

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

53rd Legislative Day

May 17, 1993

PRESIDENT PHILIP:

The hour of three having arrived, the Senate will please come to order. Will the Members please rise, and our friends in the gallery please rise for the prayer. The prayer today is by Pastor Rick Hohimer, Calvary Temple Church, Springfield, Illinois.

PASTOR RICK HOHIMER:

(Prayer by Pastor Rick Hohimer)

PRESIDENT PHILIP:

Reading and approval of the Journal.

SECRETARY HARRY:

Senate Journal of Tuesday, May 11, 1993.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

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

PRESIDENT PHILIP:

Senator Butler moves to approve the Journal just read. There being no objection, so ordered. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 12th; Thursday, May 13th; and Friday, May 14th, in the year 1993, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postponed the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, it is so ordered. Senator, I would -- I would certainly think that reasonable people can sit down and work out differments <sic>. I -- I won't give you a time, but I'll tell you one thing: We could be out before the 28th. Remember I

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told you that. You -- you heard it from the horse's mouth. And I might say this today: I'm very proud of my side of the aisle; this is the first time this Session, other than when we got sworn in, we've had thirty-two Republicans here on time. Merry Christmas. Resolutions.

SECRETARY HARRY:

Senate Resolution 439, offered by Senator Trotter.

Senate Resolution 440, by Senator Hawkinson.

And Senate Joint Resolution 65, by Senators Severns, Jones and all Democrat Members.

PRESIDENT PHILIP:

Consent Calendar. May I have your attention for a minute - explain what we're going to be doing today? Speaking to Senator Jones, we're going to do 2nd and 3rd Readings. About twenty minutes to 4, we're going to allow the Clerk to read all those in the record. And at 4 o'clock we will go to the Agreed Bill List, and hopefully will not be here much longer than 6 o'clock tonight, or 6:30. That's the intent of the Chair. And I -- I -- and I -- Senator Jones, for what purpose do you rise?

SENATOR JONES:

Yeah. Thank you, Mr. President. I have this cup here, you know, and a very subtle message. But, you know, my cup runneth over, you know. So that depends on whether or not you -- we get out on the 28th.

PRESIDENT PHILIP:

Well, with your help and cooperation, we will be out of here on the 26th. All right. House Bills 2nd Reading, the bottom of page 21. We're going to skip over the appropriations, I have been told. The top -- top of page 22. House Bill 203. Senator Weaver. Take it out of the record. House Bill 258. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 258.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Fawell.

PRESIDENT PHILIP:

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the Department of Mental Health amendment. It assures appropriate use of our State facilities. It -- the clinical eligibility remains the same. Retains the judge's ability to order people into facilities. Allows State-operated facilities to provide treatment. State-operated facilities will have a higher staff-patient ratio with this amendment. Assures clients access to services closer to home and implements -- at the local level is phased in when they are ready. And I will be glad to answer any questions. And I ask for a favorable vote.

PRESIDENT PHILIP:

Senator Jones, for what purpose do you rise?

SENATOR JONES:

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

PRESIDENT PHILIP:

The sponsor indicates she will yield. Senator Jones.

SENATOR JONES:

Yeah. Senator Fawell, this amendment -- in committee, was there any opposition to the amendment?

PRESIDENT PHILIP:

Senator Fawell.

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SENATOR FAWELL:

Yes, there was. There was some opposition from AFSCME. When I explained it, I -- I think they understood more what we were trying to get at.

PRESIDENT PHILIP:

Senator Jones.

SENATOR JONES:

Then, I -- I didn't quite hear your remarks, but am I led to believe that the amendment is an agreed amendment? Is the AFSCME still opposed? And if they are opposed to the amendment, could you tell the Body why they are opposed?

PRESIDENT PHILIP:

Senator Fawell.

SENATOR FAWELL:

I don't think they understand what we're trying to do. I have a -- a crisis center in DuPage County which is already doing this. What we do is when someone goes into crisis, we have trained psychologists, trained clinical social workers, and trained psychiatrists on staff twenty-four hours a day, seven days a week, who see if there is any chance of stabilizing them right there in the community. Quite often these are -- are people who are -- who are off their medication or schizophrenics and manic depressives. By getting them back on their medication, we can deflect them out of the State facilities so that the State facilities, instead of being a revolving door, will indeed be able to take care of those who are really in need and are chronically ill.

PRESIDENT PHILIP:

Further discussion? If not, Senator Fawell moves the -- Amendment No. 1 to House Bill 258. All those in favor will signify by saying Aye. Opposed, Nay. Ayes have it. The amendment is adopted. Are there any further amendments?

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No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 443. Senator Fawell. Read the bill.

SECRETARY HARRY:

House Bill 443.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 508. Senator Sieben. Read the bill.

SECRETARY HARRY:

House Bill 508.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Sieben.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. Floor Amendment No. 2 was adopted in the Senate Education Committee last week, and this amendment would remove the Section dealing with the criminal background checks for the Chicago local school council members. There was no

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opposition in the committee, and I would move for the adoption of Senate Amendment No. 2.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Sieben moves to adopt Floor Amendment No. 2 to House Bill 508. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. The amendment is adopted. Have there been any other Floor amendments been approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Watson.

PRESIDENT PHILIP:

Senator Watson. Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. On behalf of Senator Watson, we did adopt Floor Amendment No. 3 in committee, and this would -- would take the contents of House Bill 1507 and add it to the bill. This would make persons enrolled in the Youth Education Program, sponsored by the Illinois National Guard, eligible to take the GED test. And there was no opposition to this in committee, and I would move for the adoption of Floor Amendment No. 3 to House Bill 508.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Sieben moves to adopt Amendment No. 3 to House Bill 508. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. The amendment is adopted. Are there any further Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 641. Senator Hendon. Read the bill.

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SECRETARY HARRY:

House Bill 641.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Hendon.

PRESIDENT PHILIP:

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. Chairman. This amendment was approved in committee...

PRESIDENT PHILIP:

Could we have some peace and quiet please, so we can at least hear the Gentleman's amendment?

SENATOR HENDON:

And thank you for the cup, by the way. It was approved in committee. It was requested by the Republican Members of the committee, and we put the amendment in. It was approved unanimously, and it simply says that the project won't -- will not go forward unless we capture federal funds.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Hendon moves Amendment No. 1 to House Bill 641 be adopted. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

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3rd Reading. House Bill 701. Senator Woodyard. Take it out of the record. House Bill 767. Senator Barkhausen. Senator Barkhausen. Take it out of the record. House Bill 770. Senator Donahue. Senator Donahue. Take it out of the record. House Bill 1194. Senator Klemm. Senator Klemm. Take it out of the record. House Bill 1300. Senator McCracken. Senator McCracken. Take it out of the record. House Bill 1313. Senator McCracken. Take it out of the record. House Bill 1854. Senator Madigan. Senator Madigan. Take it out of the record. Top of page 24. House Bill 2152. Senator Farley. Senator Farley. Take it out of the record. House Bill 2163. Senator Berman. Senator Berman. Take it out of the record. House Bill 2442 <sic>. Senator Topinka. Read the bill.

SECRETARY HARRY:

House Bill 2242.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 2262. Senator McCracken. Senator McCracken. Take it out of the record. House Bill 2272. Senator McCracken. Senator McCracken. Take it out of the record. 3rd Readings. This is final passage now. On the bottom of page 3, House Bill 45. Senator Hasara. Take it out of the record. House Bill 69. Senator Hawkinson. Read the bill.

SECRETARY HARRY:

House Bill 69.

(Secretary reads title of bill)



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3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 69 is the Home Alone Bill. We've amended it in -- in the Senate to put it in essentially the same form as Senate Bill 246. However, we're going to send this to conference committee. There's still some differences between the House and the Senate. So this will not be the final product. But as it is now, it's in the same form as the bill we sent over the first time, and I would ask for your approval to keep this process going. Be happy to answer any questions.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, on the -- on the question -- oh, the question is, shall House Bill 69 pass. All those in favor shall signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, 1 voting Present. House Bill 69, having received the required constitutional majority, is declared passed. House Bill 96. Senator McCracken. Senator McCracken. Take it out of the record. House Bill 113. Senator Hawkinson. House Bill 113. Senator Hawkinson. Read the bill.

SECRETARY HARRY:

House Bill 113.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill is proposed by the SHARE

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organization which has facilities in Peoria, Springfield, Rockford and Chicago, cosponsored by myself, Senators Hasara, Syverson and Shadid, and it allows a municipality to determine whether to exempt a not-for-profit food distribution agency. It's been amended at the request of the committee to tighten the language so that it only has application to this type of not-for-profit organization that sells food in a food distribution program at a price below the retail cost. It's an important program in our area and several other areas of the State. They had no idea that they were going to be taxed. The municipalities involved do not want them taxed. But in any event, the municipalities will have the final say-so on this question. And I would ask for your support.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If -- if not, the question is, shall House Bill 113 pass. Those in favor will signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, no voting Present. House Bill 113, having received the required constitutional majority, is declared passed. Channel 3-WCIA has asked permission to film our Session today. Is leave granted? Leave is granted. House Bill 115. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Burzynski.

SENATOR BURZYNSKI:

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

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This amends the Vehicle Code. Provides that farm vehicles are allowed to travel at an overweight from September 1 through October 31, during the harvest season. Be more than happy to answer any questions.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? The question is, shall House Bill 115 pass. All those in favor will signify by saying Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 54 Ayes, no Nays, no voting Present. House Bill 115, having received the required constitutional majority, is declared passed. House Bill 118. Senator Mahar. Take it out of the record. House Bill 132. Senator Watson. Senator Watson? Take it out of the record. House Bill 176. Senator Dudycz. Take it out of the record. House Bill 184. Senator Peterson. Out of the record. House Bill 246. Senator Collins. Senator Collins? Take it out of the record. House Bill 248. Senator Cronin. Senator Cronin. Take it out of the record. House Bill 282. Senator Watson. Take it out of the record. House Bill 299. Senator Mahar. Take it out of the record. House Bill 300. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. Last week we amended this bill. This is the vehicle to address the leaking underground storage tank issue. There is still no agreement yet. This bill will be going to conference committee. It is my hope that I would

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get the support of the Body to move this to the House and into the hands of Representative Novak until an agreement is reached. As I say, it will be going to conference committee. I'll be happy to answer any questions.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, the question is, shall House Bill 300 pass. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 53 Ayes, 1 Nay, 1 voting Present. House Bill 300, having received the required constitutional majority, is declared passed. House Bill 317. Senator Karpziel. Senator Karpziel. Take it out of the record. House Bill 328. Senator Berman. Take it out of the record. House Bill 344. Senator Woodyard. Senator Woodyard. Take it out of the record. House Bill 354. Senator Jacobs. Senator Jacobs. Take it out of the record. House Bill 377. Senator LaPaille. Senator LaPaille. Take it out of the record. House Bill 391. Senator Dudycz. Read the bill.

SECRETARY HARRY:

House Bill 391.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 391, 391 as amended, is legislation which was requested by the Chicago Board of Education. When it arrived from the House, it required all Chicago high schools to maintain closed campuses. That provision was removed in Senate Amendment No. 1. Senate Amendment No. 2 made a few additional changes, including

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clarifying that the bill applies only to the employees of the Chicago School District. Now the bill makes the following changes with regard to teacher dismissals in Chicago. First of all, it provides that evaluations done by a principal after the remediation period of a teacher must be issued within ten days of the completion of the remediation period. Second, the Board of Education cannot lose jurisdiction to procedure with a dismissal, as long as a principal issues the evaluation within thirty days. Third, the evaluation done after the remediation period is deemed separate and apart from the annual evaluations, and the same forms need not be made for both. Fourth, if a teacher dismissal hearing officer fails to render a decision within forty-five days of the hearing, the State Board is required to communicate with the hearing officer to determine when a decision could be expected. And fifth, if the hearing officer fails to reach a decision within six months, the State Board of Education may provide both parties with a new list of impartial hearing officers, one of whom shall be selected to rehear the charges. The bill provides that if a principal commits a material breach of the principal's uniform performance contract, before the local school council may seek dismissal, the LSC must give the principal written notice of the alleged breach thirty days prior to voting to recommend dismissal of the principal. And the bill also allows the Chicago -- Chicago Board of Education to develop procedures for the dismissal of subdistrict superintendents for cause by rule. The bill is supported by the Chicago Board of Education, the Mayor of the City of Chicago and various school reform groups, such as Leadership for Quality Education, the Chicago Urban League and Designs for Change.

PRESIDENT PHILIP:

Any further discussion? Senator Berman.

SENATOR BERMAN:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to commend the sponsor, because he has made some very important improvements of the bill from the way it was originally adopted. I think that the -- the union is still opposed to it. The subdistrict superintendents have a provision in here that allows the Board of Education to adopt rules on its own as to how to dismiss those subdistrict superintendents. I have not heard from them, so I presume that they're willing to live with that. The sponsor has also indicated that he has not. I think that this bill, when it gets back to the House, will probably see some more changes. So I suggest that -- in the way that it's presently formed, if you don't want to change any of the rules, you'd probably vote No, but I think that it makes some important changes that help both sides in the dispute.

PRESIDENT PHILIP:

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

SENATOR DUDYCYZ:

Just seeking affirmative support.

PRESIDENT PHILIP:

On the -- the question is, shall House Bill 391 pass. Those in favor, will signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, 44 Ayes, no Nays, 9 voting Present. House Bill 391, having received the required constitutional majority, is declared passed. House Bill 392. Senator Berman. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Berman.

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SENATOR BERMAN:

Thank you, Mr. President. As amended, this bill does two things. It requires a child to submit proof of immunization before the beginning of the school year, rather than thirty days after the beginning of the school year. It moves the date up from October 15th to the first date of school. The second part deals with the three community -- commuter community colleges, which provides that they are exempt from the College Student Immunization Act that applies to all other residential-type universities. This was debated at great length last week, and I solicit your Aye vote.

PRESIDENT PHILIP:

Any further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in strong support of this bill. Urge a Yes vote.

PRESIDENT PHILIP:

Senator -- any further discussion? If not, Senator Berman, to close.

SENATOR BERMAN:

Ask for your favorable vote.

PRESIDENT PHILIP:

On the question -- the question is, shall House Bill 392 pass. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 54 Ayes, no Nays, no voting Present. House Bill 392, having received the required constitutional majority, is declared passed. House Bill 419. Senator DeAngelis. Get back in your seat, Senator. Out of the record. House Bill 462. Senator Hasara. Out of the record. House Bill 468. Senator Topinka. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

House Bill 468.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, this would allow community colleges to invest in mutual funds that invest primarily in corporate investment grade or global government short-term bonds. This would also prohibit the University of Illinois from excluding ROTC courses in its course catalogs or student transcripts. This also adds a very important provision. This is Senator Hall, Watson, Dunn's and my provision, which comes out of very extensive Legislative Audit Commission meetings and basically twenty years of really poorly run operations over at the College of East St. Louis. And the amendment gives a number of provisions that would take effect in the event that East St. Louis rejects the November 1994 referendum on the creation of a stand-alone community college. If you have any further questions on that part of -- of the bill, I would certainly cede to either Senators Hall, Watson or Dunn. But this is what the entire bill does, and at this point I don't think it has any opposition.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, the question is, shall House Bill 468 pass. All those in favor, signify by saying Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, no voting Present. House Bill 468, having received the required constitutional majority, is declared passed. House Bill 469.



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Senator Molaro. Take it out of the record. House Bill 494.  
Senator Raica. Out of the record. House Bill 502. Senator  
Watson. 502. Read the bill. Take it -- take it out of the  
record. House Bill 532. Senator Watson. Read the bill, Madam  
Secretary.

ACTING SECRETARY HAWKER:

House Bill 532.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. House Bill 532 would allow  
the school board to hold a referendum for the purpose of  
increasing the Education Fund tax rate for a period of time for --  
of at least three, but not more than ten years. And it would  
allow a school district in Senator Kenny Hall's area to exceed its  
debt limit by an amount not to exceed four and a half million  
dollars, for the purpose of additional indebtedness to replace a  
school building that has been closed due to mine subsidence. And  
we added an amendment on in committee that was the content of  
House Bill 2010, and that bill passed the House but was not picked  
up by a Senate sponsor. And that amendment would provide that a  
parent-teacher advisory committee on school discipline develop  
procedures to maintain a reciprocal reporting system between the  
school district and law enforcement agencies within the community.  
This came to us by way of the Illinois Association of Chiefs of  
Police and the State's Attorneys' Association. I know of no  
objections, and appreciate a positive roll call.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, the  
question is, shall House Bill... Excuse me. Senator Hall.

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Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just wanted to say this is a good bill. Let's get all the green lights up there.

PRESIDENT PHILIP:

Any further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT PHILIP:

The sponsor indicates he'll yield. Senator Jones.

SENATOR JONES:

Senator Watson, what are we mandating that they do, and can you tell us how much money is provided for the mandate?

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

A fiscal note was suggested, and they said that there was -- State Board of Education said there was no cost involved.

PRESIDENT PHILIP:

Senator Jones.

SENATOR JONES:

Then what are we mandating that take place as a result of this legislation? We are mandating something. Could you tell the Body, what are we mandating by this bill?

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

Senator, I guess you're referring to the committee amendment that was adopted. I don't believe there is a mandate in the original provisions of the bill. But we're just saying that

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parent-teachers' advisory committees on school discipline develop procedures to maintain a reciprocal reporting system between school districts and local law enforcement agencies. I'd see -- that'd be a minimal cost, at best.

PRESIDENT PHILIP:

Senator Jones.

SENATOR JONES:

Well, we weren't talking about the minimum cost. What we are doing, again, whether the bill is good or bad, and we constantly hear what we are mandating on these school districts. This is another example of the hypocrisy. If you are for -- or you are against mandates, then you would not pass this type of legislation and, at the same time, not provide the necessary funds to carry out the mandates. So again, here's another unfunded mandate that's being pushed on the various local school districts. And again, I just wanted to point that one point out.

PRESIDENT PHILIP:

Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDENT PHILIP:

Indicates he'll yield.

SENATOR WELCH:

Senator Watson, this bill allows one school district down in your area to exceed its debt limit by four and a half million dollars. I think that's still in there. Can you tell me, how are they going to pay that back? Is there a referendum, or have they -- how are they raising the money to pay off that debt?

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

It's not in my district, Senator. It's in Senator Hall's

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district. It was an amendment that was put on by Monroe Flinn in the House, but it would be paid back by life safety bonds.

PRESIDENT PHILIP:

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

SENATOR WATSON:

Well, the discussion revolved around, unfortunately, a mandate that really isn't truly there. Local school officials have supported this, the School Board Association and School Alliance. So I see that -- they're the ones who usually oppose any additional mandates. They support this legislation. So I would ask for a favorable vote.

PRESIDENT PHILIP:

The question is, shall House Bill 532 pass. All those in favor will signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 52 Ayes, 1 Nay, 2 voting Present. House Bill 532, having received the required constitutional majority, is declared passed. House Bill 543. Senator LaPaille. Senator LaPaille. Take it out of the record. On the top of page 6. House Bill 564. Senator Cronin. Senator Cronin. Take it out of the record. House Bill 596. Senator Woodyard. Senator Woodyard. Read the bill, Madam Secretary. Do you wish this bill to return to 2nd Reading for the purpose of an amendment? All right. Senator Woodyard requests House Bill 596 be returned to 2nd Reading for the purpose of an amendment. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. The bill is returned to 2nd Reading. On the Order of 2nd Reading is House Bill 596. Mr. -- Madam Secretary, are there any other Floor amendments approved for consideration?

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Floor Amendment No. 1, offered by Senator Woodyard.

PRESIDENT PHILIP:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 1 to House Bill 596 - 596 is the Korean Veterans' War Memorial license plate, and Amendment No. 1 simply puts into the same area of the fee increase, or the fees that would be applied to that plate, the same as the other plates, which would be an initial fifteen-dollar fee and then two dollars per year. And that's what the amendment does, and I would move for its adoption.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, all those in favor, signify by saying Aye. Those opposed, Nay. The -- the amendment is adopted. Are there any further Floor amendments that have been approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments have been approved, Mr. President.

PRESIDENT PHILIP:

3rd Reading. 609. Senator Madigan. Senator Madigan. 609. Take it out of the record. 611. Senator Peterson. Out of the record. 671. Senator Collins. Senator Collins. Out of the record. House Bill 749. Senator Watson. Senator Watson. Take it out of the record. House Bill 765. Senator Cullerton. Senator Cullerton. Take it out of the record. House Bill 766. Senator Cullerton. Take it out of the record. House Bill 797. Senator Farley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 797.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 797 would amend the Prevailing Wage Act in regards to what is commonly called "whistle blowers". What this does is prohibit the discharge, discrimination or discipline of any employee or employees' representative who files an action under the Prevailing Wage Act or has or will testify in any case of action regarding a violation of the Act. It requires the Director of Labor to investigate such actions and to make a determination. We adopted Senate Amendment No. 2 that deleted the provision which allows an employee to recover legal expenses. This was an amendment negotiated between the AFL-CIO and the management associations. And with that, Mr. President, I would move for the passage of House Bill 797.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, the question is, shall House Bill 797 pass. All those in favor will signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the -- on the question, there are 54 Ayes, no Nays, 1 voting Present. House Bill 797, having received the required constitutional majority, is declared passed. House Bill 819. Senator Mahar. Senator Mahar. Take it out of the record. House Bill 837. Senator Hasara. Senator Hasara. Take it out of the record. House Bill 898. Senator Maitland. Take it out of the record. House Bill 904. Senator LaPaille. Senator LaPaille. Take it out of the record. House Bill 930. Senator Watson. Take it out of the record. House Bill 935. Senator Topinka. 935. Take it out of the record. House Bill 936. Senator Barkhausen.

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Senator Barkhausen. Take it out of the record. House Bill 967.  
Senator LaPaille. Senator LaPaille. Take it out of the record.  
House Bill 979. Senator O'Malley. Do you wish this bill  
returned to 2nd Reading for the purpose of amendment, Senator  
O'Malley?

SENATOR O'MALLEY:

Yes, I do.

PRESIDENT PHILIP:

Return the bill. Oh, excuse me. Senator O'Malley seeks leave  
to return House Bill 979 to 2nd Reading for the purpose of  
amendment. All those in favor, signify by saying Aye. Those  
opposed, Nay. Ayes have it. The bill is returned to 2nd Reading.  
On the Order of 2nd Reading is House Bill 979. Mr. <sic>  
Secretary, are there any other Floor amendments approved for  
consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Cullerton.

PRESIDENT PHILIP:

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This  
amendment was adopted in committee, and it basically allows for a  
-- an exemption to the effects of the bill as it relates to a  
recycling facility for tires. And it is, I believe, agreeable to  
the sponsor of the bill, and I'd move for its adoption.

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, all those in favor,  
signify by saying Aye. Those opposed, Nay. The Ayes have it.  
The amendment is adopted. Is there any further amendments  
approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

Floor Amendment No. 5, offered by Senators Peterson and Stern.

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PRESIDENT PHILIP:

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Amendment 5 provides that incinerators which use biomass as fuel qualify for the -- preferential rate treatment. This passed in committee, and I ask for adoption by the Senate.

PRESIDENT PHILIP:

Any further questions? Any further discussion? All right. On Amendment No. 5, all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendment approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments approved, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 980. Senator Cronin. Senator Cronin. Take it out of the record. House Bill 1009. Senator Ralph Dunn. Take it out of the record. House Bill 1029. Senator LaPaille. Read the record. Senator LaPaille seeks leave to return House Bill 1029 to 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there any other amendments? On the Order of 2nd Reading is House Bill 1029. Madam Secretary, are there any other Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator LaPaille.

PRESIDENT PHILIP:

Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Mr. President. This is a clarifying amendment per the request of the Senate Judiciary Committee. It will clarify



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that restitution is paid to the clerk, who then transmits it to the victim. And I ask for its adoption.

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Floor Amendment No. 2 is adopted. Are there any other Floor amendments approved for consideration?

PRESIDENT PHILIP:

No further amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 1032. Senator Woodyard. Out of the record. House Bill 1037. Senator Palmer. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1037.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. This bill does two things. First, it permits the Department of Public Aid to implement a three-year pilot program of preventive physical examinations for recipients of AFDC. This is supported by the Department of Public Aid and a number of children's lobbies. And secondly, it asks the Department of Public Aid to executive a longitudinal examination of the Department's JOBS Program and its impact on participants' level of self-sufficiency, skills, earnings and long- and short-term welfare dependency. And I ask for a favorable roll call. I'll be happy...

PRESIDENT PHILIP:

Any further discussion? Senator Hall.

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SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT PHILIP:

She indicates she'll yield. Senator Hall.

SENATOR HALL:

Senator, I see that according to this, there are twenty-two different types of public meetings from the old Meeting Act.

PRESIDENT PHILIP:

Senator Palmer. You got him straightened out? All right. Any further discussion? If not, the question is, shall House Bill 1037 pass. All those in favor will signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, no voting Present. House Bill 1037, having received the required constitutional majority, is declared passed. House Bill 1032. Senator Woodyard. Out of the record. House Bill 1039. Senator Madigan. Take it out of the record. House Bill 1092. Senator Cullerton. Senator Cullerton. Take it out of the record. House Bill 1102. Senator Cullerton. Take it out of the record. Top of page 8. House Bill 1125. Take it out of the record. House Bill 1126. Senator Burzynski. Out of the record. House Bill 1147. Senator Smith. Senator Smith. Take it out of the record. House Bill 1155. Senator Geo-Karis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1155.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House

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Bill 1155 establishes a Senior Volunteer Service Credit Program, and it establishes home-delivered meals as a necessary and preventive service under the Community Care Program operated by Department of Aging. And it calls upon the Department of Aging to develop standards and guidelines for a Senior Volunteer Credit Program, to hold public hearings on those guidelines. And I -- there is no fiscal impact, and I ask for a favorable vote.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall House Bill 1155 pass. All those in favor will signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, 56 Ayes, no Nays, no voting Present. House Bill 1155, having received the required constitutional majority, is declared passed. House Bill 1163. Senator Mahar. Take it out of the record. House Bill 1203. Senator Cullerton. Senator Cullerton. Take it out of the record. House Bill 1218. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. House Bill 1218, as amended, does the following things. First of all, it establishes a school district loan program funded by State appropriations and administered by the Illinois Development Finance Authority, IDFA, which is what I just -- the Illinois Development Finance Authority is to establish criteria for determining eligibility for loans and for determining amount in

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terms of each loan. The interests on loans may not exceed the interest charged at the time to borrowers under the Higher Education Student Assistance Act. Loans may used only for educational purposes expenditures as are authorized to be made out of the Education Fund. An amendment offered by the Senate, Senate Amendment No. 1 to House Bill 1218, does the following: It allows all school districts to utilize noncertified personnel to supervise study halls, long distance learning reception areas and detention and discipline areas. It allows any such clock hours spent under the supervision of such personnel to count toward the 5-clock-hour requirement under the State Aid Formula.

PRESIDENT PHILIP:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. If the sponsor would indicate, is this bill headed for a conference committee? Because I see there's a provision in here that allows the Finance Development Authority to provide some interest -- low-interest loans to school districts for educational purposes, and perhaps you would explain to us where that -- where that's coming from and from what benefactor this...

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Senator Demuzio. As I understand the House sponsor, Representative McAfee, provides that this would be subject to the appropriation process. And as you pointed out in the Education Committee, there is no appropriation to fund that part of the bill.

PRESIDENT PHILIP:

Senator Severns.

SENATOR SEVERNS:

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

PRESIDENT PHILIP:

He indicates he will. Senator Severns.

SENATOR SEVERNS:

As a follow-up, Senator: Then right now the appropriation fund has not been designated - that is correct?

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

That's correct.

PRESIDENT PHILIP:

Senator Severns.

SENATOR SEVERNS:

Thank you. Which fund would you anticipate, or what is the intent?

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Senator Severns, the fund is not identified, and as -- again, as Representative McAfee explained to me, he was hopeful that this part of the bill would -- would be in place, and when additional funding was available for education, that this was a worthwhile venture on our part.

PRESIDENT PHILIP:

Senator Severns.

SENATOR SEVERNS:

Just one last question, then. Do you anticipate a special fund being established?

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

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It -- it is certainly a possibility, Senator Severns, but it is not something that's designated in this bill. And I don't know that the House sponsor has any other answer than the one I just gave. Thank you.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall House Bill 1218 pass. All those in favor will signify by voting Aye. Those opposed, vote Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 52 Ayes, no Nays, 2 voting Present. House Bill 1218, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR WEAVER)

Senate Bill -- House Bill 1230. Senator Smith? Out of the record. Senator Hawkinson, on 1235? Senator Geo-Karis, on 1249? Do you wish the bill called? Senator Cronin, on -- out of the record. Senator Hasara, on 1261? Out of the record. Senator Donahue, on House Bill 1302. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1302.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Bill 1302 allows a motion to modify a custody order to be heard if any one of the following things occur: a petition has been filed for a child to be removed from the State; second, if a child's been temporarily removed from the State for more than thirty days; or third, if a child's been permanently removed from the State without permission. I think this is an important

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situation to be addressed in this legislation, and I would hope for a favorable roll call. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she will, Senator.

SENATOR CULLERTON:

Senator, just to refresh my memory, is this the -- the bill -- we debated the amendment on the Floor, did we? This was the bill that Representative Skinner is the sponsor of, and we reached an agreement in committee, or suggested agreement, and this amendment codifies that?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR CULLERTON:

As I -- as I understand it though, ...(microphone cutoff)...people who are opposed to the bill. Are the Bar Associations still opposed to the bill? Is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

I'm not real sure. We put the bill in the form that the Illinois Bar Association wanted. So I would hopefully think that it would -- they wouldn't be opposed, but I'm not sure.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Donahue, do you wish to close?

SENATOR DONAHUE:

I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

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The question is, shall House Bill 1302 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 55, the Nays are none, 1 voting Present. House Bill 1302, having received the constitutional majority, is declared passed. Senator Peterson, on 1316? Out of the record. Senator Cullerton, on 1319? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1319.

(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. Last year, as we're well aware, the Crime Victims' Rights Constitutional Amendment passed with the approval of our citizens in the State of Illinois, and this bill is an attempt to codify, by enacting legislation, that constitutional amendment, so as to enforce the rights of the crime victims of our State. That constitutional amendment included certain rights for victims, including, but not limited to, receiving notification of court proceedings, the right to communicate with the prosecution, the right to make a statement to the court at sentencing, to receive information about the conviction, imprisonment and release of the accused. It also allows the victims to hear about the disposition of the case following arrest, to be protected from the accused during the criminal justice process and, with certain limitations, to be present at the trial. It's also given -- the victim is given the right to have an advocate or other support person of that victim's choice be present for court proceedings. I think this is a very



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important bill. It does, contrary to what some people have said didn't do much -- I think if you look at the provisions of this bill, for example, by allowing a crime victim the right to prepare a victim impact statement and to present that to the State's attorney's office, to be present and to be notified of the rights -- the rights to be notified of what's going on during a trial, is a very significant improvement on the status quo. I think this is a very important piece of legislation, as it was an important constitutional amendment, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Klemm.

SENATOR KLEMM:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR KLEMM:

It appears on the analysis, Senator, that the bill gives the victims of violent crime apparently twenty-four rights, but I see there appears to be no enforcement mechanism. And I was concerned about if a right was violated, then, of a victim, which we all support their rights, and there is no way for the victim, then, to gain redress -- if, in fact, there's no penalty, I'm wondering, what does the victim gain? And it seems that they're no better off than they were without the constitutional amendment if there's no penalty for not giving them their just due.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

No, I disagree with you, Senator. This bill directs, for the most part, judges and the State's attorney as to what the procedures are with regard to victims in the criminal justice process. Now, I certainly am not going to put a criminal penalty

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in here for, you know, the State's attorneys or for the judges. This is a constitutional right. This bill codifies that constitutional right. And of course, if -- if there was some State's attorney around the State of Illinois that chose to intentionally violate the clear provisions of this Statute, ultimately someone would have to bring a lawsuit, but the fact that it's a constitutional amendment, and the fact that it's clearly stated in the law, does provide the enforcement provisions that are necessary to ensure the rights of these victims.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Well, it seems to me, Senator, that the existing law already has that. And if -- if a victim were denied any restitution, I mean, what recourse would they have? And as you know, I think, there's no right for suit now, and I don't think that when you said you could sue them, that that would be allowed, and I don't agree with that. Maybe you could clarify that for us.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Well, you're right. Because there's a constitutional amendment that's on the books, the way that someone can enforce it is to file a lawsuit citing the Constitution. That -- that much I -- I agree with you on. However, this bill gives specifics to that constitutional amendment. This talks -- and as a matter ... (microphone cutoff) ... as a matter of fact, some of the things in here are at the request of the State's attorneys, so that they have clear direction as to how they are supposed to enforce the rights of the victims. So the fact is, the bill flushes out the constitutional amendment. It makes it clear to the State's attorney, the judges and the victim what their rights are. If

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there's a question about them not being enforced, ultimately it would come down to a lawsuit, but hopefully, because we will pass this bill, that lawsuit will be unnecessary.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler.

SENATOR BUTLER:

Will the Senator yield, please?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR BUTLER:

Senator, in talking this over with several trial lawyers over the weekend, it was their opinion that this is more or less a rewrite. There are twenty-four rights now, and they felt that it merely -- merely restated the same -- the same twenty-four, and perhaps a couple more. But the main objection they have: it's voluntary. In other words, there's no enforcement mechanism in here for prosecutors, judges or State agencies. So what are we gaining by this?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Well, Senator, I congratulate you on working over the weekend by talking to trial lawyers about one of the bills. I think this is very important for you to understand; that when you have a constitutional amendment, it doesn't get into all of the details of how it should be implemented. It sets out certain rights, and it's true that those rights are in the Constitution. So if you want me to give you an example of -- of what this bill does beyond what the Constitution says; it makes it clear, for example, that nothing in this Act creates a basis for vacating a conviction or a ground for appellate relief in a criminal case if one of the provisions were not followed. For example, it also says that the

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State's attorney shall make a good-faith attempt to explain the minimum amount of time during which a defendant may actually be physically imprisoned, and shall notify the victim of the right to request the Prisoner Review Board for the information. There was some question as to who should have to provide that information. So, the fact is, we do have a constitutional amendment on the books, but we need to have a bill to implement that constitutional amendment. This is important not only for the victims, but as well for the State's attorneys, so that they have a clear direction as to how they're supposed to proceed in conformity with the constitutional amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler.

SENATOR BUTLER:

I'm sorry. I misspoke before. I didn't mean trial lawyers. I meant criminal lawyers. That -- that may be a juxtaposition there. I'm still bothered that -- that I can't detect an enforcement procedure in here. It's voluntary; do you agree?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Senator, as I indicated, this gives direction to the State's attorneys and the judges as to how they should treat certain victims. We have a constitutional amendment that gives the broad outlines. This bill gives some of the specifics. Now you asked about enforcement. If the State's attorneys want to violate this Statute, or the judges want to violate this Statute, my suggestion is, rather than put a criminal penalty in, or a fine - you're not going to fine the judge or the State's attorney - you put in the clearest status of the law and what the law is intended to mean. And if someone feels that their rights are being violated, they have to file a lawsuit. That's really the only practical way, in

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order to implement the provisions of this Statute.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler.

SENATOR BUTLER:

Well, I was just -- whispered in my ear -- ear that your bill prohibits lawsuits. Is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Let me check. I'll be right back to you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

No. I don't believe that's the case, Senator. As I said, there are certain limitations that we put in the bill to make sure that there's not a basis for vacating a conviction or for a ground or for appellate relief in a criminal case. But I certainly don't think that we, in this Statute, are intending to deprive someone of their constitutional rights. If their constitutional rights are violated, they can always bring a lawsuit. You asked me what kind of enforcement provisions we have in here. I suggest to you, I don't see why we -- what we can do, short of making it a criminal penalty for a judge or a State's attorney to follow the law. And I don't think we ought to do that. If you think we ought to do that, you can offer the amendment, and we can debate it. But I think that the provisions are clear, that the State's attorneys and the judges in this State will follow the law, and if there has to be -- if there's one that does not want to, a lawsuit can be provided -- be brought forward to ensure the rights of the victims.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler.

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SENATOR BUTLER:

Well, Senator, I call your attention to line 51, in which it says, "...the <sic> (this) Act shall not impose civil liability upon the individual..." et cetera, et cetera. That seems to me to preclude. It's in your amendment. That's Amendment No. 1, second page, line 50 onward.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator McCracken.

SENATOR MCCRACKEN:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I rise with what I think are the same reservations already expressed. This really doesn't seem to do much. There are already twenty-four rights enumerated in the Statute. In large measure, this rewrites them. I do agree with Senator Butler - this does not give a cause of action to the victim for any violation of the requirements or admonitions set forth in this bill. It does not address or limit any right they may have as victims under civil law; however, there is no enforcement in this bill or this Act. A right without an enforcement mechanism is not much of a right. I don't believe this is a crime victims' bill of rights. I just believe it's a little more politics late in the spring. I respectfully rise in opposition.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Cullerton may close.

SENATOR CULLERTON:

Yes. I was in the middle, Mr. President, of answering the question of Senator Butler, and I thought I would finish by giving that answer. Senator Butler, the amendment talks about not being able to impose civil liability upon the -- the individual - that is, the State's attorney - for failure to provide -- to follow one of the provisions of this Act. But that doesn't mean that the

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victim can't bring a lawsuit to enforce the provisions of the Act. And that's what this bill is all about. This bill spells out directly, to the State's attorneys and to the judges of this State, what the provisions of the constitutional amendment are. This bill is very important to the State's attorneys and to the judges in this State, as well as the victims, because it flushes out the constitutional amendment. I would suggest that this is not the type of bill to play politics with. This is about the victims of crime. It's a very important measure, and I would urge everyone to vote for the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 1319 pass. Those in favor, vote Aye. 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 38, the Nays are 14, 2 voting Present. House Bill 1319, having received the constitutional majority, is declared passed. 1331, Senator Cronin? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1331.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1331 seeks to amend the Criminal Code to make some changes in the provision for cable TV service unauthorized use thereof. We essentially seek to raise penalties for unauthorized use of TV interception and decoding devices. It defines some specifics. And specifically, I will tell you that there are three changes. Number one, the current law provides

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that -- prohibits the obtaining or use -- using cable TV service without authorization. This proposal seeks to go a little bit further and says without authorization for remuneration. The second change pertains solely to the unauthorized use of decoding devices. The -- the proposed change would change this Section to make it conform with the unauthorized interception of cable television with the unauthorized use of a device to intercept cable TV and make both crimes a Class A misdemeanor. Finally, the third change that this proposal seeks to make is with respect to prohibiting leasing of decoding devices, as well as laying out the fact that there will be a prima facie case made when a device is purchased, and finally, that violation will constitute a Class 4 felony. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would entertain that.

SENATOR WELCH:

Senator, on my local cable TV, they keep running an ad that says it's a federal violation to utilize a splitter on your cable. Now, is the federal penalty more than the State penalty? Is this a jurisdictional dispute between where you get prosecuted for having two TVs with the same cable?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Well, evidently, the FCC has been working with the FBI to come up with a state -- or a nationwide approach, but they have encouraged the cable TV industry to -- to seek this type of legislation on a state-by-state basis.



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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. Perhaps, Senator, you could tell us, how many potential people are there out there that are currently using cable that are unauthorized? Do you have any idea?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Well, I'm not exactly sure about the number of people, but the cable TV industry estimates that 4.7 billion dollars a year are -- are stolen, or is a theft, from the cable TV industry as a result of this diversion of services. So, it's a pretty substantial amount of money, and there must be a significant number of people that are involved.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Stern. Is your light on, Senator Demuzio? Senator Demuzio.

SENATOR DEMUZIO:

It was. Somebody must have turned it off up there. I guess this is a -- where someone over here said we're -- we're letting prisoners out of the prisons early on, and I guess this is our get-tough-on-crime bill. Is it -- is it now going to be a Class 4 felony, a ten-thousand-dollar fine, one to three years, for a person who is convicted of -- of using -- unauthorized use of a television through a decoding device, or -- or somebody who goes out and runs a separate line now to a telephone pole with a cable signal? We're going to put them in jail for one to three years, on a Class 4 felony - is that right?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

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SENATOR CRONIN:

Senator Demuzio, there is an increase in penalty sought in this legislation. It's not mandatory. It's probationable. We're talking about serious crimes when -- you're talking about billions of dollars that are stolen every year.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio.

SENATOR DEMUZIO:

Somebody turned my light off again.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio, the Chair doesn't have that prerogative.

SENATOR DEMUZIO:

Well, somebody does.

PRESIDING OFFICER: (SENATOR WEAVER)

Or ability.

SENATOR DEMUZIO:

Well, God must be up there somewhere. But it is, in fact, going to be a Class 4 felony now for anybody who has a decoding device or anybody who intercepts the signal. What happens if somebody in their house has two television sets and they decide to add a third one? Is that a Class 4 felony also without notifying the cable company?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

No. Senator Demuzio, as I stated in the -- my opening remarks, with regard to the use of the decoding device, that's a Class A misdemeanor. The Class A misdemeanor provisions provide -- are -- are applicable only in the use of decoding devices, and that's what the current law is. We're talking about people who use decoding devices and then sell it for remuneration. They go to a -- an establishment and they say, "Hey, I can sell you these

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decoding devices and I can share in the profits of the diversion of these services." And you're talking about a lot of money. So, yes, it is a Class 4 felony in that circumstance.

PRESIDING OFFICER: (SENATOR WEAVER)

Are you -- have you completed your questioning, Senator Demuzio? Senator Stern.

SENATOR STERN:

Mr. President, will the Gentleman yield?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR STERN:

This particular Senator has a great deal of difficulty even understanding her VCR, and I wonder -- I'm not sure I know what we're talking about here. Will this make someone who owns a saucer a lawbreaker?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

If they are selling that saucer illegally to an outfit that seeks to divert cable TV signals for money. If the whole transaction is illegal and unauthorized.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The problem I see - and -- and, Senator Cronin, I -- maybe you couldn't think of a number - in many Statutes we put a dollar amount as to when it becomes a misdemeanor and moves up to a felony. When Senator Cronin earlier spoke of billions of dollars, I assume he meant in the aggregate. The problem that I see, especially in Chicago and in my district, they go to apartment buildings and the cable people - if you've ever seen an apartment

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building - they'll run cable to the building, and then they have a box on the side of the building that is somewhat inaccessible to the general tenants or general public, either they'll put it on the outside wall on the third floor or whatever they'll do to it. Now, they'll come once a week, once a month, whenever there is service, whenever there's a new tenant who's going to pay for the service, they'll go up to this box and all they do is either pull a switch or put a little marker in there - whatever it may be. And what I have found out, many, many, many times, that one of the tenants in the building will go up to other tenants and say, "Hey, the cable company was just out there. They took down about five or six that we have already gone out. I'm going to get up on a ladder, and I'm going to go out there and reconnect us." And he'll say, "I'm going to go up there. Each give me five bucks, and I'll go up and reconnect it. So this way, now you'll have cable even though you didn't pay for it." Now under your bill, the way I read it, that if he took the five dollars - and here's the only change you made - it's now a Class A misdemeanor for someone to do that. Someone in the building just to hook up their friends, even if it's for five bucks to go on this ladder. The only thing that's changed is in the sentencing. And in the sentencing, it says, A person convicted under this subsection is guilty of a Class A misdemeanor - this is your only change - "unless the person committed the offense for remuneration, in which event, it is a Class 4 felony". So if he goes up there for five dollars, he's doing it for money; he's doing it for remuneration. So that takes it out of the class of the billions of dollars that we're trying to protect. I don't want to become a show for the cable company and make sure that they make enough money so some -- and the way I'm going to do it is sit here in the Senate and tell somebody, "If you're out there picking up five or ten bucks on cable company, we're going to make it a Class 4

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felony. And even if it's probationable, you're going to have a felony conviction on your record." And I don't think that's what you want to do, and I don't think that's what we should be doing.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Cronin, to close.

SENATOR CRONIN:

Thank you very much, Mr. President. And the Senator's remarks are well-taken. Senator Molaro, I don't think -- if you take a careful look at this bill, it's not that much different than current law. Currently, the current law says that it's -- it's -- the law prohibits obtaining or using cable TV service without authorization of the cable TV operator, with the intent to defraud, sell or rent any instrument. That's a Class A misdemeanor. You're absolutely right. Now, when that person does that and then does it for money, yes, it becomes a Class 4 felony. You're absolutely right. It's not a mandatory sentence. It's probationable, and I think that it's -- it's reasonable when you consider the -- the enormity of the problem. I don't know about you, my fellow Senators, but I get a heck of a lot of complaints from constituents that talk about the increase in their basic cable TV service rate. That's probably the biggest complaint I get, next to property taxes. And if you want to do something about keeping cable TV prices and costs down for your constituents, for senior citizens who use it as about their only source of entertainment, you'd like to vote for this bill. I ask for your support.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 1331 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, the Ayes are 38, the Nays are 13, 3 voting Present. House Bill 1331, having received the

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constitutional majority, is declared passed. Senator Karpel, on 1341?

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR WEAVER)

Out of the record. Senator Mahar, on -- Senator Welch, on 1374? Senator Welch. Out of the record. Senator Hasara, on 1411? Out of the record. Senator Donahue, on 1426? 1426. Senator Donahue. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1426.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1426 started out to amend the Illinois Marriage and Dissolution Act to create a rebuttable presumption dealing with joint custody. Because of some of the opposition to this, what we have done is inserted that there is no presumption for joint custody under the law, and that's basically what House Bill 1426 does. And I would ask for your favorable roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall House Bill 1426 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Take the record, Madam Secretary. On that question, the Ayes are 37, the Nays are none, none voting Present. House Bill 1426, having received the constitutional majority, is declared passed. 1427, Senator Peterson? Out of the record. Senator Topinka. Senator Hawkinson, on 1476? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1476.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 1476 amends the Rape Shield Statute. It provides that evidence of a prior sexual activity or reputation of a victim is inadmissible, except as evidence regarding a conduct of the alleged victim with the accused or as otherwise constitutionally permissible. We amended it in the Senate to conform it with the language of the federal rules of evidence. I would ask for your support, and be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Geo-Karis?

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR GEO-KARIS:

Now under the current law, the prior sexual activity or reputation of the victim is not admissible, except as evidence concerning the past sexual conduct of the alleged victim with the accused. Now, the amendment that's on your bill, Senator

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Hawkinson, said that the rape shield evidence provision is changed so that the victim's reputation or past sexual conduct only comes in on the issue of consent. Can you explain to me how your -- your bill changes the current law?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hawkinson?

SENATOR HAWKINSON:

Thank you, Mr. President. Yes, Senator. There have been some cases, apparently, where evidence of prior conduct between the -- the accused and the victim has come in on issues other than consent. And it was the feeling of those who authored the Rape Shield Statute that really the only time it would be relevant would be on the issue of consent, and that's why this bill was proffered the way it was. Now, it was pointed out to me after committee, by Democratic staff, that the federal rules of evidence use the language, "or where otherwise constitutionally required to be admitted." And so I -- to avoid any conflict with the federal rules, we agreed to put that amendment on. But it is a slight narrowing because of a couple of cases that have gone beyond the original intent of the Rape Shield Law.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Hawkinson may close.

SENATOR HAWKINSON:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 1476 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 58, the Nays are none, none voting Present. House Bill 1476, having received the constitutional majority, is declared passed. Senator Mahar, on --



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out of the record. Senator Cronin, on House Bill 1489? Out of the record. Senator Berman, on 1498? Out of the record. Senator Watson, on 1507? Out of the record. Senator Maitland, on 1571? Out of the record. Senator Cullerton, on 1575? Out of the record. Senator Dudycz, on 1637? Out of the record. 1642? Out of the record. Senator Molaro, on 1695? Out of the record. Senator Collins, on 1716? Out of the record. Senator Geo-Karis, on House Bill 1718. Out of the record. Senator DeAngelis, on House Bill 1729? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1729, as amended, does two things. First, it clarifies existing law as to the taxation of leaseholds. If a tax-exempt property becomes taxable by virtue of the leasehold, any subsequent tax delinquency will not result in a lien against that property. Secondly, it clarifies existing law as to the taxability of systems that are installed into real estate and sold at one contract price, such as telephone or security systems. This language clarifies that these systems are not subject to the Retail Occupation Tax. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall House Bill 1729 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 57, the Nays are none, none voting Present.

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House Bill 1729, having received the constitutional majority, is declared passed. 1739. Senator DeAngelis? Out of the record. 1746. Senator Cullerton? Senator Cullerton? Out of the record. Senator Hawkinson, on 1778? Out of the record. Senator Barkhausen, on House Bill 1787. Out of the record. Senator DeAngelis, on 1816? Out of the record. Senator Topinka, on 1886? Out of the record. Senator Raica, on 1900? Senator Raica? Out of the record. Senator McCracken, on House Bill 1902? Out of the record. Senator Molaro? Senator Peterson, on 1922? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1922.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 1922 addresses an ambiguity in the Park District Code which requires contracts to be let after due advertisement. The bill itself provides that advertisement has to be done ten days in advance. The opening of the bids have to be done in public. Actually, they took the Statute that's currently used by school districts for the letting of bids and adopted that for park district purposes. The amendment provides an immediate effective date. It allows park districts to sell personal property in the same fashion that municipalities are authorized to do now, and that would be an extraordinary majority would have to approve the sale of personal property. Also clarifies the number of petition signatures necessary for the question of a dissolution of a park district on the ballot. I ask for your support as house -- on House Bill 1922, as amended.

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PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall House Bill 1922 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, Mr. Secretary. On that question, the Ayes are 54, the Nays are 3, none voting Present. House Bill 1922, having received the constitutional majority, is declared passed. Senator Smith, on 1935? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1935.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1935 requires grants, gifts and legacies for employment and training programs for public assistance clients to be deposited into the Employment and Training Fund. Now this is an initiative of the Department of Public Aid. The Department does not currently have statutory authority to receive foundation grants for employment and training programs for public assistance. This bill, with the amendment, would provide such -- authority. And I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall House Bill 1935 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, Mr. Secretary. On that question, the Yeas are 58, the Nays are none, none voting Present. House Bill 1935, having received the constitutional majority, is

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declared passed. Senator Raica, on 1941? Out of the record. Senator Madigan, on 1957. Out of the record. Senator Ralph Dunn, on 1965? Out of the record. Senator Watson, on 1985? Out of the record. Senator Smith, on 2043? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2043.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill, House Bill 2043, as amended, deletes all. House Bill 2043 changes the definition of a quote, "day care center," unquote, to include child care programs operating in senior citizen apartment buildings. Proponents are the senior citizens' group, children, lobbies and the DCFS. The bill, as amended, is a result of a -- negotiation between bill sponsors of DCFS. Per this amendment, child care can be provided in a day room or common areas of senior citizens' building. The facilities would be subject to licensing as a day care center. And seniors residing in the building would be able to assist in the care of children in accordance with DCFS rules and regulations. As passed by the House, House Bill 2043 defines "community family day care homes". I might add that because more women have entered...

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion?

SENATOR SMITH:

That's all right.

PRESIDING OFFICER: (SENATOR WEAVER)

If not, the question is, shall House Bill 2043 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open.

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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. House Bill 2043, having received the constitutional majority, is declared passed. Senator Klemm, on House Bill 2046? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2046.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. House Bill 2046 amends the Civil Administrative Code. It authorizes the Department of Central Management Services to charge State agencies occupancy-related fees and charges for the use of those facilities operated by the Department before, as well as after, May 31st, 1989. Currently, -- when agencies have an unexpected request and no money has been allocated for that request, CMS doesn't have the money in that budget to make those corrections, and therefore additional security guards or new doors or walls cannot be done because they don't have the dollars. This way the agency would be able to budget their own -- ask for those requests. CMS would then have the funds. It would be transferred into their agency allocation, and they can meet the expenditures. It seems to be a way that we can accommodate the agencies on their requests for their space and their facilities that right now we're unable to do. And I do ask for your support.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Garcia.

SENATOR GARCIA:

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

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PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will, Senator.

SENATOR GARCIA:

Thank you. Senator Klemm, I believe that there's an amendment pending in committee that's been filed on this.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Not that I'm aware of.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

I'm sorry. I didn't hear that.

PRESIDING OFFICER: (SENATOR WEAVER)

He said he was unaware of any amendment.

SENATOR GARCIA:

Well, as I understand, there's an amendment pending in the Rules Committee, and we were hoping that that amendment would be assigned for a hearing in the Committee on Government Operations tomorrow.

PRESIDING OFFICER: (SENATOR WEAVER)

What's your pleasure, Senator Klemm?

SENATOR KLEMM:

Well, I've had this bill and I've kept it on 3rd Reading without a call for -- for almost two weeks now, and I've not been contacted by anybody about it. I understand there has been some concerns. I've asked staff to try to resolve them together. There's been no agreement on any amendments, so I think I'd like to move the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

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Senator Klemm, I'm not objecting to the bill. We simply have filed an amendment which we were hoping to get a hearing on. And we're scheduled to meet tomorrow, the Committee on Government Operations, and we simply want to tighten up the bill, 2046, as it's presently drafted. It's not anything that guts the bill or does anything contrary to the intent of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, would rise at this point, in opposition. I thought that there was an understanding that we would clarify the bill to make sure that CMS was not in a position to charge rent to agencies as rent. CMS is not supposed to be in that business of charging rent for using the Thompson Center or the Stratton Building or the Ice Building or anything else. And the amendment would have clarified, as I understood it, that CMS would be able to charge, and should charge, for costs incurred for doing improvements requested by the user agency on properties owned by the State and which CMS operates. The language of the bill was unclear, which is why the amendment was offered to do that, and I thought that that amendment was going to meet with the approval and just be adopted by committee and on the Floor. And I don't understand why -- or what happened in that process to change that, and would suggest that the bill either be held so that the amendment could be presented, or maybe some clarification.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Klemm, to close.

SENATOR KLEMM:

Thank you, Mr. President. I've kept this bill on for a couple of weeks so that the -- both sides could kind of resolve any differences of opinion. Now, no one had the courtesy to come over

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to me particularly and say they have additional amendments that they want to add. I was told that every time an agreement was thought to have been reached, changes were requested again, and therefore it kept delaying it. We do have a situation where we have to move these bills. I'd be delighted to have had accommodated any Member in this Chamber, as I have in the past, but it seems as if no agreement can be reached. Now let me make assurances that this is not giving the agency authority to charge rent. That's not the intent. And it nowhere says that in the bill. So therefore, I think, for allowing the agency to at least be reimbursed -- CMS to be reimbursed for improvements and extra things that an agency wants of their own facility, seems to be fair and equitable. And I do ask for your support on House Bill 2046.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia, Senator Klemm was closing. I didn't see your light on when -- before he started closing. Chair recognizes Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. I was hoping that the sponsor would make an effort to accommodate what I certainly think is a reasonable request. And given that he doesn't seem to want to do that, I'm reluctantly forced to move to discharge the Committee on Rules from further consideration of this bill so that we can have an opportunity to at least debate the amendment on the Floor here now.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm, do you wish to close again?

SENATOR KLEMM:

Well, Mr. President, I guess I have to respond to the question that was raised, because I think I have been more than willing to leave this bill on for any type of amendment that could be worked



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out. So to suggest that I have not or will not work cooperatively is not correct. In fact, this bill has been around for so long that it's getting moldy. I think we've got to move it right away, and I do ask for your vote.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose do you arise, Senator Demuzio?

SENATOR DEMUZIO:

Well, I distinctly heard Senator Garcia make a motion, which is applicable at any time, and I would advise the Chair that that motion must be disposed of prior to the next order of business.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio, Senator Klemm had already closed. I recognized -- Senator Garcia's light was not on when I asked Senator Klemm to close. So the motion is out of order, as far as I'm concerned. We've closed, and we're ready to call the question. The question is, shall House Bill 2043 <sic> (2046) 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 34, the Nays are 24, none voting Present. House Bill 2046, having received the constitutional majority, is declared passed. Senator Demuzio has requested a verification. Mr. Secretary, would you call the roll of those voting in the affirmative?

SECRETARY HARRY:

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

PRESIDING OFFICER: (SENATOR WEAVER)

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

SENATOR DEMUZIO:

No.

PRESIDING OFFICER: (SENATOR WEAVER)

On a verified roll call, the Ayes are 34, the Nays are 24, none voting Present. House Bill 2048 <sic>, having received the constitutional... Excuse me. House Bill 2046, having received the constitutional majority on a verified roll call, is declared passed. Senator Molaro, on 2053? Out of the record. Senator Raica, on House Bill 2062? Out of the record. Senator Thomas Dunn, on 2097? Out of the record. Senator Welch, on House Bill -- out of the record. Senator Palmer, on House Bill 2121? Out of the record. 2122? Out of the record. Senator Philip, on House Bill 2123? Out of the record. Senator Ralph Dunn, on House Bill 2132. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. House Bill 2132 amends the Public Building Commission Act and provides that school districts, boards of education, the community colleges outside of Cook County, they change the definition of a "municipal corporation" by deleting those educational buildings from the Public Building Commission Act. Be glad to answer any questions. I appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall House

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Bill 2132 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 45, the Nays are 4, 4 voting Present. House Bill 2132, having received the constitutional majority, is declared passed. Senator Woodyard? On -- House Bill 2139, Mr. Secretary.

SECRETARY HARRY:

House Bill 2139.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. I probably am -- am not a proper person to be presenting a bill like this, since it did come through Judicial Committee -- Judiciary Committee, but it -- it certainly does at least attempt to address a problem that we've had in my district and I think quite a number of you. It does create a -- a petty offense for a new provision under the Criminal Code known as an unlawful visitation interference, and it deals with where -- where people do not allow visitation of -- of an ex-spouse for quite a number of reasons. It also certainly does spell forth in the bill what would be classified as an affirmative defense. And -- and, Mr. President, with that, I think it may be better to try to get some questions, or ask for passage of House Bill 2139.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I just thought I'd point out that this bill was heard in the Judiciary Committee, and one of the concerns that the Bar Association has is

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that currently if a person interferes with the visitation rights, he or she may be found in contempt of court, or a person may petition the court to modify the petition order or other nonpenal remedies. And as I understand this bill, this bill takes away the judge's power to interfere with the -- to hold that person in contempt of court, and instead chooses to provide for a -- a criminal offense for the -- the issue of violating -- interfering with visitation. So, it's been a controversial issue over the years, because many people felt that it wasn't necessary to go to a criminal route, but rather to have it handled within the judge's discretion through his power or her power to issue a contempt of court proceedings. That's why the Bar Association is opposed to the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Woodyard, to close. The question -- excuse me. Senator Collins, on 2139?

SENATOR COLLINS:

No -- yes. Question to the sponsor. I was trying to get your attention on the...

PRESIDING OFFICER: (SENATOR WEAVER)

All you have to do is press your button. When your light lights up, I'll call on you.

SENATOR COLLINS:

Yes. Senator -- question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR COLLINS:

You were talking pretty low, and I didn't quite -- it wasn't quite clear. If, in cases where there's the -- the custodial parent finds that the noncustodial parent is having problems or that the children may in some way be in danger and they would interfere with those visitation rights, are you saying now that --

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based on what Senator Cullerton's question was, how you responded to it, I'm not clear if these -- if this parent now could interfere but petition the court, I guess, for some kind of hearing.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR COLLINS:

Or would they...

SENATOR WOODYARD:

Senator - and I think that this also answers, or at least addresses Senator Cullerton's question - this can only apply if the court has -- if the person is convicted of -- of not allowing the visitation.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Berman.

SENATOR BERMAN:

I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he'll yield.

SENATOR BERMAN:

I -- Senator Woodyard, I'm not sure that I understand. You've got a situation here where someone is being charged with a criminal offense and the only way to avoid a civil contempt ruling is that -- is that they have been found guilty of the criminal offense. Is that what your explanation was, or did I misunderstand you?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

No.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

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SENATOR BERMAN:

Then explain it again, would you, please?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding that the only time that a person can't be -- all right. Let me read this. A person convicted - convicted - of unlawful visitation interference shall not be subject to a civil contempt citation for the same conduct for violating visitation provisions.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

I -- I don't understand what you're trying to do here. Let me tell you this: If you're substituting a criminal charge for a civil contempt proceeding, you're going in the wrong -- you're going in the wrong direction. A civil contempt proceeding can be disposed of in any court in all of Illinois in a matter of days, or a couple of weeks at the latest. A criminal charge will take months to dispose of. What happens to that child and the violative person while that child is in limbo? Somebody's rights of visitation are being denied. Why would you prevent -- and I'm not even sure that we can, because a contempt charge is a basic power of the court system -- I'm not sure that we can even interfere with that. So I think that the bill may have some serious constitutional shortcomings. But why would you want to substitute the power of the court to hold somebody in contempt and substitute a criminal proceeding? One is much more lengthy; it's not as responsive to the needs of the child as a -- as a civil contempt proceeding.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

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SENATOR WOODYARD:

Well, it's my understanding that the person would have that -- that power. But this amendment that was added to this bill was asked for by the Illinois Bar Association.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Thomas Dunn.

SENATOR T. DUNN:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he'll yield.

SENATOR T. DUNN:

Senator Woodyard, if an individual receives a five-dollar ticket, does he have a right to plead not guilty to that -- that charge?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

Yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dunn.

SENATOR T. DUNN:

And correspondingly, does he have a right to a jury trial, then, to that?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

Okay. A five-dollar ticket and a jury trial.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Well, to my friend and to the bill: this bill obviously has serious problems. If an individual

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spouse, or former spouse, charges that person with violation of this Section of the Statute, he's going to have to appear in court, and he will be prohibited from pleading guilty to that offense, because the first time he pleads guilty to that offense, that's an admission against himself, and the spouse is going to file a rule to show cause. There's already going to be a determination of his violation of the rule to show cause by his guilty plea. So I would submit to you that people will not plead guilty and they'll have to demand a hearing on this. This will place a great burden on the court. I think the sponsor is well-intended, but I -- I really don't think this is the right way to do it. I think we ought to leave it in the hands of the family court, where these issues are motivated many times by bitterness and jealousy and God knows what. These judges are specially trained to handle those kind of complaints. They know the litigants, very often. I reluctantly urge a No vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

I had a question of the sponsor, too, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR WELCH:

Senator Woodyard, if a spouse is accused and a charge is filed for unlawful interference, do they -- are they still allowed to continue their normal visitation schedule with the children?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding that would be up to the family law court as to those future visitations.

PRESIDING OFFICER: (SENATOR WEAVER)



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Senator Welch.

SENATOR WELCH:

So the judge could restrict the visitation, pending the criminal trial?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

Yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

If -- if the parent is found not guilty of this charge, then if the -- if -- is he or she eligible to be prosecuted or pursued by the other spouse for contempt of court for the same particular reason that they may have interfered with visitation? Is that a potential rule to show cause in holding the person in contempt, or is -- are you therefore exempt from that particular occurrence because you were not found guilty beyond a reasonable doubt by a jury trial?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding that they would still be subject to contempt - civil contempt - if that is filed.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

So we'd only be subject to civil contempt so that there wouldn't be any double jeopardy. Is that right?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

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Jim is hearing this better than I, but it's my understanding that is correct.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? If not, the question is, shall House Bill 2139 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 31, the Nays are 15, 11 voting Present. House Bill 2139, having received the constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR WATSON)

The Rules Committee, Senator Cullerton, will be meeting right behind us here in the anteroom for the next three days. House Bill 2227. Senator Fawell? Out of the record. House Bill 2231. Senator Hasara. Out of the record. House Bill 2245. Senator Maitland. Out of the record. House Bill 2280. Senator Raica. Senator Raica? Out of the record. House Bill 2307. Senator Fitzgerald. Out of the record. House Bill 2336. Senator Topinka. Out of the record. House Bill 2375. Senator Raica? Out of the record. House Bill 2397. Senator Geo-Karis. Out of the record. House Bill 2408. Out of the record. House Bill 2444. Senator Philip. Senator Philip, on House Bill 2444. Out of the record. Senator Hawkinson, for a very important announcement. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. For purposes of an announcement, there will be a softball practice tonight immediately upon adjournment at the same place we had it last week, which is at the south end of Spring Street, at the field there.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. And I understand if there's maps needed, why, we have those available if anyone wishes to attend. Senator Hendon?

SENATOR HENDON:

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Thank you, Mr. President. I just wanted to comment on that. The House Members have said to me that they're going to beat the natural you-know-what out of us and that they've whooped the Senate. Only one time has the Senate beat them in forty-eight years. Now, I don't know about the rest of you, but I'm taking this insult personal. If we lose, I'll lose a couple of cases of beer, but that's not so bad. They're bragging over there. They're boasting that we're a bunch of old men over here, talking about how we can't run; we can't hit; we can't throw. And I think that we should -- we should all come together and make sure that we beat them and take this game seriously so they can stop bragging about and calling us old and out of shape.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones, for what purpose do you rise? Senator Jones.

SENATOR JONES:

Just to remind those who are interested in something more important: the World Champion Chicago Bulls will be playing tonight.

PRESIDING OFFICER: (SENATOR WATSON)

Wonderful. Senator Topinka, for what purpose do you rise?

SENATOR TOPINKA:

Just in light of what -- what Senator Hendon said, I certainly wouldn't want to speak to the issue of old men in the Senate, but I will tell you, the Senate has the most incredible women you'll ever find.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson, for what -- what purpose do you rise?

SENATOR PETERSON:

A point of personal privilege, Mr. President. I know last week you were touting an ice hockey team from St. Louis, and I was wondering what happened to them in the playoffs. I think -- I think it was the Blues. Are they singing the Blues now?

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PRESIDING OFFICER: (SENATOR WATSON)

Oh, when the Blues... Oh, when the Blues... Oh, when the Blues go marching in. I guess we are now prepared to go to the Agreed Bill List. As previously announced, with leave of the Body, we will now proceed to the Order of Consideration of the Agreed Bill List. It's page 13. Beginning on page 13 of the Calendar. Madam Secretary, please read the bills on the Agreed Bill List for the third time.

ACTING SECRETARY HAWKER:

House Bill 3.

(Secretary reads title of bill)

House Bill 76.

(Secretary reads title of bill)

House Bill 79.

(Secretary reads title of bill)

House Bill 122.

(Secretary reads title of bill)

House Bill 134.

(Secretary reads title of bill)

House Bill 180.

(Secretary reads title of bill)

House Bill 182.

(Secretary reads title of bill)

House Bill 196.

(Secretary reads title of bill)

House Bill 207.

(Secretary reads title of bill)

House Bill 228.

(Secretary reads title of bill)

House Bill 243.

(Secretary reads title of bill)

House Bill 252.

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(Secretary reads title of bill)

House Bill 256.

(Secretary reads title of bill)

House Bill 267.

(Secretary reads title of bill)

House Bill 276 -- pardon me -- House Bill 275.

(Secretary reads title of bill)

House Bill 301.

(Secretary reads title of bill)

House Bill 323.

(Secretary reads title of bill)

House Bill 325.

(Secretary reads title of bill)

House Bill 383.

(Secretary reads title of bill)

House Bill 417.

(Secretary reads title of bill)

House Bill 433.

(Secretary reads title of bill)

House Bill 439.

(Secretary reads title of bill)

House Bill 473.

(Secretary reads title of bill)

House Bill 495.

(Secretary reads title of bill)

House Bill 497.

(Secretary reads title of bill)

House Bill -- pardon me -- 562.

(Secretary reads title of bill)

House Bill 576.

(Secretary reads title of bill)

House Bill 621.

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(Secretary reads title of bill)

House Bill 644.

(Secretary reads title of bill)

House Bill 648.

(Secretary reads title of bill)

House Bill 666.

(Secretary reads title of bill)

House Bill 667.

(Secretary reads title of bill)

House Bill 684.

(Secretary reads title of bill)

House Bill 702.

(Secretary reads title of bill)

House Bill 706.

(Secretary reads title of bill)

House Bill 729.

(Secretary reads title of bill)

House Bill 747.

(Secretary reads title of bill)

House Bill 751.

(Secretary reads title of bill)

House Bill 768.

(Secretary reads title of bill)

House Bill 771.

(Secretary reads title of bill)

House Bill 772.

(Secretary reads title of bill)

House Bill 779.

(Secretary reads title of bill)

House Bill 816.

(Secretary reads title of bill)

House Bill 916.

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(Secretary reads title of bill)

House Bill 961.

(Secretary reads title of bill)

House Bill 988.

(Secretary reads title of bill)

House Bill 1003.

(Secretary reads title of bill)

House Bill 1031.

(Secretary reads title of bill)

House Bill 1056.

(Secretary reads title of bill)

House Bill 1072.

(Secretary reads title of bill)

House Bill 1075.

(Secretary reads title of bill)

House Bill 1122.

(Secretary reads title of bill)

House Bill 1128.

(Secretary reads title of bill)

House Bill 1215.

(Secretary reads title of bill)

House Bill 1239.

(Secretary reads title of bill)

House Bill 1253.

(Secretary reads title of bill)

House Bill 1257.

(Secretary reads title of bill)

House Bill 1259.

(Secretary reads title of bill)

House Bill 1324.

(Secretary reads title of bill)

House Bill 1344.

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(Secretary reads title of bill)

House Bill 1355.

(Secretary reads title of bill)

House Bill 1356.

(Secretary reads title of bill)

House Bill 1360.

(Secretary reads title of bill)

House Bill 1379.

(Secretary reads title of bill)

House Bill 1385.

(Secretary reads title of bill)

House Bill 1398.

(Secretary reads title of bill)

House Bill 1399.

(Secretary reads title of bill)

House Bill 1406.

(Secretary reads title of bill)

House Bill 1408.

(Secretary reads title of bill)

House Bill 1409.

(Secretary reads title of bill)

House Bill 1412.

(Secretary reads title of bill)

House Bill 1423.

(Secretary reads title of bill)

House Bill 1434.

(Secretary reads title of bill)

House Bill 1441.

(Secretary reads title of bill)

House Bill 1452.

(Secretary reads title of bill)

House Bill 1453.



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(Secretary reads title of bill)

House Bill 1488.

(Secretary reads title of bill)

House Bill 1496.

(Secretary reads title of bill)

House Bill 1542.

(Secretary reads title of bill)

House Bill 1549.

(Secretary reads title of bill)

House Bill 1570.

(Secretary reads title of bill)

House Bill 1611.

(Secretary reads title of bill)

House Bill 1614.

(Secretary reads title of bill)

House Bill 1621.

(Secretary reads title of bill)

House Bill 1636.

(Secretary reads title of bill)

House Bill 1686.

(Secretary reads title of bill)

House Bill 1790.

(Secretary reads title of bill)

House Bill 1794.

(Secretary reads title of bill)

House Bill 1798.

(Secretary reads title of bill)

House Bill 1804.

(Secretary reads title of bill)

House Bill 1806.

(Secretary reads title of bill)

House Bill 1806.

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(Secretary reads title of bill)

House Bill 1808.

(Secretary reads title of bill)

House Bill 1818.

(Secretary reads title of bill)

House Bill 1855.

(Secretary reads title of bill)

House Bill 1907.

(Secretary reads title of bill)

House Bill 1912.

(Secretary reads title of bill)

House Bill 1971.

(Secretary reads title of bill)

House Bill 2038.

(Secretary reads title of bill)

House Bill 2057.

(Secretary reads title of bill)

House Bill 2061.

(Secretary reads title of bill)

House Bill 2103.

(Secretary reads title of bill)

House Bill 2115.

(Secretary reads title of bill)

House Bill 2120.

(Secretary reads title of bill)

House Bill 2149.

(Secretary reads title of bill)

House Bill 2153.

(Secretary reads title of bill)

House Bill 2160.

(Secretary reads title of bill)

House Bill 2173.

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(Secretary reads title of bill)

House Bill 2186.

(Secretary reads title of bill)

House Bill 2260.

(Secretary reads title of bill)

House Bill 2333.

(Secretary reads title of bill)

House Bill 2377.

(Secretary reads title of bill)

And House Bill 2420.

(Secretary reads title of bill)

3rd Reading of the bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you, Madam Secretary. The next roll call will be on final passage of the bills just read by the Secretary. The question is, shall this series of bills pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On these -- on these bills, the Ayes are 58, Nays 0, no Members -- the Nays as recorded in the Office of the Secretary of the Senate, and zero Members voting Present. The record will -- will appropriately reflect the Negative or Present votes as submitted in writing to the Secretary. This series of bills, having received a constitutional majority by record vote, is declared passed. The record vote for each bill passed shall be entered in the Journal. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: to Agriculture and Conservation - Senate Amendment 2 to House Bill 2375; to the Committee on Commerce and Industry - Senate Amendment 1 to House Bill 1746, and Senate Amendment 2 to

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House Bill 2262; to the Committee on Education - Senate Amendment 2 to House Bill 701, and Senate Amendment 1 to House Bill 1126; to the Environment and Energy Committee - Senate Amendment 3 to House Bill 1316; to the Executive Committee - Senate Amendment 1 to House Bill 203, Amendment 1 to House Bill 377, Amendment 4 to House Bill 1038, Amendment 2 to House Bill 1313, Amendment 2 to House Bill 1716 and Amendment 1 to House Bill 1778; to the Committee on Insurance, Pensions and Licensed Activities - Senate Amendments 2 and 3 to House Bill 2053; to the Committee on Judiciary - Senate Amendment 2 to House Bill 935, Amendment 2 to House Bill 1235, Amendments 1 and 2 to House Bill 1575, Amendment 1 to House Bill 2109, Amendment 3 to House Bill 2163 and Amendment 2 to House Bill -- 2408; to the Committee on Public Health and Welfare - Senate Amendment 1 to House Bill 45, Amendment 2 to House Bill 1009, Amendments 2 and 3 to House Bill 1102, Amendment 3 to House Bill 1489, Amendment 2 to House Bill 1498, and Amendment 2 to House Bill 2231; to the Committee on State Government Operations and Executive Appointments - Senate Amendments 6, 7, 8 and 9 to House Bill 176, and Amendment 2 to House Bill 2097; to the Committee on Transportation - Senate Amendment 1 to House Bill 328, Amendments 1 and 2 to House Bill 462, and Amendment 2 to House Bill 1261; and Be Approved for Consideration - Senate Amendment 1 to House Bill 980, and Senate Amendment 1 to House Bill 1411.

PRESIDING OFFICER: (SENATOR MAITLAND)

Resolutions.

SECRETARY HARRY:

Senate Resolution 441 and 442, 443, 444, all offered by Senator Topinka.

Senate Resolution 445, by Senator Watson.

Senate Resolution 446, by Senator Severns and all Members.

And Senate Resolution 447, by Senator Watson.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

53rd Legislative Day

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 448, offered by Senator Watson.

It's substantive.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, just as a reminder that the Health Committee will meet tomorrow very promptly at 9 a.m. in Room 1-A of the Stratton Building, and we are hopeful that it will not be a long meeting.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there any further business to come before the Senate? I'm sorry. Senator Karpziel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. Just to announce that the Executive Committee will meet at 9 a.m. in Room 212.

PRESIDING OFFICER: (SENATOR MAITLAND)

Any further business to come before the Senate? If not, Senator Karpziel moves the Senate stand adjourned until Tuesday, May 18th, at the hour of 11 o'clock. Senate is adjourned.

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