. She was a certified teacher. She could not stand the bureaucracy. That woman is still running that school. And as I remember, and I was somewhat asleep when I was watching this, but I think her name was Mrs. Collins. She now runs a school, has two hundred children that are now in that school. She has produced children that have gone on to do marvelous things. She has taken children who were in special ed classes who are now going to college. I am a schoolteacher. I taught in a public

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school, and I'm very proud of a lot of the schools that I have taught in. And there's a lot of very good schools in the City of Chicago, and frankly, there's a lot of very bad schools. This is a pilot project. Why not take someone like Mrs. Collins and allow her to expand what she has done with monies from some program like this? Why not try something new? What we've got now in a lot of the schools do not work, and I think a lot of the parents do know that. It is true that a couple of years ago a survey was taken and there were two of you in the City of Chicago that sent your children to the public schools, and the rest of you sent them to the private schools, and that was your choice. And that's fine, because you can afford it, because you are legislators down here, and you have the money to do that. And that's your choice, and that's fine. But give other parents that same option. Allow the people like Mrs. Collins to be able to come up with new and working ideas and allow those children to have a chance. That's all we're asking. I suggest you vote Aye.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, first I want to establish a few things before I say anything, because I am a product of Chicago public schools. My daughter graduated from Chicago public schools, and my son is currently at Marshall High School. Some people say I'm crazy to have my son in Marshall High School. But I discovered that as long as the parent get involved in the child's education, then Marshall, or Farragut, is good enough. Now, I -- Westside Preparatory School - Marva Collins' school - is in my district, and it is a fine school. I was watching that program the other night myself. Fine example. Sure, we need more of those, but we do not need to take property tax dollars from the citizens of Chicago and give those dollars to private schools.

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Part of the problem with this legislation is the children couldn't go to a public school with that money - with that voucher money. They would have to go to a private school or a religious institution. And what does it do? Instead of fixing the problem, it's going to continue to hurt Chicago schools. Now, my good friend, Senator Dudycz, mentioned the education czar -- former education czar Bennett, who went on to become the drug czar. Did he solve the drug problem? No, he did not. Did he solve the education problem? No, he did not. So since he didn't solve anything, I can't take him as being an expert on anything. I take offense to anybody that says the Chicago public schools are the worst in the world, because they are not the worst in the world. Yes, they have a long way to go, but we have to get in there and work on it. And, Mr. President, I'm going to put a resolution in, because of one thing that I'm sick and tired of - and I haven't been here long at all - is all of this talk about the other side of the aisle. I hate it from both sides of the aisle. We should have a Republican sitting next to a Democrat and a Democrat sitting next to a Republican, and maybe we'd begin to understand each other, instead of all of this Looney-Tune craziness and all of these preconceived notions about each other. That's the first thing we need to do to get rid of this "other side of the aisle" crap. The people of Illinois deserve bipartisanship. They don't deserve all of this "other side of the aisle" stuff, because it does not help this State. Now, I just came out of an Appropriations meeting, and I hate to see people telling me what's good for me. I come from a poor district - proud of it. Proud of it. I know what's good for my people. I don't need nobody else to tell me what's good for my people. Just come out of Appropriations. If you care so much about the education of poor children, we would not pass in Appropriation legislation to stop teachers from wanting to teach, and learning to teach, and going

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to teach in public schools. We just did that. Just did that in Appropriations. If we care so much about these poor children, you should listen to some of the legislators who come from these districts, who say we should have Scared Straight programs to help straighten them out, instead of just going by what you think poor people need, black people need, and minorities need, because you're wrong. And I urge a No vote, even though this is sponsored by a friend of mine - a serious No vote. And I'll sit down with him later and tell him about what poor children need and want.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin may close.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Let me start out by telling you that I'm proposing this piece of legislation, with all due respect, because unfortunately I don't have a friend on the other side of the aisle that has the guts to stand up to the Chicago city school establishment. I'm telling you that -- first of all, you asked me why -- to answer a couple of quick questions and to close, please. "Why not in DuPage County?" was the question, as if there's some regional competition here. There's an effort here to try to help, a genuine effort to try to help the Chicago public schools. With regard to the funding depletion, I beg to differ with Senator Berman about what he pointed out as some of the -- the -- in his opinion, some of the points in this bill. This doesn't talk anything about property taxes. This talks about the forty percent -- forty percent of the school aid on a per-pupil basis from the State of Illinois that would be diverted. The -- the -- the Illinois State Board of Education, the fiscal note that was prepared, says that the total cost to the State would be 2.7 million dollars. I would argue that this is an increase in funding for the Chicago city schools. Ladies and Gentlemen, just

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to close, I want to offer this: There's a lot of talk about school reformers in the City of Chicago and they use buzz words like "empowerment". You know, empowerment really means something when you take a look at this bill. When you look at this bill, you have to consider that this is promoting competition. Competition is a good thing. Competition versus government-run monopoly schools. We know, if anything is taught us in the Legislature, throwing more money into the situation has not helped. The pupil population in the City of Chicago has dropped, but the demands for money goes up and the student performance continues - continues - to go down. The school reformers on the other side of the aisle who talk about local control and the local school councils - I'm talking about real local control here, real empowerment. You ask your constituents what they want. Ask your constituents in your district whether they'd like a voucher to decide whether or not they want to go to the Latin School or St. Ignatius or the public school, because it opens it up to all of them. How many legislators are there in the General Assembly that send their kids to private schools? I'm asking you to give your constituents the same chance, the same choice that you have. Help out some of these kids in your district. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 592 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 25, none voting Present. Senate Bill 592, having received the constitutional majority, is declared passed. Senator -- Senator -- for what purpose does Senator Berman arise?

SENATOR BERMAN:

I request a verification of the Aye votes.

PRESIDING OFFICER: (SENATOR WEAVER)

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That's always in order. Senator Berman has requested a verification. Will all Senators be in their seats. The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WATSON)

Does Senator Berman request the presence of any Member?

SENATOR BERMAN:

Senator Donahue. Thank you. She's here.

PRESIDING OFFICER: (SENATOR WATSON)

She's in her chair.

SENATOR BERMAN:

Senator Farley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Farley? Is Senator Farley in the Chamber? Senator Farley? Remove him. Any other questions, Senator?

SENATOR BERMAN:

No, sir. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

On a verified roll call, the Ayes are 30, the Nays are 25, and no voting Present. Having -- having received the required constitutional majority, Senate Bill 592 is declared passed. Senator Sieben, on Senate Bill 594. Do you wish to call your bill? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 594.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 594 amends the School Code and would allow school districts to use life safety funds to meet the handicapped accessibility requirements imposed by the Americans With Disabilities Act. Been working on this issue with the State Board of Education, and they have issued an opinion outlining where they feel that there are permissible uses of life safety funds for handicapped accessibility. We have not completely resolved the issue, but I think we're making a step in the right direction, and I move for the passage of Senate Bill 594.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, Senator Sieben, to close.

SENATOR SIEBEN:

Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 594 pass. Those in favor will vote Aye. Those 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 Ayes, no Nays, no voting Present. And House -- and Senate Bill 594, having received the constitutional majority, is declared passed. Senator DeLeo, for what reason do you -- rise?

SENATOR DeLEO:

Thank you, Mr. President. I'd like the record to indicate that 592 I was not -- recorded as not voting. I'd like the record to indicate that I'd be voting Aye. As the chief cosponsor on 592.

PRESIDING OFFICER: (SENATOR WATSON)

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The record will... Very good. The record will show -- will -- so indicate. Senator Mahar, on Senate Bill 597. Out of the record. Senator Fitzgerald. Senate Bill 603. Senator Fitzgerald, do you wish this bill to return to 2nd Reading for the purpose of an amendment?

SENATOR FITZGERALD:

Yes, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fitzgerald seeks leave of the Body to return Senate Bill 603 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 603. Madam Secretary, are there any Floor amendments?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fitzgerald, to explain your amendment.

SENATOR FITZGERALD:

Amendment No. 1 to 603 was suggested by the Department of Professional Regulation, and it addresses some problems that they had with the bill as it was originally written, and that's all.

PRESIDING OFFICER: (SENATOR WATSON)

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

ACTING SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 609. Senator Maitland. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 609.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 609 would allow out-of-State professional service corporations to obtain a certificate of authority under the Business Corporation Act to transact business in Illinois. Under -- under current law in this State, foreign corporations may obtain a certificate of authority to transact business -- business in Illinois. There is no provision in the Act, however, pertaining to -- to out-of-State professional service corporations. The -- there was no opposition to the bill in committee, however, the Senate Democrats, namely, Senator Palmer, offered an amendment which we thought made the bill a -- a better bill, which simply said that foreign or out-of-State professional service corporations must comply with the proper regulatory authority. I know of no opposition; I would seek your support.

PRESIDING OFFICER: (SENATOR WATSON)

There any discussion? Seeing none, do you -- do you wish to close? Roll call. The question is, shall Senate Bill 609 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record. On that question, there are 55 Yea, no Nays, 1 voting Present. The bill, having received the required constitutional majority, is declared passed. Senate Bill 610. Senator Hasara. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 610.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Senate Bill 610 amends the Environmental Protection Act. On July 1 of each -- year, businesses are required to send to -- to EPA, toxic chemical release forms. The existing penalty for filing those forms late is up to ten thousand dollars a day, a fine of up to fifty thousand dollars. This has been a terrible burden on some very small businesses. There certainly is no dispute about the necessity to file the forms. The only dispute is about the amount of the fine. So this bill -- it only applies to the toxic chemical release forms and it provides a fine of about a hundred dollars per day, after the first month. It also, with the agreement of the EPA, requires the EPA to notify the business by August 1 if the report has not been filed. It seems to make a lot of sense, particularly with the number of small businesses that are struggling in our State, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor will yield.

SENATOR HAWKINSON:

Senator, did the amendment remove the objections of the Farm Bureau?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara.

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SENATOR HASARA:

Senator, the Farm Bureau was for this bill in its original form.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, according to the April 12th bill track on Senate Bill 610...(microphone cutoff)... listed in opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara.

SENATOR HASARA:

Senator, I have never been contacted by anyone from the Farm Bureau, and certainly was by some of the other groups that are farm-related, particularly the Fertilizer and Chemical Association. I cannot imagine why they would be opposed to this. It's a small business bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. A question of the sponsor, if I might.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says she will yield, Senator Raica.

SENATOR RAICA:

Senator, it's -- it's just my understanding that what we're doing is -- instead of charging these facilities a large amount of -- of fine, we're going to now lower it to one hundred dollars. Can you tell me -- give me an example of just a couple of violations what this would -- I know it says -- according to the analysis, says is when the -- violation is a failure to file a required report or a notice in a timely fashion. Could that notice in a -- timely fashion, would that be -- let's just say

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that they were -- they had a chemical spill and they were supposed to file or -- or make a phone call, do anything like that. Is that possibly one of the things that -- that they would now be lowered to a hundred dollars for? What type of a report -- are we talking about besides the one?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara.

SENATOR HASARA:

Senator, this does-- this has nothing to do with chemical spills. Right now, on July 1 of every year, a business is required to notify EPA of all the chemicals it stores on its property. So, there are other regulations for spills that apply. This -- this does not apply to that.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

Yes, Senator, but it says -- I know what -- it says here, are required to file a report or - in a timely fashion - a notice. What -- what are we talking about? You're talking about one particular incident. Give me another that we're talking about filing. What I'm afraid of is that these places are going to get away with something that we might be sorry for, you know, and I don't want to go back home -- because I've got a lot of problems in my district with certain industry, and I don't know if I feel real comfortable voting on this right now, and I just -- give me an example of what notice they can file in a timely fashion, other than what chemicals they have on the premise.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara.

SENATOR HASARA:

That is the only notice that this bill applies to. Senator, the bill was amended. Maybe you're looking at the original bill.

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There was concern -- some concern under the original bill that it would apply to more forms than just this and would jeopardize some federal funding. We clarified it in the amendment. It only applies to one report that's due on July 1 of every year. It's required by each business. No one will be able to get away with anything.

PRESIDING OFFICER: (SENATOR WATSON)

Senator, you wish to close? Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. This is definitely a good small-business bill. It seems to make a lot of sense. We see no -- certainly no danger in passing this bill, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 610 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 57 Yea, no Nays, no voting Present. And Senate Bill 610, having received the constitutional majority, is declared passed. Senate Bill 623. Senator McCracken. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 623.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken.

SENATOR McCracken:

Thank you, Mr. President, Ladies and Gentlemen. This is a request of the Supreme Court. The Fourth Judicial District in the Appellate Court -- currently has two vacancies filled by assignment. This would make those assignments elective and

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provide for their election at the next general election.

PRESIDING OFFICER: (SENATOR WATSON)

Questions of the sponsor? Senator Cullerton.

SENATOR CULLERTON:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor says he'll yield, Senator Cullerton.

SENATOR CULLERTON:

So -- as I understand your description, this will not impose any additional cost on the State whatsoever. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken.

SENATOR MCCRACKEN:

Correct, because the -- they're already filled by the Supreme Court. It's just the manner of filling them.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

And do you know of any amendments that are going to be offered to this bill over in the House?

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken.

SENATOR MCCRACKEN:

I contemplated -- an amendment, and then received a phone call and decided against it. So my guess is it will stay pretty clean.

PRESIDING OFFICER: (SENATOR WATSON)

Senator McCracken, do you wish to close? If not, the question is, shall Senate Bill 623 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yes, no Nays, and no voting Present. Senate Bill 629 <sic> (623), having received the

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constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Maitland, Chair of the Committee on Appropriations, reports that the committee has recommended all of the following amendments to Senate Bills Be Adopted: Amendment 2 to Senate Bill 268; Amendment 16 to Senate Bill 311; Amendment 2 to Senate Bill 313; Amendments 6, 7 and 8 to Senate Bill 314; Amendments 7 and 9 to Senate Bill 315; Amendment 2 to Senate Bill 318; Amendment 6 to Senate Bill 319; Amendment 7 to Senate Bill 320; Amendment 3 to Senate Bill 321; Amendment 2 to Senate Bill 520; Amendment 2 to Senate Bill 521; Amendment 1 to Senate Bill 524; Amendments 4 and 5 to Senate Bill 525; Amendments 3 and 4 to Senate Bill 527; Amendments 4, 5 and 6 to Senate Bill 528; Amendments 3, 4 and 5 to Senate Bill 529; Amendment 3 to Senate Bill 532; Amendments 3 and 4 to Senate Bill 944; Amendment 3 to Senate Bill 945; and Amendment 2 to Senate Bill 1099.

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: to the Education Committee - House Bills 579 and 895; to the Committee on Environment and Energy - House Bill 469; Executive Committee - Amendment 6 to Senate Bill 900, and House Bills 689, 691, 1570 and 1652; to the Committee on Financial Institutions - House Bill 1325; to Insurance, Pensions and Licensed Activities - House Bill 1809; to Judiciary - House Bills 69, 161, 672, 1356 and 1476; to Local Government and Elections - Amendment 1 to Senate Bill 892, and House Bills 979 and 2173; to Public Health and Welfare - House Bills 961 and 1855; to Revenue - House Bills 293 and 1729; and Senate Amendment No. 2 to Senate Bill 387; to State Government Operations and Executive Appointments - House Bill 1539; and to Transportation - House Bill 1224; Be Approved for Consideration - Amendment 2 to Senate Bill 779.

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PRESIDING OFFICER: (SENATOR WATSON)

We will now go to Senate Bills 2nd Reading on page 2, for the appropriations bills for the purpose of an amendment. We ask leave of the Body to go to that Order. Leave is granted. Senator Weaver, on Senate Bill 268. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 268.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, to explain the amendment.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Let me first of all make a couple of brief -- brief comments with respect to the amendments that were offered by the Senate Republicans today in the Appropriations Committee. We have gleaned, as all of you know, very carefully the Governor's budget and found that there were a number of areas where we would offer and suggest some -- some adjustments to that budget. The amendments that we will offer -- we'll be offering today will -- will -- will be in the amount of about a hundred and sixty-five

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million dollars in total cuts in General Revenue, with a net General Revenue cut of roughly one hundred forty-nine million dollars. The total impact of the cuts that we have offered this afternoon represent less than one half of one percent of the Governor's introduced budget. I would remind the Body that the adjustments that we've made received spirited discussion in committee. We recognize that what we are doing today is but the first step in a three- or a four-step process. There are those who support and those who don't support what we are about. We believe this is a responsible recommendation, and therefore, we offer those amendments this afternoon. Mr. President, with respect to Senate Bill 268, Floor Amendment No. 2 represents a forty-eight-hundred-dollar increase in General Revenue, and the bill now stands at fifteen thousand four hundred dollars below the introduced level, and I would move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, Senator Maitland moves the adoption of Amendment No. 2 to Senate Bill 268. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments that need to be approved for consideration?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 311. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate...(microphone cutoff)...311.

(Secretary reads title of bill)

2nd Reading of the bill. Committee Amendment No. 1 was defeated in committee.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 16, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, to explain your amendment.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 16 is a decrease of eight million one hundred ninety thousand dollars, and is an increase of one million two hundred thousand dollars in other funds, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I just want the Membership to know that -- that the effect of this amendment reduces the funding for addiction treatment for Medicaid-eligible clients to the FY'93 estimated -- expenditure level and in the -- the amendment would, in effect, eliminate funding for the additional two thousand forty-one people who are waiting in line to be served. This is not the direction that this Chamber has said it wants to go, and I think the amendment is ill-advisable.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? Seeing none, Senator Maitland, to close. Senator Maitland moves the adoption of Amendment No. 16 to Senate Bill 311. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

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3rd Reading. Senate Bill 313. Senator Weaver. Out of the record. Senate Bill 314. Senator -- I beg your pardon. Senate Bill 313. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 313.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 1 is offered by Senators Rea and Ralph Dunn.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rea, to explain your amendment. Senator Rea.

SENATOR REA:

Thank you, Mr. President. Amendment 6 <sic> (1) would provide, based upon the Governor's Task Force report, back the provision for planning construction of a "super max" prison, and this was one of the recommendations, one of the components of the task force that came back from the Governor's report.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, Senator Rea moves the adoption of Amendment No. 1 to Senate Bill 313. All those in favor, say Aye. Opposed, Nay. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver. Senator -- Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I'll handle that for Senator

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Weaver. Floor Amendment No. 2 adds six million fifty thousand dollars in bond authorization. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 2 to Senate Bill 313. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 314. Senator Weaver. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 314.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 6 is offered by Senators Ralph Dunn and Rea.

PRESIDING OFFICER: (SENATOR WATSON)

I understand that Senator Maitland will now be handling Republican amendments. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 6 adds sixty million dollars in Capital Development funds. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, Senator Maitland moves for the adoption of Amendment No. 6 to Senate Bill 314. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments?

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SECRETARY HARRY:

Amendment No. 7, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 7.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 7 appropriates - is an add-on - is one million nine hundred ninety thousand six hundred dollars. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 7 to Senate Bill 314. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 8, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 8.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 8 is in the amount of four million dollars. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 8 to Senate Bill 314. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 315. Senator Maitland. Mr. Secretary, read the bill.

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SECRETARY HARRY:

Senate Bill 315.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 7, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 7.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Amendment -- Floor Amendment No. 7 is a reduction of one million five hundred seventy thousand dollars in General Revenue funds, an increase of eighteen million dollars in other funds. I move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I just want to point out to the Body for those who've been supportive of the Prairie State 2000 Authority, the one job training program in this State that has received national recognition, and the one job training and retraining program that has demonstrated the kind of success that we wish every program would have, is being cut by one and a half million dollars. I think it's not only a bad signal to send to those workers who need the training, but it's also a bad signal to send to our employers and manufacturers throughout the State of Illinois. It's not a healthy sign or a healthy signal in this State to be cutting in this program. Secondly, for those who also have companies, manufacturers and others who have participated in

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the Individual Training Assistance Program, this amendment reduces that program by half a million as well. This is not a good amendment, and it's one that sends a signal that is both unfortunate, unnecessary and inadvisable for this State at a time when the economy is in such difficulty. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I, too, rise to point out to everyone in this Chamber that this is a very, very bad amendment -- very, very bad amendment. It cuts out job training programs at the same time that people are struggling to get back on their feet, at the same time the other amendments cut out opportunities for education, and we just cannot pile people into prisons and not give them opportunities to have job training and education. So I would urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Senator Maitland, to close. Senator Maitland moves for the adoption of Amendment No. 7 to Senate Bill 315. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any other amendments?

SECRETARY HARRY:

Amendment No. 9, offered by Senator Petka.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. Senate No. 9 adds thirty-five thousand dollars from the Agricultural Premium Fund for a county fair in Kendall County. This passed out of the committee -- Appropriations Committee on a 15 to 0 vote, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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Is there any discussion? Seeing none, Senator Petka moves for the adoption of Amendment No. 9 to Senate Bill 315. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 318. Senator Maitland. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 318.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been filed for approval?

SECRETARY HARRY:

Amendment No. 2 is offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 2 is a reduction of seven million forty-two thousand eight hundred dollars in General Revenue funds, and I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. For those in this Chamber who have worked to see the Mental Health Reform Plan implemented, this amendment strikes at the very gut of that plan. This amendment cuts in half the assertive case management caseload, and

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unfortunately, it could not -- they could not answer in committee how those people are going to be served. While the premise of this amendment is that we, in fact, save dollars, it is our premise that by that Assertive Case Management Program being cut in half, there will be at least seven hundred and thirty-one individuals who will probably land in State-operated facilities. Our question is, where are they going to land, and who's going to pay for it. This amendment cuts that program and cuts the very initiative in the Mental Health Reform Plan. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? If not, Senator Maitland, to close. Senator Maitland moves the adoption of Amendment No. 2 to Senate Bill 318. Those in favor, say Aye. Opposed, Nay, and the Ayes have it. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. For what reason does Senator Hendon rise?

SENATOR HENDON:

Mr. Chairman -- thank you very much. Mr. President, we -- we requested a roll call on that amendment, because I think people should be on record if they are -- are against taking care of the -- the people who have mental illness in this -- in this State or not.

PRESIDING OFFICER: (SENATOR WATSON)

Okay. Yes, sir, Senator. We'll have a roll call. All those in favor of Floor Amendment No. 2 to Senate Bill 318, 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. There are 30 Ayes, 23 Nays, 2 voting Present. The amendment is adopted. Are there any further amendments?

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SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 319. Senator Maitland. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 319.

(Secretary reads title of bill)

2nd Reading of the bill. Amendment No. 1 in committee was defeated.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 6, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, to explain the amendment.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 6 is a reduction of one hundred forty-one million three hundred and fifty-six thousand eight hundred dollars, and let me briefly explain this amendment, because it obviously is the largest amendment that we'll have this afternoon. It reduces operations by -- by eight million nine hundred eighty-seven thousand dollars. It -- it further reduces our -- General Revenue grants in the amount of a hundred and thirty-two million three hundred and sixty-nine thousand dollars by eliminating the twenty-five-dollar-per-month grant increase to two- and three-member family -- member recipient families - that's in the amount of twenty million dollars; reducing Transitional Assistance by three million dollars to the FY'93 expenditure level; reducing funding for Healthy Moms/Healthy Kids

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by thirty-three million nine hundred and ninety thousand dollars, and this is being done because we frankly don't believe that that program can be fully funded. We support the program strongly, as you do, but we believe this is a responsible reduction. It eliminates the proposed five-percent rate increase for HMOs in the amount of three million four hundred thousand dollars. It reduces long-term care by forty-eight million dollars to allow for a six-month 3.5-percent rate increase as opposed to the proposed full-year 5.6. Further, it reduces hospital in-patient line by twenty-two million to allow for a six-month 3.5 percent rate increase as opposed to the full -- full-year 4.7 increase. I would move for the adoption, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Members of the Senate. I would like to respond to this amendment that was made -- Amendment No. 6 to Senate Bill 319. I recall that our budget stated that the Department of Public Aid would have six -- billion dollars, and this amendment, made by our -- our committee, cut out one -- reduced it to one hundred and forty-one million two hundred and sixty-seven thousand dollars, which would reduce the funding to the Aid to Families of -- with Dependent Children, which is sorely needed. As he just stated that two- to three- persons AFD <sic> families would be affected. And then - I'm going to go down quick, but that's one of the main ones that's going to be affected. Then you're going to have -- we had voted about the Transitional Assistance Program. They're going to cut that by three million dollars and to the FY'93 estimated expenditure level of forty-four million three hundred thousand dollars. The Department had requested three million above the Fiscal Year '93 and estimated expenditure to increase services levels from

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eighteen thousand three hundred to - in Fiscal '93 - to twenty thousand in Fiscal '94. In Fiscal '93 over seventy-five thousand people were terminated from the Transitional Assistance Program. Even with the fifteen thousand people to be served by Earn Fare and full Transitional Assistance requests, close to fifty thousand people who are former Transitional Assistance recipients will not receive any aid whatsoever in this new budget of his. And also he talked about the reducing funds of the Healthy Moms and Healthy Kids. Now our Governor made a speech and said he had allocated eighty-one billion dollars for this program, and they are cutting out thirty-three thousand -- thirty-three million nine hundred thousand dollars, which is forty-two percent, to reduce that program, and that's going to cut the physicians out; it's going to cut their case managers and those who are over transportation and want to travel. This is especially damaging to all of you downstaters, because some of your clients already have to travel to a different county to obtain services. They're going to reduce the funding for hospital in-patients' reimbursement by twenty-two million nine hundred and sixty-six thousand, and they're going to reduce the funding for long-term care by forty-eight million eight hundred and twelve thousand dollars, and all of these things are going to be affecting your budget for this next coming year. I think that we should vote against this. Earn Fare was one of the things that they said they were going to keep up. The Governor wanted us for Healthy Moms and Healthy Kids, and he was -- had a press conference in Chicago here, last week, and talking -- telling everybody that -- what he was going to do, and everybody was excited. And now they're telling us that we don't need it. I think that we should vote No on this, and the people in the Department of DCSF <sic> (DCFS), they really need their money. I think that we should vote No on this.

PRESIDING OFFICER: (SENATOR WATSON)

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Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. If this Chamber isn't going to pay attention to any other amendment this evening, this is one amendment this Chamber should pay attention to. It seems to me that if there was one message that came through the last election, throughout not only every corner of this State, but probably throughout the country, given the results of the Presidential Election, is that health care and the delivery of those services is of major concern to our constituents. And yet this amendment, by the adoption -- by its adoption, strikes one hundred and nine million from medical services and health care delivery - very specifically to those long-term care providers who have complained month-in and month-out that the rates are too long -- the rates are too low and their payment cycle is too long. This reduces funding for long-term care by nearly forty-nine million dollars. The extension of the payment cycle will most likely go beyond the average of eighty days, if a long-term care provider is lucky. Violation of the federal Bogard decision appears to be imminent with this amendment, and most certainly reduction in reimbursement rates should occur if this is adopted. It reduces funding for hospital in-patient reimbursement by nearly twenty-three million dollars, and for the hospitals in your district and mine who have complained that the rates are already too low and the payments are already too late, this amendment will only cause that difficulty to grow. It reduces funding for Health Maintenance Organizations by three and a half million dollars. It seems to me with this amendment we're moving in a direction that runs counter to the wishes of constituents throughout this State. To cut health care - and that's what this amendment is doing - and to hamper the delivery of needed health care throughout every corner of this State seems to be ridiculous. I don't know -- why, with all the

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cuts that could be made, why you've decided that this seems to be the direction you want to move. I would suggest your hospitals, your long-term care providers, your HMOs and anyone -- anyone in your district that is concerned about the escalating costs of health care and the length of time that it takes the State to pay those bills, I would vote No.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, do you wish to close?

SENATOR MAITLAND:

Well, yes, Mr. President and thank you so very much. Senator Smith, we didn't cut anything. Everything in this budget represents an increase over last year. We lapsed thirty million dollars in Transitional last year, and we used that money for some other worthwhile purposes that you and I both supported. We didn't cut anything at all. You mentioned DCFS. Senator, they're not even in this amendment. They're not even in this amendment. We haven't touched them here. Senator Severns, the week -- the week before we left on Easter break, you all sent out news releases to district after district, suggesting that we were unwilling to listen or support a budget that you were going to be offer -- reductions. You targeted Senator Donahue's district and others, that there was no support - that there was no support. And then we came back, and you, Senator Severns - you - introduced an amendment that cut the very areas that you are criticizing us for cutting, in a much more moderate way, in the amount of two hundred and sixty-six million dollars. You, Senator Severns, did that, and you stand on this Floor today and you make statements like that. We have much more modest adjustments in this budget. I made the statement in committee today that this is what -- but one major step in our budgeting process. There may be some further adjustments that need to be made in this budget. But, Senator Severns, fair is fair is fair, and you absolutely are

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wrong to stand on this Floor and admonish us for making cuts that actually are increases over last year, when your two hundred and sixty-six million dollar cut last week - the amendment sponsored by you - would have destroyed the system. And we can go from amendment after amendment. These are responsible amendments that will allow us to move through the process. Yours were not. And I said this afternoon, I didn't want to get partisan in this, but when you come back with that kind of a statement, then it becomes a partisan issue. I move for the adoption, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland was closing. Senator Maitland moves for the adoption of Amendment No. 6 to Senate Bill 319. Those in favor, say Aye. Opposed, Nay. The Ayes have it. Roll call has been requested. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 32 Yes, 25 No, no voting Present. Amendment No. 6 to Senate Bill 319 is adopted. Any other amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 320. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 320.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

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Amendment No. 7 is offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 7 is an increase of three hundred and sixty-three thousand dollars. It restores that amount of money for workmen's compensation claims. This money -- this money was -- was reduced inadvertently in Committee Amendment No. 1. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 7 to Senate Bill 320. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

For what purpose does Senator Hendon rise?

SENATOR HENDON:

I'll wait till the next one, Mr. President, since you -- that has gone by already. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

All right. 3rd Reading. Senate Bill 321. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 321.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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

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SECRETARY HARRY:

Amendment No. 3 is offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you -- thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 3 is a reduction of one million three hundred forty-nine thousand dollars, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Floor Amendment No. 3. Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I rise against these cuts in the Department of Children and Family Services, and while I'm up, I just wanted to deal very briefly with the figure of six hundred million dollars that has been floating around all day in alleged Democratic cuts. It is true, Senator Maitland, that the Democrats on this side tried to find some cuts and took a look at a lot of areas, because we, too, are fiscally responsible; but as soon as we saw the cuts, as soon as this Senator laid eyes on the cuts, I said no, a lot of my colleagues said no. But we do have a responsibility to look for those cuts just like you look for those cuts. So, yes, we did look for some cuts, but we never put those amendments forward; we never voted for those amendments. When we realized that they would be hurting people, we said no and sent our staff back to do a better job. And all we're saying to you is these cuts that you're making are draconian and bad, and you should do the same thing that we did. But instead of looking at and seeing your cuts were bad, you're moving them forward. We didn't move the ones forward that we were looking at, and I urge a No vote on this matter.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, to close.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senator, you introduced the amendments; you had your press conference; you sent out your news releases. Mr. President, I further move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 3 to Senate Bill 321. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 342. Senator Fitzgerald. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 342.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 506. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 506.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 511. Senator Maitland. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 511.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 512. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 512.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 513. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 513.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 514. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 514.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 515. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 515.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 516. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 516.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 520. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 520.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 2 is offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 2.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 2 is a reduction of one hundred and four thousand nine hundred dollars. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, Senator Maitland moves for the adoption of Amendment No. 2 to Senate Bill 520. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 521. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 521.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Senator Maitland offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you -- thank you, Mr. President, Members of the Senate. Floor Amendment No. 2 is an increase of one hundred and seven thousand three hundred dollars in General Revenue money, and an increase of three hundred fifty-eight thousand two hundred dollars in other funds. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, Senator Maitland moves that Floor Amendment No. 2 to Senate Bill 521 Be Adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Senate Bill 525. Senator Weaver. Any further amendments? I beg your pardon.

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 525. Senator Weaver. Please read the bill. All right, we'll go back to Senate Bill 524, which is an appropriation bill. Senator Donahue, do you wish the bill to be

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called? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 524.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 1, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue, on Amendment No. 1.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 simply changes the equalization threshold in a rate bill. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, Senator Donahue moves for the adoption of Amendment No. 1 to Senate Bill 524. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 525. Senator Weaver. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 525.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 4 is offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 4.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 4 is a reduction of seven hundred and sixty-five thousand dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 4 to Senate Bill 525. Any discussion? Senator Jones.

SENATOR JONES:

Yes. I -- I yield to Senator Severns on this.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. We've heard a lot of discussion on this Floor today about Chicago schools in particular, and about the quality of education. The troubling thing about this amendment, or at least one troubling item, is that something that tries to improve the opportunity for young people to be able to work their way through grade school and high school and prepare for college is being cut by this amendment. The minority recruitment, retention, and educational achievement grants are awarded to institutions so that they may implement programs which prepare grade school and high school students for college. By reducing these funds - a program that has proved success and a program that is not very costly - the board will either have to reduce the number of awards or -- or the amount per award. The effect of this is that less minorities will receive tutoring. I

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don't think that's the direction we want to go, and I think, based on the many comments from the other side of the aisle today, it ought not be an amendment that is accepted. For those who are involved with economic development and believe that economic development and its progress is tantamount to the progress of this State, this amendment also cuts economic development grants to provide funding in new manufacturing and technology centers at public universities and colleges. I don't think that's the direction we want to go either. It seems to me that this amendment, among other things, is an amendment that is anti-progress, anti-economic development and anti-success in Illinois. And finally, to the last point that Senator Maitland made in his closing comments on the last amendment: You're right, Senator Maitland, our amendment did make some cuts, but the difference between our amendment and yours is that we admitted that we made a mistake; we withdrew those amendments. We withdrew them because we didn't want to see health care cuts. Your amendment that you just adopted cuts health care to the core in Illinois. This amendment that's being offered would cut minority recruitment, retention and educational achievement grants, economic development grants, health service education grants, among others. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Senator Maitland, to close. Senator Maitland moves adoption of Amendment No. 4 to Senate Bill 525. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 5, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 5.

SENATOR MAITLAND:

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Thank you very much, Mr. President and Members of the Senate. Floor Amendment No. 5 is an increase of two hundred and one thousand three hundred dollars in General Revenue, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any -- any discussion? Seeing none, Senator Maitland moves the adoption of Amendment No. 5 to Senate Bill 525. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Roll call, if you please. Please do us that courtesy.

PRESIDING OFFICER: (SENATOR WATSON)

Certainly, ma'am. All those in favor, vote Aye. On Amendment No. 5 to Senate Bill 525, all those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 31 Ayes, 21 Nays, no voting Present, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 526. Senator Philip. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 526.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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3rd Reading. Senate Bill 527. Senator Donahue. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 527.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 3, by Senator Donahue.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue, on Amendment No. 3. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Floor Amendment No. 3 reduces GRF by twenty-six thousand dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, Senator Donahue moves the adoption of Amendment No. 3 to Senate Bill 527. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 4.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 4 is an increase of two million four hundred and fifty-five thousand dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 4 to

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Senate Bill 527. Is there any discussion? Seeing none, those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 528. Senator Woodyard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 528.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 4, by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Amendment No. 4, Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 4 is a decrease of eight hundred twenty-six thousand seven hundred dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. Once again, while all of us - every one of us - in this Chamber keep talking about the importance of progress in education and we realize that our progress in education will determine every bit of progress we make in this State, this amendment is a step in the wrong direction. There is

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a lot of problems with this amendment, but one that I find especially troubling is that scholarships for minority teachers is cut by fifty-eight and a half percent. Granted, the -- the amount the proposed amount -- by the Governor went up for the proposed FY'94 Budget, but I submit to you, it went up for a reason. It went up because in his budget he knew it was right. I think we ought to keep it in there, and this amendment would cut it out. I don't think we need to be cutting minority teacher scholarships by fifty-eight and a half percent, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Senator Maitland, to close.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senator Severns, just to make you aware of the fact that remaining in the budget today, after these adjustments, we have seven million nine hundred fifty thousand dollars in minority grants. That's over and above - that's over and above - listen - over and above the MAP awards which generates a lot of money into low-income households, as well. It's not as though we're not doing anything, and the adjustments we make in this amendment take it to the '93 level.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves the adoption of Amendment No. 4 to Senate Bill 528. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 5 is offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 5.

SENATOR MAITLAND:

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

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Floor Amendment No. 5 is an increase of one million eight hundred thirteen thousand three hundred dollars in the MAP Award Program.

I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 5 to Senate Bill 528. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 6, offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard, on Amendment No. 6.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 6 adds two million one hundred seventy-five thousand six hundred dollars for the MAP grants, as well as the one-percent salary increase. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard moves for the adoption of Amendment No. 6 to Senate Bill 528. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 529. Senator Weaver? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 529.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved

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for consideration?

SECRETARY HARRY:

Amendment No. 3 is offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 3.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Floor Amendment No. 3 is a decrease of three hundred forty-six thousand six hundred dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 3 to Senate Bill 529. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 4, by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, on Amendment No. 4.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Floor Amendment No. 4 is a decrease of three million eight hundred and twelve thousand four hundred dollars. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 4 to Senate Bill 529. All those in favor, say Aye. Opposed, Nay. I beg your pardon. Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Mr. President, I -- I apologize. I misspoke. Floor -- Floor Amendment No. 4 is an increase of three million eight hundred and twelve thousand four hundred dollars. I would, therefore, renew my motion and move for the adoption.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Hearing none. Senator Maitland moves for the adoption of Amendment No. 4 to Senate Bill 529. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 5, by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Amendment No. 5, Senator Maitland.

SENATOR MAITLAND:

Floor Amendment -- Mr. President, Floor Amendment No. 5 is a technical amendment. I'd move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 5 to Senate Bill 529. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 532. Senator Ralph Dunn. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 532.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 3, by Senator Dunn.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Dunn, Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. Floor Amendment No. 3 adds one million two hundred and seventy thousand nine hundred dollars for personal service funding to provide a one-percent increase in the SIU system.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ralph Dunn moves for the adoption of Amendment No. 3 to Senate Bill 532. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 872. Senator Carroll. Senator Severns. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I'd like to seek leave to move -- Senate Bill 872 from 2nd to 3rd.

PRESIDING OFFICER: (SENATOR WATSON)

Leave is granted. Senate Bill 872. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 872.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 873. Senator Severns. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 873.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 874. Senator Severns. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 874.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 875. Senator Hall. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 875.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 876. Senator Severns. Please read the bill.

SECRETARY HARRY:

Senate Bill 876.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 877. Senator Hall. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 877.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 882. Senator Hall. Please read the

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bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 882.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 944. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 944.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 3, by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 3 is a reduction of one million four hundred and seventy-one thousand dollars. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, Senator Maitland moves for the adoption of Amendment No. 3 to Senate Bill 944. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 4, by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 4 is an increase of one million three hundred seventy-six thousand dollars. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, Senator Maitland has moved for the adoption of Amendment No. 4 to Senate Bill 944. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 945. Senator Severns. Please read the bill.

SECRETARY HARRY:

Senate Bill 945.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 3, by Senator Donahue.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment -- Floor Amendment No. 3 adds one million two hundred and fifty-four thousand nine hundred dollars GRF to Senate Bill 945.

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PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, Senator Donahue moves that -- the adoption of Amendment No. 3 to Senate Bill 945. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1099. Senator Weaver. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1099.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 2 is an increase of four hundred forty-seven thousand nine hundred dollars. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland moves for the adoption of Amendment No. 2 to Senate Bill 1099. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading.

PRESIDENT PHILIP:

Senator Madigan, for what purpose do you rise?

SENATOR MADIGAN:

To make an announcement, Mr. President.

PRESIDENT PHILIP:

Make your announcement.

SENATOR MADIGAN:

Thank you, Mr. President. The Committee on Insurance, Pensions and Licensed Activities will not meet - will not meet - tomorrow evening.

PRESIDENT PHILIP:

Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

Thank you, Mr. President. I'd like to switch sponsorship of Senate Bill 940 from Senator Weaver to Senator McCracken.

PRESIDENT PHILIP:

Is there leave? Leave is granted. 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 1045, 1049, 1053, 1316, 1396, 1443, 1739, 1934, 2262, 2263.

All passed the House, April 21st, 1993.

We have like Messages on House Bills 49, 355, 696, 1601, 1686, 2079, 2182, 2265, 2352, 458, 465, 482, 1075, 1624, 1626, 1748, 1792, 1853, 2157, 685, 814, 973, 1038, 1040, 1043, 1816, 1882,

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1883 and 2040.

All passed the House, April 21, 1993.

From Anthony D. Rossi, Clerk of the House.

PRESIDENT PHILIP:

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 71, offered by Senator LaPaille.

(Secretary reads title of bill)

House Bill 335, Senator LaPaille.

(Secretary reads title of bill)

House Bill 1109, Senator LaPaille.

(Secretary reads title of bill)

House Bill 1253, Senator Hawkinson.

(Secretary reads title of bill)

House Bill 1298, Senator Topinka.

(Secretary reads title of bill)

House Bill 1299, Senator Cullerton.

(Secretary reads title of bill)

House Bill 1344, Senator Tom Dunn.

(Secretary reads title of bill)

House Bill 1441, Senator Donahue.

(Secretary reads title of bill)

House Bill 1453, Senator Tom Dunn.

(Secretary reads title of bill)

House Bill 1643, Senator Dudycz.

(Secretary reads title of bill)

House Bill 1790, by Senator McCracken and others.

(Secretary reads title of bill)

House Bill 1808, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 1848, Senator Cullerton.

(Secretary reads title of bill)

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House Bill 1901, by Senators McCracken and Molaro.

(Secretary reads title of bill)

House Bill 1906, by Senators McCracken and Molaro.

(Secretary reads title of bill)

House Bill 1907, by Senators McCracken and Molaro.

(Secretary reads title of bill)

House Bill 2082, by Senator Weaver.

(Secretary reads title of bill)

And House Bill 2420, by Senator LaPaille.

(Secretary reads title of bill)

1st Reading of the bills, Mr. President.

PRESIDENT PHILIP:

Senator Topinka, for what purpose do you rise?

SENATOR TOPINKA:

Yes. Two items of business, if I may, Mr. President. First, I would like to announce that Public Health and Welfare, which was to meet tomorrow night at 7 o'clock, will not meet. It's my understanding that the length of our Session will kind of preempt that, so we will not meet. And second of all, I would like to seek suspension of the rules for the immediate consideration of Senate Resolution 273, which is congratulatory, and is needed Friday at a presentation.

PRESIDENT PHILIP:

Senator Topinka moves to suspend the rules for the purpose of the -- immediate consideration and adoption of Senate Joint Resolution 73 <sic> (SR273). All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Senator Topinka, on Senate Resolution 273. Senator Topinka.

SENATOR TOPINKA:

It's merely congratulating the retirement of a National Guardsman.

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PRESIDENT PHILIP:

Senator Topinka has moved the adoption of Senate Joint <sic> Resolution 273. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. The motion -- the amendment -- the resolution is adopted. Resolutions.

SECRETARY HARRY:

Senate Resolution 284, offered by Senator Raica.

And Senate Resolution 285, offered by Senator Woodyard. They're both congratulatory, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 286, offered by Senators Molaro, Stern and others.

It's substantive.

PRESIDENT PHILIP:

Executive Committee. ...(microphone cutoff)...the purpose of announcement, -- and I might remind the Members, if you're picking up -- House Bills, to -- to request the chairmen of those committees to post those bills so we can have hearings. If there isn't any further business to come before the Senate, Senator Weaver moves that the Senate stand adjourned until 9 a.m. tomorrow morning. We're going to start on 3rd Readings, and I hope everybody would be here on time. The Senate stands adjourned.

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