

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

123rd Legislative Day

May 20, 1994

PRESIDENT PHILIP:

The regular Session of the 88th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Pastor Rick Wenneborg, Chatham Christian Church, Chatham, Illinois. Pastor Wenneborg.

PASTOR WENNEBORG:

(Prayer by Pastor Rick Wenneborg)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Tuesday, May 17th and Wednesday, May 18th and Thursday, May 19th, in the year 1994, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Maitland, Chair of the Committee on Appropriations, reports Senate Amendment 2 to House Bill 8 Be Adopted, Amendment 4 to House Bill 9 Be Adopted, and Amendment 1 to House Bill 1883 Be Adopted.

Senator Watson, Chair of the Committee on Education, reports Senate Amendment 7 to House Bill 2638 Be Adopted, Amendment 2 to House Bill 2642 Be Adopted, Amendment 6 to House Bill 3244 Be Adopted, and Amendment 3 to House Bill 3457 Be Adopted.

PRESIDENT PHILIP:

Messages.

PRESIDENT PHILIP:

Message from the President.

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Dear Mr. Secretary - Pursuant to Rule 2-10 of the Rules of the Illinois Senate of the 88th General Assembly, the Senate schedule should be changed to reflect this change: The Senate will not meet in regular Session on May 21st, 22nd, 23rd and 24th, 1994.

A Message from the President.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I am extending the deadline for final action on the following categories of bills, with specific bills enumerated under these categories, to January 10, 1995: State's Bonded Indebtedness - specifically, House Bill 1882; and Economic Development - specifically, House Bill 2150.

Both Messages signed by President Philip.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 2459, 2691, 2928 and 3786.

All passed the House, May 9 <sic> (19), 1994.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 1487, offered by Senators Woodyard and Hasara.

Senate Resolution 1488, by Senator Hall and all Members.

Senate Joint Resolution 163, offered by Senator DeAngelis.

And Senate Joint Resolution 164, by Senator Woodyard.

They're all congratulatory, Mr. President.

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PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Joint -- or Senate Resolution 1489, offered by Senator Shaw.

It's substantive.

PRESIDENT PHILIP:

On page 11, the Order of the Secretary's Desk, Resolutions. The intent of the Chair: to proceed to the Order of the purpose of taking up Senate Joint Resolution 157, which enables the State to satisfy a statutory requirement. Senate Joint Resolution 157, sponsored by Senator Shadid. Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 157, offered by Senator Shadid. There are no committee or Floor amendments, Mr. President.

PRESIDENT PHILIP:

Senator Shadid, to explain the resolution.

SENATOR SHADID:

Yes, Mr. Chairman, thank you, and fellow Senate Members. This resolution creates the Joint Committee on the Amendment of Child Witness, to prepare an...

PRESIDENT PHILIP:

Could we have some order, please?

SENATOR SHADID:

By law we have to form a committee - a joint committee - to prepare an explanation and argument on the constitutional amendment for the ballot. So I'm requesting that this be approved.

PRESIDENT PHILIP:

Any discussion? Any questions? If not, Senator Shadid, to close.

SENATOR SHADID:

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Just request that the Senate approve it.

PRESIDENT PHILIP:

Senator -- Senator Shadid moves the adoption of Senate Joint Resolution No. 157. 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 59 Ayes, no Nays, no voting Present. The resolution is adopted. Senator O'Daniel, for what purpose do you rise?

SENATOR O'DANIEL:

Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR O'DANIEL:

Mr. President and Members of the Senate, I'd like for you to help me congratulate my seatmate and dear friend, Senator Hall, on his -- I won't tell you how old he is, but he's old enough. Senator Hall's birthday's today. Help me...

PRESIDENT PHILIP:

Well, Senator Hall, congratulations. Senator Hall, for what purpose do you rise?

SENATOR HALL:

Thank you. I just want to thank all of you for this momentous day. I'll be seventy-nine today, and almost thirty years ago that your President and I came here together with Sam Vadalabene, the late, and several of us that were here, and we went to the House. We did not know our way around. It took me two months to find out, in the back of the House Chamber, that there was a locker room over on the Republican side. So I always went down to the Second Floor. Thanks very much.

PRESIDENT PHILIP:

Well, Kenny, congratulations for seventy-nine wonderful years.

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We've always been friends; we've always -- and I still have a problem finding the washroom myself, so you're doing a lot better than I am. Congratulations. Senator Donahue. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would request, immediately, a Republican Caucus, and please, Ladies and Gentlemen, get there quickly. And for the other side of the aisle, it would last approximately a half hour.

PRESIDENT PHILIP:

That request is always in order. We would hope -- hope to be back here no later than quarter to ten and move ahead. I know that you feel the way I do. This is a Friday. Everybody wants to get going. So we will come back here and do recalls, 3rd readings and a couple of resolutions, and hopefully get out of here in a short period of time. All right. There's a half-hour recess. We will come back at quarter to ten.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

...(machine cutoff)...have your attention. We are going to begin on 3rd Reading, so please -- if you're within earshot of my voice, please come to the Floor. We will begin with House Bills 3rd Reading. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measure has been assigned to committee: Referred to the Committee on Local Government and

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Elections - the motion to concur with House Amendment 2 to Senate Bill 1083.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2691.

(Secretary reads title of bill)

The bill is offered by Senator Lauzen.

Senator Peterson offers House Bill 2928.

(Secretary reads title of bill)

House Bill 3032, Senator Syverson.

(Secretary reads title of bill)

House Bill 3152, offered by Senator Tom Dunn.

(Secretary reads title of bill)

Senator Dudycz offers House Bill 3252.

(Secretary reads title of bill)

And Senate <sic> Bill 4185, by Senator Tom Dunn.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Resolution 165 <sic> (1490), offered by Senator Demuzio.

It's congratulatory, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Messages from the House.

SECRETARY HARRY:

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

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

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concurrence of the Senate, to wit:

House Joint Resolution 158.

Adopted by the House, May 19, 1994. It's congratulatory.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 165, offered by Senator Weaver.

(Secretary reads SJR No. 165)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver moves to suspend the rules for the purpose of immediate consideration of adoption of Senate Joint Resolution 165. Those in favor will say Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Now Senator Weaver moves for the adoption of Senate Joint Resolution 165. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. ...(microphone cutoff)...right. If I could have your attention. On page 3, at the bottom of the Calendar, are House Bills 3rd Reading. Senator Maitland, on House Bill 6. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 6.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Madam President and Members of the Senate. Just a brief comment, if I might. This morning we -- we will be offering in House Bills 6, 8 and 9, the entire State budget for FY'95. We have worked diligently on this for -- for several days - actually several weeks now. We are not certain what the House is going to do. This is a budget that, if -- if

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everything we need to do in the next few days falls into place, will adequately fund all areas of State government. Obviously - obviously - this budget is based upon -- on the plan to -- to redo Medicaid and -- and fund our back bills. All has to fall together. If it doesn't, then other changes will be necessary in the budget. But we believe this is realistically. We are strongly asking for bipartisan support on this effort. And, Madam President, with those few comments, I would just simply say to you that House Bill 6, which contains the educational funding for this State for FY'95, is exactly the same as it was in the form that it left this Chamber - in the form of the Senate bills some weeks ago - and I would seek your support, otherwise -- or ask -- answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. We have several concerns, and following the line of Senator Maitland - Chairman Maitland - maybe we should make some general comments. And we'll try and keep all commentaries short on -- today. The -- we have several concerns on this, the education funding, for what it does and for what it doesn't do: what it doesn't do, for example, in student transportation that we would like to see very strongly; what it doesn't do in truancy prevention programs and in early intervention programs and several other such areas that we've discussed throughout the process. I think I'll incorporate by reference prior comments, rather than repeat them, and merely suggest at this time, since we have not even seen yet in statutory form a Medicaid managed care plan, we find it hard to know what monies are available. We think there have to be more for certain areas, less for others. And I would suggest we are not yet prepared to support this plan, and would suggest to our Members

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that a Present vote would be most appropriate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the question is, shall House Bill 6 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, no Nays, 27 voting Present. House Bill 6, having received the required constitutional majority, is declared passed. Senator Maitland, on House Bill 8. Do you wish to have this returned to 2nd Reading for the purposes of amendment? Senator Maitland seeks leave of the Body to return House Bill 8 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 8. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. Floor Amendment No. 2 to House Bill 8 does make some additional changes in this -- in House Bill 8, as it -- as we dealt with it -- from what we dealt with it a week ago. We -- we listened at length to testimony from -- from the Supreme Court and, frankly, were unable to get the answers - direct answers - on a number of questions. And I -- I'm not being critical of -- of -- of the Chief Justice, but we just felt that there was some answers that we didn't get. We have -- we believe that we can take an additional ten million dollars out of the Supreme Court, which still leaves them with over a ten-million-dollar increase

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over FY'94 spending. It further restores two hundred thousand dollars in General Revenue for the State Appellate Defender. And those basically are the -- the changes in -- in House Bill 8 and contained in this amendment, and I would seek -- I would move for the adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Members of the Senate. And since I assume after this we'll move to 3rd Reading, I'll make the comment now, instead of later, so we can do it all at one time. We have some significant concerns with the cuts here; one is the treatment of a coequal branch of government. We had always, in the past, tried to sit down with that branch - our fiscal officers with theirs, our chiefs of staff with theirs - explain to them that maybe they had too much in their budget. In fact, most years I felt they did. For example, funding all judges all year at full pay, when, in fact, that is not going to be the case. But that's not what happened this time. Nothing was discussed with the court's fiscal people. There -- and suddenly this amendment emerges that in many ways harms that which we've asked the court to do. And let me just mention two. One is binding mandatory arbitration. I believe it was Chief Justice Ryan who first suggested that - former justice, former chief - as a good way to unclog the court system, a court system that causes our constituents to wait for years to redress their grievances. Mandatory arbitration has been working and working well; yet this amendment cuts out a significant portion of that mandatory arbitration - something that truly concerns us. Secondly, we had this fight for well over a decade of who will audit the court and the court's subparts. The Auditor General found, on at least two occasions, that the court did not have sufficient internal

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auditors. The court this year budgeted for those sufficient internal auditors, pursuant to the finding of the Auditor General. This amendment cuts out those internal auditors. That, to me, seems a waste of money and flies in -- in contra to the creation we made to the Auditor General of this State - a creature of the General Assembly - and we're not following a simple and economically sound suggestion of that agency. I would suggest it's faulted for those reasons, suggest it not be adopted. Would not demand a roll call now, but would suggest likewise that on 3rd Reading those comments be the same and that we vote then.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Further discussion? Seeing none, Senator Maitland. Senator Maitland moves the adoption of Amendment No. 2 to House Bill 8. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. 3rd Reading -- any further amendments?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now, on the Order of 3rd Reading is House Bill 8. Senator Maitland.

SECRETARY HARRY:

House Bill 8.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. First of all, let me indicate that we are, frankly, very grateful that -- that now, continuing, Mr. Bilandic believes that coming before the Appropriations Committee is -- is necessary,

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just as did Chief Justice Miller. So we appreciate that very much. We just, frankly, couldn't get some answers to some questions, and -- and I think this bill will be around, obviously, for a couple of weeks yet, and -- and may need some further revision. But let me comment on a couple of things that Senator Carroll has mentioned with respect to internal auditing. We, frankly, have not affected that. We believe they will be able to -- to fund that with some savings from hirees; that they will be -- some lapse -- lag hirings, and the money will be there and they will be able to do that. With respect to mandatory arbitration, all we have cut - listen to this, please - all we have cut is an expansion - an expansion - in Kane County. We have not affected any of the other mandatory arbitration funds in the State budget, which I think is in the neighborhood of seven million dollars. Madam President, I would be happy to respond to any questions any Members might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, the question is, shall House Bill 8 pass. Those in favor will vote Aye. Opposed, Nay. The Ayes have it -- or the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, none -- 32 Ayes, no Nays, 27 voting Present. House Bill 8, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well -- on -- on a -- I guess a point of inquiry, I guess.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your inquiry.

SENATOR DEMUZIO:

You know, we don't have any objections to the fact that the

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Senate President is waiving the rules on certain bills. Now, we found out about it this morning, I guess, by listening to radio, or I guess any good citizen could call over and find out. But this morning, the Senate President filed with the Secretary, waiving the rules on the State's bonded indebtedness, 1882, House Bill, and House Bill 2150, waiving the rules to January the 10th of 1995, and CC'd it to your Parliamentarian. Don't you think as a matter of courtesy that we ought to get a CC saying that we have -- of the actions of the Senate President? I mean, that's all we're asking for. Our -- our staff had to go down to the Senate Secretary's Desk and pick up a copy. It just seems to me we're conducting the public's business, and we are certainly entitled to know, just as a matter of courtesy. And I would like to bring that to your attention and ask that in the future, that we receive a carbon copy of the Senate's correspondence with respect to at least the waivers on certain bills that are to be voted upon by the Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator Demuzio. I'm sure your comments will be duly noted. On the Order of 3rd Reading is House Bill 9. Senator Maitland, do you seek leave of the Body to return that to 2nd Reading for the purposes of amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 9. Mr. Secretary, are there any amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, on Amendment No. 4.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of -- of the Senate. Let me indicate a couple of the major components of -- of

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this amendment, and then would be happy to respond to any questions that any Members might have. There was some concern about the twenty million dollars we had taken out previously of the State's group health policy. We are restoring ten million dollars of that. I believe we, at this point then, would be budgeting roughly a thirty-five-million-dollar shortfall for -- for FY'95. In addition, we are adding ninety-eight thousand -- nearly ninety-nine thousand dollars in General Revenue for the operation lines of the Department of Energy and Natural Resources' Museum Division. We believe that the cut we made last week was too severe, and we -- we had -- so we add that money back in. In addition, we are -- we are taking an additional eleven -- eleven million four hundred forty-one thousand out of the Road Fund. We, frankly, believe that that -- that -- that the operation side of the Road Fund is -- is still too large. That money obviously stays in the Road Fund. We're not cutting that or taking that anyplace, except to say that that eleven million dollars will translate into more asphalt and concrete and hopefully be used for road projects. The -- the total gross reduction from operations in the -- in the Road Fund would be in the neighborhood of twenty-five million dollars. Madam President, I would be happy to respond to any other questions that the Members might have, otherwise would move for the adoption of Amendment 4.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Carroll.

SENATOR CARROLL:

Just to identify, we don't like the amendment. We will be making our comments on 3rd Reading.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland has moved the adoption of Floor Amendment No. 4 to House Bill 9. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further

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amendments considered for consideration?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 9.
Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 9.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Madam President, I think everyone knows what's -- what's in this bill now. This contains a number of major State agencies. I would be happy to respond to any questions any Members might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President. I rise to voice concern about various components of this bill. I hope Members who have area centers on aging realizes that this bill will move one and a half million dollars for the suburban area agencies on aging, but for anyone who has a downstate area, you -- we are left out. We also reduce the additional funds requested for elder abuse and neglect by thirty-four percent, leaving a -- a caseload too high to deal with. We reduce the doubling of drug and alcohol abuse services for referrals from DCFS by twenty-five percent. We eliminate one and a -- 1.4 million dollars in funding for compliance with the Federal ADA Act. We eliminate a million to -- in funding to provide specialized placement services for pregnant and parenting teens - one more court decree that's being ignored: Hill v.

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Erickson. For those who are concerned about job training and retraining, this amendment reduces by five million the industrial training program - something that flies in the face of meeting the competitiveness that we must meet if we, as a State, want to move forward. And for -- for those who are concerned about roads, I've been around here long enough to hear the hue and cry about reductions in the Road Fund, and this is one more reduction. But I'm not hearing the hue and cry from the other side that we heard just three or four years ago. It does reduce the Road Fund by 16.1 million dollars. I think this -- the amendment contained in -- in House Bill 9 moves us in the wrong direction, and I would urge a Present vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. I too rise in opposition to House Bill 9 in its current form. And in echoing the comments of Senator Severns, let me just add to it that I am concerned - we are concerned - we should all be concerned - with the elimination of the alcohol and substance abuse prevention services, which are now eliminated, by way of Republican amendment, from twenty communities that had previously been unfunded and were supposed to be funded this year. Additionally, as happened when they were Senate bills in the Senate, it eliminates five of the six pilot-site drug abuse and gang crime programs throughout the State. While an earlier version specified Rockford only, this does not, but it's quite clear that Cabrini Green, which I think anyone in this State recognizes has a problem of gangs and drugs and crime, would no longer have this pilot program available to them to try and do something about it. And unfortunately, Cabrini Green is not alone in this State. To take out pilot programs around this State, causing more crime to be allowed to be

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committed because of our inaction, is not something I believe this General Assembly should be about. With State employees on their insurance - we're still ten million short. This has been a perennial problem. We've all participated in it. It's time to stop that and say that if you work for the State, it should be no different than if you work for private enterprise. Your bill's got to be paid for medical care, for all kinds of -- of benefits that you're paying for as a State employee, we're paying for as State employees. I'm a little tired of getting hounded by hospitals and doctors because the bills weren't paid by the State, and once again, we're shorting it. Children and Family Services - absent a director doesn't matter. We're still cutting back on the caseworkers for targeted case management. Sure, it's a lag, and they haven't done their job. But if they ever get somebody in there who might be able to do the job, we're kind of tying their hands a little bit. Also, I thought we were in the business of trying to do industrial training programs, to try and do something for the economy of Illinois, but once again, this cuts five million dollars from industrial training grant and also monies from statewide tourism promotion - basically, downstate tourism promotion. And let's look at what else it does. It takes money from the implementation of the Americans for <sic> Disabilities Act and says to Quincy, Danville, Western Illinois, College of DuPage, and, yes, Springfield with the display of the Gettysburg Address, that those chicken or - if it was not my district - pork barrel projects are more important than statewide compliance with the Americans for <sic> Disabilities Act. That and a lot of other items in this proposal, to me, make it fatally flawed, and I suggest it should not pass.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Hendon.

SENATOR HENDON:

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Thank you, Madam President. I too rise in opposition to House Bill 9, and there are a lot of things in here that we need to be leery of. My colleagues have pointed them out. I just want to add that I am very, very disturbed, in this era where we continue to pass all these tough-on-crime bills and lock 'em up and throw away the key and build new prisons, that we cut prevention; we cut therapeutic care for troubled youth; we -- we -- we cut job training. It makes absolutely no sense in the world, to me, to cut all the things that will keep young people from going to the penitentiary in the first place, and just continue to think that we can build prisons, and build prisons, and build prisons, and build our way out of this problem. We cannot do it. I can't even sit here, in all good conscience, and vote Present on this particular bill. I have to vote No. I can't even go along with -- with -- with this side of the aisle and vote Present on this one, because it is so bad; it is so cruel. And -- and I hope that the sponsor does not take my comments personally, because they are not meant to be personal, because he has a job to do and I guess this is his job, to carry this very, very bad, cruel piece of legislation. And I urge not a Present vote, but I urge a No vote on House Bill 9.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. I -- I think perhaps it -- it has -- this is the last -- this is the last third of -- of the budget now - the last and final bill. And you -- you've listened now, and I think you've listened carefully, to the Senators on the other side of the aisle telling you how badly we have affected this budget. Let me first of all say to you that in the event - in the event - we do not

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deal within the next few weeks with Medicaid and the funding of our back bills on Medicaid, this budget will be substantially cut before we finally leave this Chamber. That is the reality, Ladies and Gentlemen, of what we are doing here today. We've heard the hue and cry from the other side of the aisle that the minor adjustments that we've made in this budget are going to, in essence, kill society; we are but cruel people. You will be the cruel people, let me say to you today, if you don't work with us as we have asked you day after day after day to do, to deal with the problems that we are facing in State government. Medicaid is not a Republican issue; it is not a Democratic issue. It is an issue that we both share. The Governor of this State has advanced a program that will move us into managed care to address systematically and logically with Medicaid. We have asked you time and time again - time and time again - if you don't like the program the Governor has advanced, help us, work with us. Don't be political about this issue. We're all on the same team. So remember - remember - if we don't deal with the issue, this budget will be cut substantially, and then we'll have to respond to the questions. Now, let's address some of the issues that some of the Members on that side of the aisle mentioned about this budget. Aging, Senator Severns, up six percent - up six percent over FY'94. Terribly cruel budget, isn't it? Up six percent. DASA? We talked about DASA and the terrible cuts in DASA? You know how much DASA is up over FY'94? Seventy - 70 - percent. Very cruel budget. DCCA - ITP grants up twenty-two percent over last year. Is it at the level that we'd like for it to be? No. But that's certainly not going to destroy the economy, by having only a twenty-two-percent increase. DCFS, Senator Carroll, up 5.3 percent in General Revenue - thirty-five million dollars of new General Revenue dollars. Very cruel budget. Total increase in DCFS - eighteen percent increase. Senator Severns, you know the

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Road Fund as well as I do. We simply are taking money out of the bureaucracy and putting it into concrete and asphalt. I would think the people in Decatur and in your district would like to see us do that - move toward more money for road projects. We believe that budget is bloated. And I think you should too. That means projects for State government. Oh yes, by the way, do you remember the four hundred new prison guards we put in this budget? We worked as a team together on this. No one mentioned that over there. Four hundred new prison guards, badly needed. Terribly cruel budget. I would suggest to you that this is a very caring budget. It represents substantially the Governor's budget as introduced - some minor adjustments that, frankly, both sides of the aisle would agree with. This is a two-level process - the Executive Branch and Legislative Branch. This is our blueprint. We'd love to see this budget go to the House, be embraced and carry with it Medicaid reform and get us out of here in a few short days, and it could happen, my friends on the other side of the aisle, if you'll join with us in a bipartisan way. And let's move State government forward. I seek your support of House Bill 9.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 9 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 4 Nays, 22 voting Present. House Bill 9, having received the required constitutional majority, is declared passed. Senator Mahar, on House... Senator Mahar, on House Bill 44? Madam -- or, Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 44.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- or, Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President and Members. The first part of this bill deals with something that we initiated a number of years ago to allow for energy-saving retrofits in local governments and whatnot. We gave a ten-year recapture period for that, and we found that for the same instances in State buildings, it's seven. So that merely takes -- puts the State buildings in the -- in the same time frame as other units of government. The amendment, which we put on yesterday, is clarifying in nature and indicates at what point the ten-year period begins and ends. There is no opposition, and I'd ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 44 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 44, having received the required constitutional majority, is declared passed. Top of page 4 is House Bill 99. Senator Berman? Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 99.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Excuse me, Senator Berman - one second. Senator Maitland, for what purpose do you rise?

SENATOR MAITLAND:

Madam President, just a comment. As -- as you know, I have a

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-- a malfunctioning button here, and it -- it didn't function again. I would have voted on -- in the affirmative, and -- in the affirmative, had I -- had my button worked, I would have voted in the affirmative. Thank you very much.

PRESIDING OFFICER: (SENATOR DONAHUE)

The written record will reflect -- or the electronic record will reflect. Senator Berman, on House Bill 99.

SENATOR BERMAN:

Thank you, Madam President. Before we get to House Bill 99, Senator Maitland, I just want to tell you that JoAnne has talked to me about your nonfunctioning button. Thank you, Madam President. House Bill 99 creates the International Anti-Boycott Certification Act. It sets out the requirement that contracting parties with the State certify that neither they as contractors or affiliated companies are participating in the international boycott outlawed by Congress. I want to thank Senator Rauschenberger, who chaired a subcommittee on this bill, Senator Geo-Karis, Chairman Dunn - Ralph Dunn, and I want to acknowledge that this bill is now cosponsored by the sole Arab-American legislator in the Illinois General Assembly, Senator George Shadid, which signifies the kind of cooperation that we have here, which we hope is moving forward similarly in the Middle East. I'd be glad to respond to any question, and I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I would just like to rise in support. We did have a full subcommittee hearing and the proponents and opponents worked very hard to come with this compromise. And this is another good piece of Berman legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Further discussion? The question is,

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shall House Bill 99 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 99, having received the required constitutional majority, is declared passed. Senator Mahar, on House Bill 298? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 298.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President and Members. There's two parts to this bill. The State of Illinois had ratified a couple of amendments to the Central Midwest Radioactive Waste Compact Act which have not been ratified in turn by the U.S. Congress. So this stays the enforcement of those amendments, and will allow us to continue to monitor the type of low-level radioactive waste that comes in and leaves our State, and it prohibits the disposal of this material in Illinois, except at a facility licensed by the Department, at which time there are two. The second part of the bill is an amendment that we put on yesterday, and it deals with boiler and pressure vessels that are under federal regulations at nuclear plants, or nuclear facilities, in Illinois, and does not exempt them from State regulations. And this applies to Fermi Lab, Argonne National Lab and Site A in Palos Township, and it authorizes us in the State to implement the federal treatment plans. It creates a fund to allow us to accept, apparently, three-hundred-and-fifty-thousand-dollar grant which is coming to the Department of Nuclear Safety. It also corrects a situation in

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a recent audit. We were criticized with the way we were receiving fees, and this takes that correction into account, or corrects that problem. There has been no opposition to this bill. I know of no opposition, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Shadid.

SENATOR SHADID:

Point of personal privilege, Madam Chairman.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR SHADID:

I was -- I was out of the room for a second, and I wanted to vote on that House Bill 99. I'd like to be recorded as voting Yes on that, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

The electronic record will show. Senator Mahar has requested that House Bill 29 -- 28 pass. The question is, shall House Bill 28 pass. Those in favor -- 298. House Bill -- I do. The question is, shall House Bill 298 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Yes. Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 298, having received the required constitutional majority, is declared passed. Senator DeAngelis, on House Bill 343? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 343.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

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Thank you, Madam President. House Bill 343 still has in it the -- the ability of a mayor or the chief executive officer to remove an appointed officer, but as amended, it also, in the -- in the County of Cook, prohibits the placement of more than two percent of Section 8 Housing in any community, unless approved by the local government. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam Chair. Senator DeAngelis, what is the purpose of the amendment limiting the placement of Section 8 units to two percent in any municipality in Cook?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

That's an excellent question, Senator del Valle. As you know, about fifteen years ago, when Section 8 was developed, it was a response to the ability of low-income people to be -- to live in any area of any part of the county they wished to, provided the housing was available. The formulary for doing that is a fixed amount based on the size of the house - two bedroom, three bedroom and so forth. There have been people out there who have taken advantage of this by having substandard housing units and taking the inflated rent they receive and then caused a situation in which resegregation has occurred, which has totally defeated the purpose of Section 8. Section 8 was designed to have low-income people placed throughout the whole county. And in the last ten years, the majority of the Section 8 Housing has been in the south suburbs. We have communities that have twenty to twenty-five to thirty percent of their total rental units in Section 8. We have people that advertise a house for sale and then jack up the price because they've got a Section 8 -- they could take in Section 8

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residents, totally defeating the whole purpose. The Gautreaux decision out of Chicago clearly stated people ought to be able to go where housing is available. The point of the matter is, it's all now gathered around certain areas, and the whole purpose of scattered housing has been defeated.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- Senator del Valle.

SENATOR DEL VALLE:

Well, Senator DeAngelis, I would agree that scattered-site housing and Section 8 has not been evenly distributed - not only out in the suburbs, but also in the City of Chicago. But the two-percent limit seems to me to be extremely, extremely low. Now, in the amendment, the language reads, if the number of rental housing units in any such project exceeds two percent of the total number of rental housing units in that other municipality, the housing authority may exercise powers under this Section to limit. Now, does that mean that one particular building that has, for example, eight, ten, fifteen units, is limited to two percent Section 8? Is that what this means? Or are we talking about the entire area? Is it by individual building or the entire area?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

It's within the municipality, Senator del Valle.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Well, that -- that's not the way I read this. The way I read this is that each individual project.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DEL VALLE:

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Now, how do you define "project"? Can you define "project" for me, -- as it appears in this amendment?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator del Valle, this bill passed ten years ago out of this Body 55 to 1. The intent's been clearly stated. It is not by building. It's -- if you read the whole bill in its entirety, it applies only to a municipality. The total number of units cannot exceed two percent. Now, they can be all in one building, which I don't favor. But the fact of the matter is, the total amount of rental units within a community cannot exceed two percent.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR del VALLE:

Well, I want to stand in opposition to this bill. I think there is a problem with the definition here of "project". I think that this could be broadly interpreted, and some would probably want it that way. We have a serious problem finding affordable housing for people in Chicago and outside of Chicago. We have a director of the CHA and we have a secretary of HUD who have indicated clearly that we must distribute low-income individuals residing in affordable units and that that distribution should be done through scattered sites and through Section 8 rent vouchers. That's the way we should go. Now what I see this bill doing is, in anticipation of that effort to do more of a distribution, we are now going to be placing restrictions, making it difficult for us to accomplish that goal that I think is the way to go. I mean, we're not going to succeed with public housing if it is concentrated in areas like the Cabrini Greens and the Robert Taylors of -- of the world. So I -- I would say that I see this as limiting, rather than helping.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Is the language in there about the -- amending the Municipal Code, authorizing any mayor or president to remove an appointed officer from office?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator -- Senator Geo-Karis, that language is still in there.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Did you -- would you explain that particular paragraph?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Geo-Karis, it's -- it's exactly as it is in the analysis that you're reading.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I just want to say for the record from now on, that I may have a conflict of interest, since I served as a mayor in the past, and I'll vote my conscience.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

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Senator DeAngelis, let me just sort of follow on the line of Senator del Valle and -- and raise the issue here with you on -- on the two percent. I've served on several intergovernment committees, looking at the problem of unemployment for low-skilled, unskilled people. One of the problems that -- I mean, which further compounds their problem, is the lack of access to the jobs in the collar counties, around Cook County and suburban Cook. And because of the lack of adequate transportation means -- I want you to listen to me, because this is -- this issue is -- is broader than -- if you take and look at it in a -- in a -- in a more global kind of way, you would see the folly in this whole measure here. Notwithstanding the -- the -- the opportunity here to -- to take this into another context of discrimination and any other kinds of accusation that one may want to bring against this particular issue, there is a fundamental problem here with the whole issue of employment. One of the things that we had attempted to try and do was to get the people from the City off of welfare, to the suburban areas where the jobs were. There was a study at the time that indicated that in the collar counties and around Cook County, there was a surplus - a surplus - of low-skilled, unskilled jobs, but there were no means for the people in Chicago on welfare to access those jobs. So the more reasonable <sic>, sensible plan would have been to establish more opportunities for housing in those areas. This bill would prohibit that program and that process from taking place. That's what you're doing. You're not just limiting -- yes, you are, because the people who occupy the Section 8 homes are low-income people, often people -- low skills, and that's how they qualify for it -- for these jobs. And many of these people are on public aid. I thought the emphasis over there, just as over here, was to move people off of the welfare rolls. Well, by George, you cannot keep introducing bills that -- that -- that -- that gets in the

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way or impede our progress toward that goal. This bill, in effect, does that. We should be expanding scattered sites, not limiting them. Yes, you are. You -- you said two percent. It says two percent. You know, I don't understand. What do you mean, it doesn't limit? It does limit. If the jobs -- if you had...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR COLLINS:

...the percentage of jobs in -- in a collar county - unskilled jobs - the proportion of people moving to that area should reflect the needs -- the employment needs in that area. We should have no limits at all.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Collins, would you please, please - and Senator Hendon - read the bill. The Section 8 permits are given out by the Housing Authority of Cook County. There's a finite number of permits, period. These communities don't give out the permits. There's a finite number. In fact, in total in suburban Cook, there are only thirty-eight hundred permits. Now, let me tell you what happens. Let me tell you what happens. Let me just read you some statistics. Over half of the Section 8 families live in only seven - seven - of a hundred twenty communities in Cook County. Seven communities. Seven communities. That's all. And over ninety percent of the Section 8 Housing is for African-Americans. It's not a question of reducing the number of units; you don't have that control. That control sets with the Housing Authority. What happens is, they all go to one place, which is substandard to begin with, and the landlord is enjoying exorbitant rents because they -- they could turn around and do it. This says - you know

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what, folks? - everybody's got to take these people who have these permits. Not these seven communities. Does not reduce the number of units. Man!

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

Senator, I would appreciate it if you take a look at your amendment that you put on yesterday. On this amendment, Senator, it does say - it does put a limit. It says -- on -- on page 7. Do you have the amendment there? Look at the amendment, Senator. On page 7 of the amendment, could you take a look at -- starting at line 8.

PRESIDING OFFICER: (SENATOR DONAHUE)

Go on, Senator Collins.

SENATOR COLLINS:

It said it cannot -- it cannot exceed two percent of the total rental units within any local municipality. So what do you mean it's not limiting it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Let me try to go through this. First of all, let me point out, Senator Collins, that this is at the request of African-American mayors from my area. Okay? Now, the -- the people that limit the number of Section 8 permits is not the municipality; it's the Housing Authority of Cook County, who says, "We can't do anything about this terrible problem. We're aware of it, can't do anything." Now, a municipality can say, "I'm only going to take two percent of my rental units." That does not destroy the number of Section 8 permits. It only says you can't have more than two percent in one community, unless the municipality says that it's okay. That's all. It does not -- at

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thirty-eight hundred units is -- I mean, there...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

I would move the previous question.

PRESIDING OFFICER: (SENATOR DONAHUE)

That point is always in order, Senator Hendon. Senator Collins, you have the Floor.

SENATOR COLLINS:

Thank you very much, Madam Chair. Senator DeAngelis, no matter how you preach, no matter what you say, this bill is simply limiting the number of low-income units in a municipality to two percent, and that's where the problem lie. You keep saying it doesn't exist, and it doesn't make any sense for you to say that. It does exist, and I would ask you and urge you -- if you are really sincere about getting people off of the welfare rolls and an opportunity to work, you have to make sure that they have adequate housing where the jobs are. And that's as simple as that. I think we should defeat this amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Madam President. And just a few comments on -- on the bill. When you -- when we look at employees, we look at subsidized housing - affordable housing. Half the State employees in this State would qualify, if they were available, for a Section 8. Section 8 -- Section 8 deals with rent subsidy for those persons who are working. And they are not always considered working poor. Matter of fact, half -- half the staff on both sides of this aisle would qualify. But when you begin to put a limit -- a limit on -- on -- on the individual, based on his income, where you are living, then you have what you call "class

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legislation". What the Senator is attempting to do - and it doesn't mean low-income - what the Senator is attempting to do is that if you're making twenty-five thousand dollars a year, for example, but the rent in a certain area is so high, if you can -- you cannot live there, because he's placing a cap on the number of persons who earn a certain amount of money to live in that community. So, I mean, this is class legislation. I don't think this Body should be in the posture of -- of trying to decide where people live, based on their income. It has nothing to do with the welfare piece of it, Senator Collins, but -- but when you try to restrict a person based on his income, where he shall live, then I don't think this Body or any other legislative body should be in a position to pass class legislation. And it's wrong, and this bill should be defeated.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Senator Giglio, what percentage -- could you tell us -- could -- oh, I'm sorry. DeAngelis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Could you tell us what percentage -- what percentage of the south suburb have -- what percentage of Section 8 houses is in the south suburb?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

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The total for the south suburbs for Cook County is seventy percent.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

I -- I don't think I heard you correctly.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Seventy percent. I might add another statistic, however; that of that seventy percent, ninety percent sits in three communities that are predominantly black.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Senator DeAngelis, would you be amenable -- and I understand what you're trying to do. One of my mayors awakened me this morning at my hotel, talking to me about this legislation. I understand what you're trying to do, but this bill have to return to the House. Is that right? Would you be amenable to working out an amendment where that maybe we could say something to the effect that there should be no other Section 8 houses in the south suburb, where they all seem to exist, until the rest of the county has complied with the -- with the law? ...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

I don't know...(microphone cutoff)...would be the amendment or not, but certainly I'm amenable to trying to work out something on this legislation, because I understand the problem that exists, but it seems to be a problem with the -- the last amendment, or the bill, as -- as it's written. And certainly I want to

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accommodate the people, and I've talked to many people in my community out there about this problem. And would you work with me and the House sponsor, in terms of trying to work out some legislation on this amendment?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Shaw, certainly I would work with you. I'm not so sure that -- that that -- that creates more problems for Senator Jones and Senator Collins, if you're going to turn around and prohibit. This bill does not prohibit, you know. And I will address in the closing some of the fallacies, but I will work with you, yes, when the bill goes over to the House. It's got to go to the House -- back to the House.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Yes. What -- I think what we are talking about here -- and I think most people have a full understanding that you're limiting the rental units to two percent, and then you're leaving it to the mayors to make the decision on the other units, if they're rented. I think most of us here understand that. What the problem with that is, is most -- or it's assumed that most mayors in these towns will not allow those people -- people to come in, whether they are the twenty-five-thousand or they are the ten-thousand people. I think that's the issue here. I think that the problem that we have -- and to the -- to the bill itself: The problem that we have in the south suburb is that seventy percent of the rental units that exists are located -- twenty-five percent of them are located in Harvey, Illinois. Now, that creates a problem for that mayor out there. I understand that, and I think every Member of the Body understand that. But as Senator Jones has

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pointed out, that we should not be in the business of -- of passing class legislation, or what's presumed to be class legislation, here. Let's work it out where that it will benefit all of us, in the south suburb and the rest of Cook County. And I think this is -- will be beneficial to this entire Body and to all of Cook County.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. I'd just like to sort this out a minute and then support the recommendation that Senator Shaw said. I have a list in front of me ranking the towns by the number of Section 8 family units in them, and I do recognize what Senator DeAngelis is saying. There is a concentration of them, according to the -- this list, in the south suburbs. The problem with this legislation is that it is taking that problem and then putting a cap, in many respects, on the entire county. It would be better, it seems to me, given that we are talking every day in this Chamber and in the federal government about demanding self-sufficiency from people, about opening up options for them, that we -- rather than this, this Body has an opportunity to figure out how to disburse Section 8 Housing and other housing throughout the entire county. I represent a district where there are Section 8 Housing, but I also have a very wealthy area around the University of Chicago. So in a small way, we have the same problem. I would not like to see -- in the South Shore area, for example, where South Shore Bank has become one of the models of being able to turn a community around, I would not like to see that hampered by having class-based housing. Their effort is for affordable housing. So I think we have an opportunity here. I agree with Senator Shaw. Let's not even have anything that smacks of the old way, if you'll recall, of the restrictive covenants,

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and, unfortunately, this smacks of that. And I don't think that's what your intention is. I know you to be a person who is trying to solve problems. Let's look at this in a different way and talk about disbursement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. First of all, I'd like a little decorum in this room, because this is probably one of the most important pieces of legislation that we're going to vote on today, barring none. I want to make it clear to the sponsor and to the Members of this Body that I have read this legislation - thoroughly. And the sponsor of this legislation does not have a monopoly on reading, and understanding, and interpreting legislation. Now, I don't know why everybody on this side of the aisle is being so nice about this bill and trying to be -- I understand statesmanship and all of that, but let's call this bill what it is. This is a racist bill. That's what this bill is. This bill is in direct response to CHA -- the Chicago Housing Authority's attempts right now to demolish public housing and give people another opportunity, a different opportunity, to live somewhere else. Now, I am aware about the problem in the south suburbs, but what this sponsor is doing is pimping that situation. He is taking advantage of the problem in the south suburbs to deal with discrimination and to forward segregation. Now, if Senator DeAngelis was sincere about what he was doing, he would say what Senator Shaw said: that no additional Section 8s could go in certain areas that already has an overabundance. But he's not doing that. I have a list here that names a number of communities, of a lot of communities, that have no Section 8. Why are they in this bill? Because this bill is a segregationist bill. That's what it is. Now I want you to know something: I am

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one black man that does not want to live in Senator DeAngelis' neighborhood. I want to stay on the west side of the City of Chicago. So I don't want anybody in this room to think that everybody in CHA wants to be moved to the suburbs. I have a bill that's sat in Rules, and been in Rules forever, that says if this Lane knocks down public housing in Chicago, that the local elected officials -- he has to work with us to build the people something new in the community. And that's where the people that live in my public housing want to stay. They don't want to move in your neighborhood. Believe me. They don't. "Guess Who's Coming to Dinner?" is an old movie. It's went out. It's went out. We'll stay where we want to, but we don't want nobody -- nobody has the right to dictate to the people who do want to live in the suburbs or do want to move out, that they can't. A vote for this bill is a vote for racism. A vote for this bill is a vote for segregation. That's what it is. In 1994 I would like to think that we have grown above this, that we have grown above all these games. And nothing that the silver tongue of Senator DeAngelis puts out can clean this up or make it any better. It is racist. It is classism, racism. It smacks of it. It stinks of it. It stinks to high heaven, and it is wrong. In my closing, let me tell you this: This morning when I woke up, I turned my television on to the prayer breakthrough hour. Now a lot of you on both sides of the aisle purport to be Christians. You say that you've found the Lord and you're saved and all that. Well, let me tell you something: You aren't going to get to heaven with racism reeking through your soul. The best thing about that church program this morning, they had black people in the choir and white people in the choir, Hispanics in -- in the pulpit, and everybody. Everybody. That was the best thing about it. So if you are true about being a Christian, if you are true when you go to church -- and we have a preacher or a -- a pastor or minister pray over this

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Body every day before we come in here - you will not vote for this racist, segregationist piece of legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. I'm rising on a different part of this bill, on a different Section of it. Senator DeAngelis, I understand the bill authorizes municipal mayors and presidents -- and by the way, the original bill is sponsored by the Illinois Municipal League. And according to our analysis, it says the bill authorizes municipal mayors and presidents to remove appointed, municipal officers whom they have appointed, without being blocked by a two-thirds vote of all elected municipal officials.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR KARPIEL:

I -- I...

PRESIDING OFFICER: (SENATOR DONAHUE)

Oh. Go ahead. Senator Karpiel.

SENATOR KARPIEL:

Instead of going in this direction, I wondered if you would be amenable to also working with me, to not take out the two-thirds vote, but to put in a four-fifths one before they can do it?

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR DeANGELIS:

You know, I woke up this morning too, Senator Hendon, and I woke up to try to figure out - try to figure out - how to take care of a problem that is maybe a little more unique to my area, and Senator Shaw's area. The problem is that the very thing that you find so abominable - the racial segregation - is caused not by this bill, because this bill - this bill - this bill - forces

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dispersion, which is the opposite of segregation. And I resent the fact that you would put a racist tag to this, because this request -- and I'm going to tell you, Senator Shaw, the next time your mayor comes in with a request for me and I have to go through this bull crap, I'm going to tell you, I'm going to tell him where to put his bill. All right? We're trying to resolve a problem. Senator Collins, the communities that have all this, have no jobs. They have the highest unemployment in the State. And you're trying to tell me I'm trying to block somebody from moving into a place that -- where there are no jobs. Whoopee! I'm going to tell you, there is a problem out there. There's a problem where a well-intentioned program of scattering people, instead of putting them into projects, is not working, because we have gone from a seven-story ghetto to a four-block ghetto, or a six-block ghetto, or a ten-block ghetto. The fact is, only seven communities in all of Cook County have Section 8 Housing. If you want to talk about what's racist, that is racist, and you want to support that activity. That is racist. The fact is, people are entitled to live where they want to live. And the reason that we turned around and created Section 8 -- and you're right, Senator Jones, it could be people that are working, that are the working poor. But don't prohibit them from moving someplace else because you've got greedy landlords sucking them up into one spot, making rents they normally would never, ever dream about. There's ads in our paper - and Senator Shaw will tell you - "House for sale. Harvey, Illinois. Section 8 available." Puts the price up about fifteen, twenty thousand dollars. Is that great? Is that a good thing to do? Is that being fair to people? Is that antiracist? The hell it is. I want to tell you, there's more statistics on this problem. I said over half of the families live in only seven communities. Ninety percent of Section 8 are African-Americans. That in itself forces segregation. It's a clustering effect.

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This is designed to stop that. And I've got to tell you, if -- Senator, if Mayor Johnson wants to have forty-two percent Section 8 in his community, he can have it. This bill doesn't keep him from doing it. The fact of the matter, this gives the opportunity for people to find housing where the jobs are - where the jobs are - not to be left in another community in which they're creating a second ghetto, except this time it's legitimate ties by a so-called well-intentioned program. I urge we pass this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 343 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 14 Nays, 12 voting Present. House Bill 343, having received the required constitutional majority, is declared passed. Senator Dudycz, on House Bill 356. Read the bill, Madam Secretary.

END OF TAPE

TAPE 2

ACTING SECRETARY HAWKER:

House Bill 356.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Madam President. House Bill 356 is the first of

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four bills being presented today as the Senate crime package, being promoted and hopefully passed out of the Senate. House Bill 356, first of all, limits the grant of peace officer status for federal officers to the current unlawful use of weapons, by amendment passed earlier in the committee, and adds when assisting an Illinois officer in an arrest or when a felony is committed in the presence of the federal officer, that federal officer is granted peace officer status. Also gives the federal officer acting under these provisions immunity from liability, except for willful and wanton misconduct. This portion is supported by the Department of State Police, the Sheriffs' Association, Police Chiefs' Association and the FBI. Further, it contains the contents of Senate Floor Amendment No. 4, which passed yesterday out of the Senate -- which was adopted yesterday out of the Senate, and I'll go briefly through the provisions of Senate Amendment No. 4. It contains the contents of Senate Bill 1722, which passed the Senate 57 to nothing, sponsored by Senator Butler, which would allow MEG units to investigate gun- and gang-related offenses. It adds the contents of Senate Bill 1705, sponsored by Senator Philip, that passed the Senate also, with a vote of 56 to nothing, to include armed violence in the death penalty felony murder provision. Also sponsored by Senator Philip, the contents of Senate Bill 1694 are included, which passed the Senate with a vote of 52 to 3, to clean up the stalking sentencing provision and add aggravated kidnapping to the list of offenses in the habitual offender life imprisonment section, and allow the use immunity on all criminal offenses. It adds the contents of Senate Bill 1352, sponsored by Senator Dillard, which passed the Senate with a vote of 55 to nothing, to reverse the Beardsley eavesdropping case allowing consensual overhears by law enforcement in certain cases when necessary for officer safety, and expand wiretap to include murder, money laundering and

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gang-related felonies. This amendment -- or this portion also adds to wiretap, gun -- gun offenses which were in Senate Bill 1713. It also creates a new offense of false personation of a parent or legal guardian of a minor to a public or school officer or an employee. This -- this provision was taken from the -- Mayor Daley's Safe Neighborhoods proposal. It adds the provisions sponsored by Senator Topinka of Senate Bill 1228 that passed the Senate 58 to nothing, to make it unlawful to possess drug paraphernalia with the intent to use it as drug paraphernalia. Adds the contents of Senate Bill 1513, sponsored by Senator Petka, that passed the Senate 46 to 4, to allow the court to set up a special drug-testing program as a condition of release on a recognizance bond on a felony or a drug offense. It also adds the contents of Senate Bill 1717, promoted -- or sponsored by Senator Dillard, which also passed the Senate with a vote of 46 to nothing, to allow a statewide grand jury to investigate gun- and -- and gang-related crimes. And finally, it contains -- the bill contains the contents of Senate Floor Amendment No. 5, which we also adopted yesterday, which added the contents of Senate Bill 1517, sponsored by Senator Karpziel, requiring the State's attorney to notify a witness of a defendant's post-conviction petition and the time and place of a hearing on it, requiring the release -- releasing authority to notify a witness of a defendant's discharge from custody if the defendant was committed to the Department of Mental Health and Developmental Disability under criminal authority. Requires the Prisoner Review Board to notify a witness of a prisoner's escape and reaprehension. Requires the -- requires the Parole Review Board to notify a witness of a prisoner's release on parole, the mandatory supervisory release, and of his final discharge from parole, the electronic detention, work release, et cetera, et cetera, et cetera, et cetera, et cetera.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam Chairman. Just real quickly. I'm not going to talk about any of the bills. As the Senator started reading off roll calls, he saw that they weren't all unanimous. Some had some No votes to it. I'm certainly not going to talk about bills that we voted on two and a half weeks ago. I assume this is being done to circumvent some gamesmanship that apparently is going on between the House and the Senate. It's too bad that it has to be this way, because some of these bills that I voted No on -- and there are -- about thirteen or fourteen of the sixteen are terrific. And I don't want to be recorded No on the thirteen good ones, because someone could take this roll call. I'm looking for a "Yes, but" button, but there is no such thing. And I just wish that this type of thing doesn't keep coming before us. I don't know what gamesmanship has caused us to have such terrific legislation put with bad legislation and you're forced to vote Yes or No on -- and it should -- just shouldn't be this way. That's my only comment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the question is, shall House Bill 356 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 4 Nays, 6 voting Present. House Bill 356, having received a required constitutional majority, is declared passed. If I could have your attention for just a minute. Senator DeAngelis and Senator Mahar have a group of people they would like to introduce to the Senate.

SENATOR DeANGELIS:

While they're all filing in, let me introduce the State --

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State 4A Champion, Marian Catholic High School of Chicago Heights, who are visiting with us today. I've had the opportunity of representing this area. In fact, I live about a mile away from the school. I have watched this institution produce some of the finest athletes. But what's really amazing about Marian is that they not only have the State Champion in 4A, but they also have the grand national champion marching band, which has won the title for four years - national championship. But let me just tell you a little bit about this team while they're filing in. Let me give you some of the honors that they have received. First of all, as I said, they're the State Champion Class 4A, East Suburban Catholic Conference champions, Chicago Tribune number one ranked team, Chicago Sun-Times number one ranked team, Chicago Sun-Times Team of the Year, the Times number one ranked team, Daily Southtown number one ranked team, Star Tribune Publication's number one ranked team, US <sic> Today - US Today - number fourteen nationally, US Today number three in the Midwest, winner of the Touchdown of the Month Award from the Washington, D.C. Touchdown Club, the Notre Dame Club Knute Rockne awards, and the Coach, Dave Mattio, frankly he -- Prep Coach of the Year. We're not going to introduce all the players because there's far too many, but let me just mention a few who have won honors. All-Area selection and also All-State, Terence Marable. And -- I want -- I want Terence to tell us where he's going to go to school.

TERENCE MARABLE:

University of Illinois.

SENATOR DeANGELIS:

All right. We've got Mike Bartolini, offensive lineman. Mike, where are you? There he is. Okay. Allan Danielwicz, offensive lineman. Okay. Dave Perozzi, whose father and I were classmates in high school. Where's Dave? Okay. Brian Kochanski, who's a defensive lineman. And Mike Clifford. And also -- did I

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say Mike? Mark. And, Brian, I -- I need some help with your last name - I think I know your family, too - who has received countless honors, Vanderluitgaren. Is that it? So -- and Jim McGarry, who was named the Sun-Times Defensive Player of the Week. McGarry? Okay. This team has done an outstanding job, and I -- and I do feel like I want their coach to say a few words, because this team has been more than just a team. It is a -- you've got to go out to see this team play and see how much they mean to the community and the strength of their following. And you're going to find out in one second, because here is a coach - Coach, how many years, 18 years? - coach for eighteen years. One of the most loved persons. One of the strongest disciplinarian, and one of the best football coaches, Dave Mattio.

COACH MATTIO:

(Remarks by Coach Dave Mattio)

SENATOR DeANGELIS:

Thanks for visiting with us.

PRESIDING OFFICER: (SENATOR DONAHUE)

I would remind the Senate that we've done eight bills in about a little less than an hour and a half. At this rate, we're going to be here till about 11 o'clock tonight. So if you want to keep your remarks brief, that's fine. If not, make your room reservations. On House Bills on 3rd Reading is House Bill 381. Senator Cronin? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 381.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President. I'm glad we could move off the

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Senator DeAngelis Order of Business. House Bill 381, as amended, does a number of things. Real quickly: tightens prostitution Statute to accept -- to include the acceptance of property or anything of value in exchange for sex. Currently only money is covered. It allows child pornography charge for distribution of pornography by computer. Raises the penalty for parents who promote or arrange for the use of their child in a sex offense to a Class 1 felony. Increases the penalty in certain cases for possession of firearm without a valid FOID card. Extends the firearm transfer inquiry program to September 1, 1996. Requires community service as a condition of supervision or probation in juvenile court on a minor delinquent or gang-related or gun offense. Increases the penalty unlawful use of weapons violations. It makes it a crime to defraud Women, Infants and Children - the WIC - food aid program. And finally, it prohibits issuance of Illinois FOID cards to illegal aliens. I ask for affirmative vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, the question is, shall Senate -- House Bill 381 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, no voting Present. House Bill 381, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is House Bill 410. Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 410.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. House Bill 410, as amended, freezes the assessed value of residential property for senior citizens sixty-five and older, beginning with next year's assessment. It's limited to taxpayers with a total household income of thirty-five thousand dollars. They would have to submit an affidavit of their income and eligibility and a copy of the first page of the most recently filed income tax return, because we do not, in fact, exempt as income that which is tax-free income. Be happy to answer any...

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Weaver.

SENATOR WEAVER:

...move -- I'd move the previous question.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. Further discussion? Senator Berman had his light on.

SENATOR BERMAN:

Thank you, Madam President. I want to compliment the sponsor for being responsive to some of the concerns that were raised in committee. I want to underline, for the record, that when we talk about thirty-five thousand dollars in -- in income, we're -- we have defined income as being everything, in essence, so that your pension money is included; tax-free municipal income would be included. So we are directing this cap of assessments to the people that -- that really need the most help. Let me add one other factor that -- it's not fair to our schools and to our other local taxing bodies to say that when we pass this, we've done a job. We are -- this is only the first step in a process of eliminating the overreliance on property taxes and giving some relief to that small area of seniors - low-income seniors - that

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deserve it. But this does not address the problem of how do we fund schools and local government. That has yet to be addressed, but I do stand in strong support of House Bill 410.

PRESIDING OFFICER: (SENATOR DONAHUE)

Previous question has been moved, Gentlemen. Senator DeAngelis, to close.

SENATOR DeANGELIS:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 410 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 -- 59 Ayes, no Nays, none voting Present. House Bill 410, having received the required constitutional majority, is declared passed. Senator Philip, on House Bill 539? Read the -- whoa, I missed one. Excuse me. House Bill 457. Senator Fawell. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 457.

(Secretary begins to read title of bill)

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record. Senator Philip, on House Bill 539. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 539.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President and Ladies and Gentlemen of the

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Senate. This is simply a vehicle bill. I have identified it to the Speaker of the House. I'm assuming somewhere along the line if we come together on a Medicaid plan, this will be the vehicle that we'll use. So I would ask for some -- a lot of green lights up there.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Let's talk about what concerns us, you know, in this supposed plan. You know, there -- there was an implied threat -- maybe not even so implied -- when the budget was passing. If we don't pass this Medicaid plan, guess what's going to happen? Doom and gloom will come over the earth. What is the Medicaid plan presented to us? A short title. That's all that's in the plan, officially, at this point. It can be called the Medicaid Managed Care Act, and there's nothing else in it. Let's talk for a moment of how we got here, and of what we're hearing around this building, and why we are so concerned, as we were with the budget when bipartisanship and cooperation was discussed, but none of our ideas were deemed worthy to even be considered. What this is, if you saw the ads, it's like when the guy takes the butcher block and is chopping up the steak and then chops up the credit card. Well, that's what the Governor said in his State of the State when he was first elected. We must get rid of our credit card in Illinois. Chop it up. But just like that ad went on, he then went and called every credit-issuing company in America and said, "Give me an unlimited credit card." That's where we're at: a no-limit situation. Two years ago he presented to us the do-all and end-all plan to solve the problem of Medicaid. "Three years", he demanded, and a year later said, "Oops, that one's not so good. Here's the do-all and end-all." That was last year. Let's tax

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hospitals. Let's tax cigarettes. Let's tax almost everything that doesn't move quickly through this State. That he insisted - we were here for weeks - that that be a two-year plan. Get us beyond November 8th. What happened to that plan? Why isn't it working? It's in place today. It was supposed to be in place tomorrow. It was supposed to be in place next month and throughout next year. What happened was, when we sat down and negotiated in good faith to create that plan, they said to us - the Governor, the Bureau of the Budget, the Department of Public Aid - "If we do all this, our payment cycle to providers will be short about seven hundred fifty-eight million dollars." "An acceptable level", they said. So did the providers. We passed his proposal. We passed all the taxes he asked for. He signed them into law. Lo and behold, three months later they come up and say, "Oh, well, we made a little mistake. We were only off by seven hundred and sixty million dollars." Not two million more than they originally said, but a billion five hundred and eighteen million dollars. Information they do not by law now give us, that we have asked for in Senator Jones' package, that we know how much they are paying and what they are projecting - numbers they do not share with us. A goof like that should have required the firing of the Bureau of the Budget and probably half the fiscal staff at Public Aid. To make that kind of a credit card error, put us that much deeper in debt, after telling us to pass all kinds of taxes to pay it. What's he saying now? Managed care is the answer. Where's he been? I passed managed care in '89. Topinka and I amended it in '91 and '93. They never once saw fit to implement one person on there, in the test we requested, demanded, and he signed into law. He didn't like it then. Suddenly loves it now. Why? His last two great ideas didn't work. Now he's coming up with another idea that he won't even show us yet official. What is he telling us unofficial? When they did the budget announcement they said,

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"Plan on thirty-percent savings." This morning he testified, Jim Reilly, in the House, "Eight percent." And then Robert Wright said, "Well, wait a minute. Whoa. It's not really eight percent. After all, we have carved out long-term care, an amount equal to the medical costs - the hospital costs: a billion dollars." So now it's down to maybe eight percent of a billion dollars. Still a lot of money - something worth worrying about - except let's look what else they did. When they started this process they told us it would cover everybody, unless - unless - you were in a teaching hospital, a disproportionate-share hospital or a rehab facility because of a spinal cord or head injury. Draft they gave us yesterday for consideration, but not good enough yet to put in a bill, changed those three exemptions to fifteen. These will not be cost savings anymore. They will not be managed care. They will be based on the old system. And let's see what they are. In addition to disproportionate share, it'll be primary care access health care education payments, payments for capital for hospitals, direct medical education, indirect medical education, certified registered nurses anestesiasts <sic>, kidney acquisition costs, uncompensated care payments, trauma center payments, all rehabilitation hospitals, prenatal care payments, obstetrical care payments, targeted access payments, Medicaid high-volume payments, outpatient indigent volume adjustments. What it means is, everyone who came in and complained was carved out. There ain't nothing left. There ain't no managed care. There ain't no savings. What are we trying to do? We're back to fee for services. It's all aimed at November 8th. We are putting ourselves two billion four hundred million dollars in debt under this proposal, if it's what the latest draft showed us. Their own figures say that they're off in their budget a couple hundred million. They're doing away with six hundred million in assessment from the hospitals. They're a billion four behind.

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They're over two billion four hundred million in debt, if we pass the latest version, because nothing's in there anymore. This is ridiculous. If he was right in cutting up the credit card, don't call them for another card with unlimited credit. This is silly.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Madam President. House Bill 539 is supposed to be a vehicle bill for the nonexistent plan from the Governor, and -- but there are many substantive issues in this supposedly vehicle bill. I had -- wish I had talked to the Senate President about it, and they decided to go ahead and put these substantive matters in there. But this is for the nonexistent Medicaid managed care program that we do not have. I wish that the bill was really a vehicle bill so that we could intelligently vote on a vehicle bill. But I -- I plan to vote Present on this issue and -- perhaps my colleagues on this -- on this side of the aisle should do likewise, because there are measures in here which we are for; then there are measures that we are opposed to. So the best vote would be a Present vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Madam Chairman and Ladies and Gentlemen. I'd like to ask my colleague a question, to the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Smith.

SENATOR SMITH:

Thank you, Madam President. Senator Philip, I'd like to -- concerning the co-payment language, please. I'd like to ask you, what has been the experience of other states with co-payments for Medicaid services?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Twenty-six other states do co-payments, and they do work.

SENATOR SMITH:

Well...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Smith, just put your light back on.

SENATOR SMITH:

All right. Thank you. What has -- what impact will co-payment have on utilization?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

It will keep people from misusing the emergency funds.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just put your light back on, Senator Smith. Senator Smith.

SENATOR SMITH:

I'd like to ask you, what happens if a client is unable to pay?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

As you know, the hospitals have to service them anyway, whether they can pay or not.

SENATOR SMITH:

Thank you, Madam -- thank you, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further...

SENATOR SMITH:

Thank you, sir.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Thank you very much. I too just wanted to address some of the substantive language that we discussed briefly in our -- in the committee meetings, and that is specifically, again, addressing the co-payment question. And that is, what are the federal regulations on co-payments, and what are the maximum amounts of those co-payments?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

There are guidelines. It can't exceed five percent.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

And -- and if you could also, sir, tell -- tell us, what are the savings that we're looking for in Medicaid -- in the Medicaid program, as regards to Medicaid and the co-payments?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Public Aid says the experience they've had in those other twenty-six states, they think we can save about twenty-two million.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

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And did they give us a timetable? These savings can be realized in -- in how many years?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Yeah. Once they're implemented and -- and in position, it will take about one year to realize twenty-two million.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter. Oh. Further discussion? Further discussion? Senator Philip, to close.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of -- of the Senate. Let me say this to Senator Carroll: He has met with the Governor's chief of staff, the director of the Bureau of the Budget, the director of Public Aid, and he sings the same song - complains, complains, complains, complains. We all know it's an election year. But you know what? You don't have a plan. You don't have an alternative. Period. This is the only game in town, and you know this is a vehicle. Let's get it over to the House and let's sit down and negotiate this out.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 539 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 1 Nay, 26 voting Present. House Bill 539, having received the required constitutional majority, is declared passed. Senator Severns, for what purpose do you rise?

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

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Please state your point.

SENATOR SEVERNS:

It is my honor today to have joining us a student from Krasnodar, Russia, who has been here since -- since August, and has been talking about some of the changes that have taken place there, and -- and also understands that Gorbachev visited Decatur, where he has been a resident since -- since August, and will be there until June. But I'd like the Senate to join us in -- in wishing Greg Chupin a nice welcome from the Illinois Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please welcome him. Nice to have you with us. Senator Bowles, for what purpose do you seek recognition?

SENATOR BOWLES:

I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point, ma'am.

SENATOR BOWLES:

We have a group in the gallery this morning from the Calvary Baptist Christian School in Bellvue <sic>, Illinois, and they're here with Reverend Norman Schneller, who is the director of the school. I would like to introduce them and have them stand, please. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Senate. Welcome. On the Order of 3rd Reading is House Bill 696. Senator Petka? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 696.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

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SENATOR PETKA:

Well, thank you, Madam President. Before I get to the explanation of the bill, as the chief sponsor of House Bill 2938, I would like to ask that bill to be re-referred to Rules.

PRESIDING OFFICER: (SENATOR DONAHUE)

That order is always in -- in order -- or that -- whatever. Put it into Rules. Senator Petka, on House Bill 696.

SENATOR PETKA:

Thank you. House Bill 696, as amended, adds jailbreak tools to the definition of contraband within a prison. Additionally, it would prohibit court supervision for a minor who has been convicted of first degree murder or a forcible felony. It would require at least five years probation for any minor age of 14 and under who is not sent to prison for first degree murder or for a forcible felony. Additionally, it creates a special category of juvenile offenders known as a violent juvenile offender, which is triggered by the conviction of two Class 2 or greater forcible felonies or firearm felonies, requiring the juvenile to spend sentence -- his sentence in the Department of Correction until his twenty-first birthday. It also enhances penalties for certain weapons-related offenses within one thousand feet of a school or a campus. This was the safe school zone of Senate Bill 1714, which was incorporated. Additionally, it would permit the death penalty for a murder committed during armed violence, aggravated carjacking, aggravated stalking or drive-by shooting, and also, to speed up our criminal appeals process, would reduce the time in which post-conviction petitions may be filed to a maximum of three years from the date of conviction. That is the summary of House Bill 696, and, Madam President, I will answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 696 pass. Those in favor will vote

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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 that question, there are 55 Ayes, no Nays, none voting Present. House Bill 696, having received the required constitutional majority, is declared passed. Senator Shadid, on House Bill 742? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 742.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam President. This bill now has two parts to it, and I would like to speak on the first part, and Senator Palmer will speak to the second part. It amends the Public Code to require Department of Public Aid on or before January 1, 1995, to transmit to the Governor and General Assembly the data concerning the total number of former welfare recipients making the transition from welfare to work who received extended Medicaid coverage during FY'94, and the periods of time for which those recipients received such coverage. Senator Palmer.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid yields to Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. This amendment was discussed yesterday and passed, so I'll just say briefly that it -- this is in anticipation of the State of Illinois expecting to receive empowerment zone funds, and it therefore promotes the goals of empowerment zones by requiring the Department of Public Aid to operate demonstration projects concerning the amount of resources an individual may possess while retaining eligibility, and to

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promote the impact on employment, earnings and continued receipt of assistance. It is expected that this bill will go to conference committee, as agreed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 742 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 742, having received the required constitutional majority, is declared passed. Senator LaPaille, for what purpose do you rise?

SENATOR LaPAILLE:

On a point of personal privilege, Madam -- President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR LaPAILLE:

There was a passage of House Bill 381, Senator Cronin's bill. I was in the phone booth and my seatmate here could not handle seven buttons all in a row, and I did vote No. I would like that record to reflect I would have voted Yes, if I was not in the phone booth, and Senator DeLeo would not have had so much responsibility in this row. He did vote...(microphone cutoff)... It should be noted that Senator DeLeo voted Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record does reflect that, sir. Senator Barkhausen, on -- out of the record. Senator Cullerton, on House Bill 902? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 902.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill was amended yesterday by an amendment which was proposed by the Illinois Manufactured Housing Association, and it deals with mobile home parks. An owner shall pay interest on a tenant's security deposit at a rate that fluctuates according to the current rate of passbook savings accounts. This language is virtually identical to a bill that we passed last year which affects apartment landlords and tenants. The -- the security deposit would pay interest. It would float, rather than be set at a statutory rate. Be happy to answer any questions, ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I had a call from a gentleman who lives in a mobile home in Waukegan, questioning this bill. Was there anything done -- anything involving the mobile homes there about that security deposit?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Mobile home owners pay a security deposit. The owner of the land has to pay interest on that security deposit. The -- the bill proposes that that interest rate be a floating rate tied to, like, a passbook rate. And that would be 2.5 percent in today's

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interest rates. So that's what the bill does.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Klemm.

SENATOR KLEMM:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton?

SENATOR KLEMM:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR KLEMM:

Last year I passed the bill that had the interest for twenty-five or more. Is this -- the interest now will be the floating rate for all, or is just for the mobile homes?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

It only applies where there's twenty-five or more.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

I think it's a fair bill. Would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 902 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. House Bill 902, having received the required constitutional majority, is declared passed. Senator Woodyard,

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for what purpose do you rise?

SENATOR WOODYARD:

Thank you, Madam President and Members of the Senate. I wish to recommit the next bill, House Bill 1124, to Rules.

PRESIDING OFFICER: (SENATOR DONAHUE)

That request is always in order. Thank you, Senator Woodyard. Senator Topinka, on House Bill 1129? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Topinka.

SENATOR TOPINKA:

Yes, Madam President and Ladies and Gentlemen of the Senate, 1129 is kind of a compilation of many things. Very quickly, it increases the penalty for aggravated fleeing and eluding, when it results in bodily injury, to a Class 4 felony. It requires defendants to pay the costs, as determined by the county board, of electronic monitoring. Expands the number of offenses for which juveniles can be fingerprinted and those fingerprints sent to the State Police for filing. Allows the State's attorneys to enforce the grass tax and share in the collections. Allows the Attorney General to pursue civil procedures to cover costs of an inmate's incarceration. It allows for forfeiture of a vehicle used in stalking. It creates aggravated reckless driving, making it a Class 4 felony if it results in great bodily harm. In setting bail, it allows the court to consider whether an alleged offense was gang-related, and it does a number of other things. I would be happy to answer questions, but because of the sheer size of this, let's move it.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, the question is, shall House Bill 1129 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1129, having received the required constitutional majority, is declared passed. Senator -- Senator Karpel, on House Bill 1352? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1352.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Illinois Information Service requests permission to videotape. Is leave granted? Leave is granted. Senator Karpel, on House Bill 1352.

SENATOR KARPIEL:

Thank you, Madam Chairman. House Bill 1352 amends the Public Utilities Act, and it establishes procedures for the Illinois Commerce Commission to follow for the appointment of a receiver or acquisition of a small utility which is not providing safe nor reliable service. With the amendment that was put on it, it also permits utilities to engage in property sales of up to three hundred thousand without ICC approval. That -- this adjustment will require large utilities to seek ICC approval of large transactions, but it will save the expense of seeking approval for smaller companies and small transactions. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, the question is, shall House Bill 1352 pass. Those in favor will vote Aye.

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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 that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1352, having received the required constitutional majority, is declared passed. House Bill 1391. Senator Demuzio. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1391.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President, and Ladies and Gentlemen of the Senate. The bill does exactly as the Calendar indicated. It says that individuals or not-for-profit agencies will be allowed to donate food or baked goods to nursing homes without liability from civil action for damages. And Senator Smith put an amendment on the bill also, and I shall yield for -- to her for her explanation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Smith.

SENATOR SMITH:

Thank you, Madam President, and thank you, Senator Demuzio. This -- out of this bill, there -- there is a provision which is a combination of House Bill 4215 and House Bill 2883 that is sponsored by the -- Representative Moffitt, and also House Bill 2884, sponsored by Representative Wojcik. These two sponsored bills grew out of the House Minority Leader's task force on health care and women. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, the question

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is, shall House Bill 1391 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1391, having received the required constitutional majority, is declared passed. Senator Hawkinson, on House Bill 1513? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1513.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Read the -- or, Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. This bill now is constituted of Senate Amendments 2 and 3 that we placed on the bill yesterday. I won't go into 'em in detail today other than to remind the Body that Senate Amendment 2 is a response to the changes in the Vehicle Code, essentially to place it in conformity with the federal rules, changing references, for example, from "handicapped person" to "person with disabilities". And Senate Amendment No. 3 has the contents of two Senate bills: One, Senate Bill 1730, which was my bill, the Secretary of State Ryan's zero tolerance proposal; the other was Senator Maitland's Senate Bill 1733, which was the agreed fingerprint background check for new school bus drivers. I'd be happy to answer any questions, otherwise ask for your affirmative vote on House Bill 1513, as amended.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, the question is, shall House Bill 1513 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

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On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1513, having received the required constitutional majority, is declared passed. Senator Maitland, on House Bill 1569? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1569.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Madam President, Members of the Senate. House Bill 1569 does essentially two things. First of all, it would allow counties between three-hundred- and four-hundred-thousand population, or adjacent to such counties, to zone parcels of land of less than five acres for which one thousand or less or <sic> agriculture products were sold in any calendar year. This was requested by the -- the County of Kendall. It -- the -- the -- the second component is one that was important to Senator Demuzio, and he could -- he's welcome to comment on it, but the amendment is identical to House Bill 3743, which passed the House. It authorizes a county board member in counties under fifty-thousand population to serve as alderman or trustee of a municipality if the municipality is under one-thousand population. I know of no opposition. Would be happy to respond to any questions, otherwise would appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Senator Klemm.

SENATOR KLEMM:

Will the -- will the sponsor yield for a short question?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Indicates he'll yield, Senator Klemm.

SENATOR KLEMM:

My -- my question was about the change of the five-acre zoning requirement. Why can't the county just change those zoning requirements as the petitioner makes that request before the ZBA?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Neither I nor staff, at this point, totally understand your question. Would you restate it, Senator Klemm?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

It's my understanding that counties can change zoning parcels of land of less than five acres, which have less than a thousand dollars of agricultural products. Why do we need the law for that, when the counties have the authority to change zoning if they go through a ZBA process?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Senator, I'm reliably informed that they can't zone in the agricultural area without this -- without this change in the Statute.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

In my county, which is as affected by this bill, which happens to be the fastest growing county in the -- in the State of Illinois percentage-wise, we certainly had the authority by our ordinance to change the zoning requirements upon the request and petition to a ZBA and action of the county board, plus our zoning

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ordinance had a number of different categories that we could do in an agricultural zone. So...(microphone cutoff)...my -- my question tends to be, why is this needed?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Again, and the reason for the hesitancy, Senator, on my part, this was not my amendment, but I am reliably informed that it's absolutely needed - the statutory change - to make -- to make this adjustment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Maitland, to close. Question is, shall House Bill 1569 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. House Bill 1569, having received the required constitutional majority, is declared passed. House Bill 1594. Senator Karpziel? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1594.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam Chairman. House Bill 1594 creates the Conservation 2000 Fund and the Conservation 2000 Projects Fund, to be used for projects relating to natural resources' protection, recreation, tourism, and compatible agricultural and economic development activities. These funds will be available to the Environmental Protection Agency, the Department of Agriculture,

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the Department of Conservation, the Department of Energy and Natural Resources, and the Department of Transportation. The original bill had -- had some problems with the land acquisition part of the bill. Those have been pretty clearly worked out, concerning making it very clear that eminent domain cannot be used, and it has to be -- there has to be a willing seller and everything has to be of voluntary nature. And I don't believe that there are any -- there's any hard-core opposition to the bill. We're still working with the Farm Bureau on some related subjects, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Senator Woodyard.

SENATOR WOODYARD:

Yes. Thank you, Madam President. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield.

SENATOR WOODYARD:

Senator Karpziel, do you know, particularly with the two additions in the Senate Appropriations Committee last night dealing with Department of Agriculture appropriations on the University of Illinois Circular, as well as, I believe, the -- there was another addition in there on fertilizer funding, has that removed the opposition of Farm Bureau or is Farm Bureau still opposed to this bill or to the amendment, presently?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR KARPIEL:

Well, I think the person who could really answer it is now in the Chair, so probably cannot. But the Farm Bureau had a problem with the bill as it came over from the House -- with an amendment that they put on in the House was fine, and the bill did not come

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over from the House. Their problem was with the land acquisition portion, which we have addressed, and they were requesting some funding for some other programs. The Circular Program had -- that has been addressed, in the amendment last night, in -- and another one of the programs they were looking for funding for was the Ag Research Fund. Is that -- could the Chair nod at me? And I -- and I -- yes, that was put on also -- in -- in the Approp Committee last night. Yes. There may still be something else that they are -- program they're looking for funding for, but basically we are -- pretty much addressed all their concerns.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

Well, thank you, Mr. President. And then to the bill: As of yesterday morning, I know that they were still opposed and their board were opposed to this amendment, but it would seem to me that rather than -- than voting against this bill, we ought to move it on, and if it needs further work, certainly we could eventually get that to a conference committee. I don't know whether that's your plan or not, but it seems to me that we ought to go ahead and get it out -- out of the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR KARPIEL:

I was just going to close.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Further discussion? Senator Karpziel, to close.

SENATOR KARPIEL:

Thank you. Yes, that pretty much is the object of this. I'm not going to stand here and say that the Farm Bureau is now in total support of the bill. I -- they're not, but they are -- we

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are working on this, and -- and the idea is to get it over to the House and to continue working on it. And I do ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1594 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, 1 Nay, no Members voting Present. House Bill 1594, having received the required constitutional majority, is declared passed. House Bill 1594. Senator Karpziel? House Bill 1635. Senator Butler? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1635.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. House Bill 1635 does three things. First of all, it clears up some ambiguity in the makeup of the Cook County Stormwater Management Committee by designating the chief elected officials as being -- as composing the -- the body. Secondly, it requires the North Shore Sanitary District to provide public notice and public hearing before they enact ordinances or rules. And I might add parenthetically, there may be some language changes as that bill goes over to the House. The third item relates to Palwaukee Airport. It asks for quick-take power for a period of twenty-four months in order to continue with airport improvements. There are some flooding problems out there that must be corrected by purchase of one piece of property, and also, IDOT is tied up because this one -- or one parcel is very

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important in a major realignment of Milwaukee Avenue. So I would ask for your support, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates...

SENATOR FAWELL:

Senator Butler -- Senator Butler, as you well know, when we talk about the upper Des Plaines River, we are in truth talking about the Salt Creek, which obviously goes through DuPage County and has caused a great deal of trouble in DuPage County, on the eastern side of the county. I represented that area for ten years while it was flooding, and one of the things we have always been concerned about was the control of Busse Woods and the dam, and -- that was, frankly, never completed, and so on and so forth. My concern is that we are now changing the whole structure of this council that -- that deals with that type of problem.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Senator Fawell, the only change in the makeup of the -- of the Cook -- of the Stormwater Management Committee is to remove the Upper Des Plaines River Watershed Council, -- because it is no longer active. Everything else remains the same.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

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Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, as to the quick-take provisions, my understanding of the quick-take process is that you use it in those kinds of emergency situations where you don't have time for eminent domain. But is it a fair statement to say that you're giving quick-take for two years, which, in my opinion, you ought to be able to -- to do eminent domain in two years. Why do you need the quick-take instead of the -- the eminent domain, if -- if you've got two years to do it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

I believe the answer to that is the fact that the Palwaukee Airport authorities had -- had made a -- a deal with the property owner and -- and he later reneged on it. So I think they're just anticipating the worst case possible. I can't give you anything more specific about the twenty-four months.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka.

SENATOR TOPINKA:

Yes. Question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Topinka.

SENATOR TOPINKA:

I notice, you know, you have the support of the South Suburban Mayors and the Northwest Municipal Conference. Would you happen to know where the West Central Municipal Conference and the DuPage Mayors and Managers were on this issue?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

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...(microphone cutoff)...did -- I'm sorry. They did not sign in.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka.

SENATOR TOPINKA:

Does that mean they did not sign in because they were not asked, or they're not signing in because they're in opposition, or you just don't know where they fall on the issue?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

My information is that they were asked, but for some reason, did not -- or chose not to.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Petka.

SENATOR PETKA:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Petka.

SENATOR PETKA:

Well, Senator, I don't mean to further complicate this issue, but I do have a question. In our analysis it did say that the same communities were given quick-take power approximately four years ago.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

That is correct - in 1991, for a period of twenty-four months.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

That being the case, Senator, with all due respect, quick-take

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has nothing to do with negotiating a price. It simply permits the immediate taking of their property and the haggling over the price is done in court. Can you tell me why the -- the quick-take provision was permitted to expire?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Because, from the information I have, they had completed the purchase of all the required property, and then at some point, one of the owners in a key -- in a key spot - a key parcel - backed out. And in the interim, the -- the quick-take power had run out.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

But, sir, there'd be nothing to preclude them from going forward and filing a condemnation action. I mean, we're not talking about something that appears to be an emergency here. It's been approximately four years since the expiration of the -- the quick-take power.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Senator, the urgency is due to the fact that without this quick -- quick action, they will be in violation of the Federal Aviation Administration's requirements to protect runways, and they are -- that is a very important -- as you know, a very important airport - reliever airport. And they have to keep moving on this project.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

Senator, is this airport in your district? Is this for your

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district?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Butler, you wish to close?

SENATOR BUTLER:

I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1635 pass. Those in favor will -- will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 46 Ayes, 2 Nays, 8 Members voting Present. House Bill 1635, having received the required constitutional majority, is declared passed. House Bill 1853. Senator Topinka? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1853.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. Chairman and -- or, Mr. President and Ladies and Gentlemen of the Senate, House Bill 1853 basically has three provisions. It -- it -- it amends the -- well, it -- it -- pardon me while I read this. It brings the contents together of Senate Bill 1480, which requires the Department of Public Aid, in conjunction with the Department of Insurance, to study the feasibility of using HMOs for providing acute care to Medicaid

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long-term care recipients. Then we had an amendment which now brought into play the creation of the Elder Care Savings Bond Law and would amend the General Obligation Bond Act. That's a way, based on what we already do with collegiate bonds, to provide for long-term care and for old age. And finally, we have an amendment which would amend the Illinois Health Care Surrogate Act, which would give explicit authority to court-appointed guardians to execute do-not-resuscitate orders for adults with decisional capacity without an order of the court. That comes to us from the Cook County Public Guardian, wishes to clarify the law on that part, because apparently they do have difficulty with that. It does indeed track completely all the provisions of the Illinois Health Care Surrogate Act. I'd be willing to answer any questions. Would seek your positive vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 1853 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, 1 Nay, no Members voting Present. House Bill 1853, having received the required three-fifths majority, is declared passed. House Bill 1882. Senator Weaver? House Bill 1883. Senator Weaver? Read the -- read the bill, Madam Secretary. Senator Weaver, you wish that bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator Weaver has sought leave to move -- to return House Bill 1883 to the Order of 2nd Reading. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1883. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senators Weaver and Maitland.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment adds the administration's version of changes to the General Obligation Bond Act needed to support FY'95 capital programs funded through the State's General Obligation Bond Program. And it also supports the Governor's debt restructuring. The authorization increases included in this bill will support appropriations provided in House Bill 9. If there are any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. First a question of parliamentary inquiry. I have filed a debt impact note, as required -- or, as suggested, and as now allowed under Illinois Statutes, under 65.7 for amended bills, and request that that -- that impact note be responded to so that we know what the long-term implications are of this restructuring plan. And...(microphone cutoff)...ask that under the Statute, this bill shall be held until we have had that vote responded to -- that request responded to under the Statute, by the Illinois Economic and Fiscal Commission. The time under the Statute for calling for such a note is when the bill is on 2nd Reading and before it moves to 3rd.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll, as you well know, this -- this -- this bill has to go back to the House. This is not -- this will have to have action over there. Based on that, I -- I think, frankly, the motion is -- is dilatory, and would rule it out of order. Senator Carroll.

SENATOR CARROLL:

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Thank you, Mr. President. I do not believe, under the Statutes, you have the power to make that ruling. The Statute is quite clear. Whenever any Member of either House is of the opinion - any Member is of the opinion - that a State impact note -- State Debt Impact Note should be prepared on any bill and such note had not previously been requested, the Member may, at any time before the bill is moved to 3rd, request such note be obtained, in which case the bill shall be submitted to the Economic and Fiscal Commission for the preparation of the note. It is not a question of dilatory. It is not an opinion of the Chair. The Statute is quite - quite - specific, and is mandatory.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator, I have made my ruling. If you wish to appeal the ruling of the Chair, that -- that is your right, sir. All right. Further discussion? Further discussion? Senator Weaver, to close.

SENATOR WEAVER:

I would appreciate a favorable vote on this amendment to House Bill 1883.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver moves the adoption of -- of Floor Amendment No. 1 to House Bill 1883. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. Are there further -- roll call? Absolutely. That is your wish. Roll call has -- been requested. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that vote, there are 32 Ayes, 27 Nays, no Members voting Present. And the amendment fails -- the amendment is adopted. I'm sorry. The amendment is adopted. Are there further Floor amendments, Madam Secretary, for consideration?

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ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senator Weaver? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1883.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

House Bill 1883, as amended, is the bill. It would increase the general obligation bond authorization by a billion nine hundred and forty-four million five hundred thousand dollars, in all of the categories. If there are any questions, I'll try to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to the bill for several reasons. One, I think we are now into a useless act. The last ruling by the Presiding Officer has jeopardized any issue that might be offered. This is not something for the rules of the Senate, as to the debt impact note. It is something set by Statute, not waivable. Any lawyer could step in and cloud any potential issuance. And what's really scary about it is, everybody knows how tenuous this debt restructuring is, in the first place. I personally am very much in favor of the interest-swap idea. We always have been. We should save money wherever we can. Initially, they thought it would be about a seventy-million-dollar savings. Like all their other numbers, when we went to any

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experts, we found out it might be a twenty-million-dollar savings. So what are we doing? And we've heard before about, where's your plan? Well, you know, when we've had plans and we've sent them to Rules, they've died, and particularly, you guys have said they're bad plans. This, folks, is a bad plan. It's a bad plan because you are jeopardizing the fiscal health of this State. It is a bad plan, because you are imposing a couple billion dollars of additional debt on the people of Illinois - on us, our children, our grandchildren and generations to come - because of mismanagement. We have a Medicaid plan in place that apparently is being, once again, mismanaged. Senator Jones suggested a plan. And according to the director of the Department of Public Aid, according to what he called "reliable studies", fraud and abuse in that -- in the usage of Medicaid account to five to forty percent - that's the quote in the Appropriations Committee - of the Medicaid budget. Two hundred and fifty million to two billion dollars annually, of fraud or abuse of the system. We have offered a plan to deal with that, to save that money. It should be started today. Let's save it for the remaining month of Fiscal '94, all of '95. It would allow us to pay our back bills within existing revenues and not try and impose debt on future generations. Let's look at the debt. Debt is simple. The debt says you bought a house. You bought a house; you've got a mortgage; and now you go to the bank and say, "Hey, I don't want to pay my mortgage the next couple years. I'd rather use it to buy some clothes, or some shoes, or maybe a car. So I'm not going to pay any principal for a while. Oh, I'll let the other people worry about the principal a couple years from now, but I don't want to pay you, 'cause I got some better use for that money." Well, usually that means you're about to go bankrupt, and that's what those who do credit ratings have said to us. Because look at what they've imposed upon us if we wanted to move forward with

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this plan. And when you've ever worked with somebody about to go under, the last banker in says, "I don't care what anybody else got; I want first rights on all money." That's what this plan says. It says on the fifth of the month and on the seventeenth of the month, you shall deposit one forty-eighth of the Medicaid into a special account, and then on the nineteenth of the month, all monies it takes to pay this, to pay Medicaid, must be deposited in a special, newly created fund that is super to all others. The full faith and credit of the State is no longer any good. They've said so. So everything has to be in this to pay these bills by the nineteenth - they come first. Guess what's due on the twentieth? School aid payments. So now these costs come before school aid payments and are super to all others. You saw the last year, and the year before, and this year, how many months we were in a cash-crunch position - cash-crunch position - here in Illinois. More than six months out of the year, we're out of money. This says, "Pay this first. Don't pay prison guards; don't pay State employees. Cannot pay school aid. Pay this first." Why? Because it's a bad idea. And the bond houses are saying, "You're like almost a bankrupt person. When you don't have the money, we grab ours first. Let everybody else worry later." The answer is to get rid of fraud and abuse. The answer is to better manage. The answer is not to impose two billion dollars more of debt on people and jeopardize schools directly - no school aid payment - to jeopardize prison guards and other State employees directly. No money to pay them, 'cause this got to go first. This is a horrible idea, and I would urge its opposition.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Mr. President, I just rise on a point of personal privilege.

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PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR LAUZEN:

I would like to introduce the fifth grade students from Freeman Elementary School in Aurora, Illinois. They have teachers Virginia Albertino, Carolyn Green, Mike Groom and their principal today, Mark Heiss. If the Senate would welcome them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Would our guests in the gallery please rise and be recognized. Welcome to Springfield. Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. Mr. President, as you know, we have expressed, on this side of the aisle, opposition to the -- the rules that have been adopted, and I -- we haven't recently raised those -- those issues, but every once in a while something comes along that I -- I just find really kind of surprising. Now we have a -- a Statute that Senator Carroll cited, asking for a debt impact note. The Statute is very clear. There's no way of getting around what the Statute says, but there is a way of complying with -- being in compliance with this Statute. If Senator Weaver had asked that the long-term debt note be not required by a majority vote of those voting, we could have waived it. But instead the attitude is, "Oh, you're out of order. We don't care about the Statute." And I just think that there should be a more respectful attitude towards the -- if not us, at least the -- at least the Statutes that are on the books, because you have the majority of the vote, and you could have utilized it. And secondly, I -- I think that it's appropriate that we have students and children here, because this action of delaying by two years the repayment of our debt is something that affects our children. It's something that the federal government has unfortunately done for -- for years. We're just saying we can't

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pay our bills. And so what we need to do is just do a little work on it. We want to restructure our -- our payments. But what we're really saying is that, some time in the future, some moneys are going to have to be spent to pay off a debt that we incurred, and not be available for the future General Assembly - that future generation, perhaps - to have that money available, and they are the ones that'll have to come up with the money, obviously through a tax increase. But we're, once again, putting it off and not acknowledging that we have the -- the debt now. And that's why this is a bad idea. If we -- we're aware of the fact that there's an election coming up, and we want to put it off until after the election, and maybe we'll be here next year talking about tax increases. I just think it's more honest for us to acknowledge that we have the debt right now, that we ought to not push it off to future generations, but take the responsibility ourselves.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. And along the same lines as my colleagues on this side of the aisle, as it relate to House Bill 1883, and I don't think it's dilatory when a Member asks for something that is statutorily. But perhaps, Mr. President, you didn't want the people of Illinois to know how much debt we are incurring for future generations. I recall -- I recall the Budget Address given by the Governor, when he indicated that he wanted to tear up that credit card and live within our means. But now he's asking for another credit card with unlimited borrowing. He wants to be able to borrow four and a half billion dollars with -- without any checks and balances. Wipe out the Comptroller; wipe out the Treasurer. Just go and say, "Here, unlimited borrowing." That's why you -- you ruled that Senator Carroll's remarks were dilatory, because perhaps you didn't want the people of Illinois

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to realize that the credit card that the Governor said he was going to tear up, he's expanding it, robbing the -- robbing the future generations. If he need additional taxes, let him have the courage to tell the people, "I need additional taxes." Be honest with the people of Illinois. But I don't think we should sit here and give him a credit card with no checks and balances, no plan whatsoever, and we want to keep him at his word. We're -- we're going to help you, Governor Edgar, tear up that credit card. And I urge a No vote on House Bill 1883.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dillard.

SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Dillard.

SENATOR DILLARD:

Senator Weaver, in addition to being a sponsor of House Bill 1883, you're the Chairman of the Rules Committee. Senator Carroll indicated - or insinuated - that there was a Senate Democratic plan that was bottled up in the Rules Committee to either deal with this subject or the -- the difficult issue of Medicaid. Did we stop something of theirs in Senate Rules and not let it out?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

I have not seen any plan of Senator Jones' or any other Member of the House. This is the Governor's plan. And I might also state that on Senate Bill 1757, which was the same level of funding as 1883, there is a debt impact note and you have it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Weaver, to

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close.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. It appears to me that we all want to pay off our vendors, gradually work down our backlog of bad debts, and this is really the only game in town. I've seen nothing from the Democratic side to even consider. If you don't like this plan, come up with your own plan. But this is the only game in town, and if you want to get on and pass this budget and pay our bills and work out the Medicaid program, this is the only game in town. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1883 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 32 Ayes, 27 Nays, no Members voting Present. House Bill 1883, having not received the required three-fifths majority, is declared failed. House Bill -- I'm sorry. Ladies and Gentlemen, it's necessary for the Committee on Local Government to -- to meet briefly down in Room 212. The Senate will stand adjourned -- stand in recess for five minutes.

(SENATE STANDS IN RECESS)

END OF TAPE

TAPE 3

(SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR MAITLAND)

The Senate will come to order. Senator Cronin, for what purpose do you rise, sir?

SENATOR CRONIN:

Thank you, Mr. President. Just a point of personal privilege. I'd like to introduce the -- the famous, famous, famous Rhodes School from River Grove, Illinois, USA. There they are. The greatest from River Grove, my favorite. Please stand up in the gallery and be recognized.

PRESIDING OFFICER: (SENATOR MAITLAND)

Will the guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Senate will stand at ease for a few moments.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, we are ready to -- to resume. ... (machine cutoff) ... Ladies and Gentlemen, the first -- the first four sponsors up will be Senator Watson, Senator Weaver, Senator Jacobs, Senator Madigan, Senator Jones. ... (microphone cutoff) ... Bill 2107. Senator Watson? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2107.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. House Bill 2107 is the work of the Chicago Board of Education and many of the reform groups in Chicago who are concerned about the continuation of the Chicago reform and the best interests of young people of Chicago and their schools. There's several provisions here. I'll just mention them briefly. It shifts the local school council elections to -- to the report card pick-up day in the spring to increase participation. It provides that all Chicago principals shall serve under a four-year performance contract. It places in the law a statement that all incoming LSC members are strongly encouraged to undergo at least eight hours of training prior to assuming office. It deletes an obsolete reference concerning the Board's prescribing courses of study that serves to cloud the curriculum responsibilities of the local school councils. It reconciles the Chicago School Reform Act with the School Accountability Law. And it authorizes Chicago principals to utilize law enforcement agencies to control weapons and gangs within schools. There was an amendment added also in committee, Senate Amendment No. 2, that limits the authority of the Chicago Board to use public funds for the renovation of facilities leased to public officials. It was passed out of the committee unanimously, and I would encourage its support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Palmer.

SENATOR PALMER:

Senator Watson, I just wanted to make sure that -- according

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to my analysis, it has been removed that there are sanctions against local school council members for not receiving training. This was certainly one of the problems that I heard about from local school people. That's correct. Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes, that is correct, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? The question is, shall House Bill 2107 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, 1 Member voting Present. House Bill 2107, having received the required constitutional majority, is declared passed. House Bill 2150. Senator Weaver? House Bill 2121 <sic>. Senator Jacobs? House Bill 2221. Senator Jacobs? Thank you. Senator Jacobs on the Floor? Is there leave to get back to House Bill 2121 <sic>? Leave is granted. House Bill 2234. Senator Madigan? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 2234, as amended, represents an agreement between the insurance company business and the Dental Society, insofar as a jaw disorder commonly referred to as TMJ. What House Bill 2234, as amended, does: It mandates all

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insurance companies that are not currently offering TMJ as part of their group insurance, to have that coverage available as an optional coverage; it also, for those companies who are not currently offering that type of coverage, states that they must offer a minimum of twenty-five hundred dollars coverage, including surgical and nonsurgical treatment of that jaw disorder. I want to compliment all the groups that worked very hard, compliment my cosponsor, Senator Syverson, in his work over the last several months, and for that matter, as far as the groups are concerned, the last three years. I would be glad to answer any questions on House Bill 2234, as amended, and otherwise would ask for its approval.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 2234 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2234, having received the required constitutional majority, is declared passed. House Bill 2423. Senator Jones? Senator Jones? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2423.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. House Bill 2423, as amended, would permit a foster parent who has a -- who has a minor who is -- who is subject to proceedings under the Abuse and Dependency

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Act -- and Neglect, who has been a -- who is in a foster parent's home for more than one year after the effective date of this Act, and if the minor's placement is being terminated, it would give that foster parent standing and intervening status in -- in any proceedings. And this bill has been worked and worked and worked on by all of the various groups I know, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 2423 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, 1 Member voting Present. House Bill 2423, having received the required constitutional majority, is declared passed. Earlier, leave was granted to Senator Jacobs on House Bill 2121 <sic>. We will now return to that order of business. 2221. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2221.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this bill does is amends the Partnership for Long-Term Care Act to eliminate a provision which prohibits the Department of Aging from implementing a pilot program, and then there were two amendments that were -- were added on. One requires the Department of Public Health to create a program to improve the supply and distribution of health care professionals through

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service education linkage in medically underserved areas, and then one that permits DASA, contingent upon appropriations and upon a conclusion by the Department of -- statutory impediments do not exist, to create a pilot program to evaluate the use of acupuncture in the detoxification and treatment of substance abusers. Both -- all of these amendments and the bill were on the Agreed Bill List, and I know of no known opposition, and ask for a favorable Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 2221 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2221, having received the required constitutional majority, is declared passed. Top of page 6, House Bill 2424. Senator Cronin? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2424.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thanks, Mr. President. Ladies and Gentlemen of the Senate, this bill has three components. Number one, it defines one factor of the criteria for determining a person who is an unfit parent, requiring that failure to make reasonable efforts to correct the conditions which were the basis for removal of the child within twelve months is grounds for determining someone as an unfit parent. Component number two suggests that a -- this -- a

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prohibition -- prohibits a court from using a child's race as the primary criterion in determining whether to grant adoption to prospective adoptive parents. And item three suggests that -- that this -- in the Instruments Regarding Adopted Children Act, which is intended to ensure that adopted children are considered natural children of the adoptive parents for purposes of determining property rights. I ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 2424 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, 1 Member voting Present. House Bill 2424, having received the required constitutional majority, is declared passed. House Bill 2627. Senator DeAngelis? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2627.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 2627 puts the county tax and tort liability into the same form as the local government tort liability. Most counties have been filing the levies separately. There's about seven or eight who have not. But some courts have decided that since this is not in the Code, that a separate levy is not appropriate. This merely codifies what is done in those other counties and what, in fact, the intent for the tort liability levy was. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Senator Weaver.

SENATOR WEAVER:

I would move the previous question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This particular bill allows governments - county governments - to get around the tax cap. It is a property tax increase bill. That's what should be up there. It allows for municipalities to separate the tort immunity tax and the corporate tax, and it is a way around the property tax caps, plain and simple. The courts have ruled - in DuPage County, I might add - that -- that this should not be done, and I believe that if we are responsible legislators who are sincere about lowering the property taxes of the people of this State, we will vote against this bill. Now, if you're for higher property taxes being put down upon your constituents, then you will vote for this bill. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR DeANGELIS:

Can I close with a prayer? For myself. No, I -- I think most of you now know what the bill does. Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2627 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 40 Ayes, 5 Nays, 10 Members voting Present. House Bill 2627, having received the required constitutional majority, is declared passed.

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We have a request for permission to shoot videotape by KWQC-TV. Is leave granted? Leave is granted. House Bill 2631. Senator DeAngelis? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2631.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 2631 is kind of the omnibus tax bill for the Department of Revenue. There's significant cleanup in there regarding the changes in the Charitable Games Act. As you probably have been reading in the paper, some volunteer organizations have gone ahead and used this as an opportunity for themselves. It reinstates the penalty for filing a fraudulent income tax return. Removes the provision that placed an International Fuel Tax Agreement carrier registered in another state in violation of law. Many, many other changes. And there's some other things in there. It's got the cleanup on Senate Bill 522 that we passed last year. It has Senator Klemm's bill that allowed a local unit of government to go ahead and issue property tax abatements to the level of three million dollars. Senator Jacobs had a concern about property that was rebuilt - residential property in the flood - giving them an abatement. There's a provision in here that gives the same tax treatment to a model town house or condominium as we currently do to a model home, and then also increases the allowable employee training expense credit from 1.6 percent to two percent. I have many people with me here to help answer any questions. Be happy to do so.

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Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. On the whole, this is not a bad bill. I have to say though, to point out to the Membership, we did have a long discussion about the -- amending the income tax and increasing from 1.6 to two percent amounts to be paid corporations for educational and vocational training. And while Members on our side certainly supported that, we were not pleased that this has been rushed into being before the Department of Revenue had completed its work with top corporations to come up with the rules and regulations that would guide this. So I'm really sorry to see that this was kept in the bill, and I look forward to hearing more about the rules and regulations. Every -- all the rest of us are under some pressure to be accountable, and without having enough information, we ended up having to vote for this, and I -- I don't think that's proper.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator DeAngelis, to close.

SENATOR DeANGELIS:

Thank you, Mr. President. Senator Palmer has a good point. Senator, I have just been handed a copy of these rules and regs, and I will be very happy to have a copy given to you immediately. With that, I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2631 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57

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Ayes, no Nays, no -- 1 Member voting Present. House Bill 2631, having received the required constitutional majority, is declared passed. House Bill 2638. Senator Watson. Senator Watson, do you wish that bill returned to the Order of 2nd Reading for the purpose of tabling an amendment? Senator Watson seeks leave to return House Bill 2638 to the Order of 2nd Reading. On the Order of 2nd Reading is House Bill 2638. Mr. Secretary, are there any -- are there any amendments -- Floor amendments approved for consideration? No.

SECRETARY HARRY:

Amendment No. 6, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes, Mr. President, I believe this is the one that we want to table and proceed to the next amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator -- Senator Watson has moved that Floor Amendment No. 6 be tabled. Those in favor, say Aye. Opposed, Nay. The motion carries, and the amendment is tabled. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 7, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Okay. Thank you. This is an agreed-to amendment that involves the community college investment portfolios and their ability to invest in global government short-term bonds. Primarily, this amendment is regulatory.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Watson

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moves the adoption of Floor Amendment No. 7. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senator Watson, on House Bill 2638. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2638.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. This bill contains primarily the noncontroversial language that passed out of the Senate last year in Senate Bill 881. These were initiatives that were put forth primarily by the State Board of Education. I can go through and read them individually, but I believe they are agreed to and there is no problem. We did add another amendment to the bill, in behalf of the State Board of Education, that would allow for Bloomington and Normal to proceed, if -- if they wish to, to consolidate. There is some problems, I guess, in the current law that would prohibit that, and this helps facilitate that effort. It also allows a petition to form a new community unit school district to include a provision that bonded indebtedness of each prior district be assumed by the new district. Has several other units here that involve primarily clean-up language for the State Board of Education. The amendment we just adopted is one in which would allow the community board -- community schools -- junior

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college -- community colleges to invest in global markets. Another amendment was in there for the governments -- Governor's Purchased Care Review Board that was noncontroversial, and another one that was primarily technical and clean-up language for the Illinois Education Facilities Authority. I know of no objection. Would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator DeAngelis. No. All right. All right. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment 7 clarified some of the concerns -- or -- or restricted some of the concerns, I should say, that we had regarding allowing the community college boards to invest in global government short-term bonds. Let me just say for the record, I am not comfortable with that authority. I -- I -- in our debate, you'll recall that I said that I didn't think that if there was a mutual fund that was selling Rwanda park district short-term bonds, that that would be what we ought to authorize. The amendment that we've adopted is better than the original one. I just want to voice my concern and hope that the community college boards do not grab onto this thinking that they're going to make a lot of money, because I'm afraid it may just go down the tubes. But other than that, I'm going to support the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Watson, you wish to close, sir?

SENATOR WATSON:

Just ask for your favorable support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2638 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2638, having received the required constitutional majority, is declared passed. House Bill 2642. Senator Watson, you wish that bill called to the Order of 2nd Reading for the purpose of an amendment? Senator Watson seeks leave of the Body to return House Bill 2642 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2642. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, this is a -- a rewrite of the drivers' education language of Senate Amendment No. 1 to attempt to -- really to clarify some language, as well as to reach a compromise between the private driving schools, as well as the Illinois Education Association. This is agreed-to language. I'd like to thank Senator Dudycz for his help in reaching this, and Senator Watson for his help, as well as for his patience. I would be more than willing to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Burzynski has moved the adoption of Amendment No. 2 to House Bill 2642. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Middle of page 6 is House Bill 2642. Senator Watson?

SENATOR WATSON:

Yes. Thank you...

PRESIDING OFFICER: (SENATOR MAITLAND)

Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2642.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes, thank you. The original bill, Mr. President, addressed an issue we passed last year - Senate Bill 991. This allowed school districts to use life-safety funding for the repairs of playgrounds, sidewalks, parking lots, bus turnarounds, and the bill required districts to hold public hearings on those proposed projects. Well, the bond firm of Chapman & Cutler suggested that standard notification language be included, and that's what we've proposed in this legislation. It also -- has the amendment that Senator Burzynski just explained that addresses the concerns of the driving schools and the teachers' organizations. I would ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Stern.

SENATOR STERN:

Will the Gentleman yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Stern.

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SENATOR STERN:

I tried to get your attention to ask Senator Burzynski. I -- I don't understand what the dropout license requirement is that reflects the concerns of the teachers. What -- what does that provide?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson. Responding will be Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Stern, there was some concern when the bill passed in its original form whether or not private driving schools could teach dropouts, under what circumstances. What the language of the amendment does is clarifies that and says that as long as the student is also working towards a GED or in some sort of alternative educational program, that yes, indeed, the private driving schools can teach them; they can go and do that. It's -- it's a -- a good bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Watson, you wish to close, sir? The question is, shall House Bill 2642 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2642, having received the required constitutional majority, is declared passed. House Bill 2809. Senator Jones? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2809.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jones.

SENATOR JONES:

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Thank you, Mr. President. House Bill 2809, as amended -- as amended, would prohibit a parent of a minor or a dependent child from inheriting from the child's estate, if the parent has willfully neglected, deserted or failed to perform their duty in support of this child. Also as amended, it would exempt property that is in joint tenancy from the provisions of this bill. Require that a certified copy of determination be filed, and it also allows the judge to reduce the amount of any death award as justice may deem necessary, if the -- if the minor child was owed child support more or less. So it allows the judge to reduce the amount of the award, if necessary. And it has been worked on with the Illinois State Bar Association, Chicago Title Company of the City of Chicago. The bill is agreed to, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 2809 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 2809, having received the required constitutional majority, is declared passed. House Bill 2931. Senator Bowles? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2931.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This House Bill 2931 changes, or amends, the Civil Administrative

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Code of the State of Illinois which would authorize the Department of Transportation to -- to undertake regulatory flood hazard mapping process. This is a process that the Department of Transportation is presently doing. Passage of this bill would statutorily authorize the function which they're presently doing. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Will the sponsor yield for a question? Are we doing this so that people know where they can go swimming or -- or where they can drown, or -- or why are we doing this?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

We're doing it for flood hazards. You know, we had the floods last spring and this spring.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Are we doing it, then, so that people can go and see the floods?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

I think I'm being put on.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Well, thank you, Mr. President. I -- I just have some concerns about mapping the hazard areas. I'd like to ask the sponsor: How does FEMA map hazard areas? Do they do it with, like, city maps,

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or do they go out and -- are they -- how do they create these map hazards areas?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

They do it by aerial photography, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

Does that mean they use IDOT planes or helicopters, or -- or how do they -- how do they map these through aerial photography? I mean, what -- what type of film do they use?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator -- Senator Bowles.

SENATOR BOWLES:

Well, frankly, I don't really know.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you. As all of you know, we had terrific floods in this area down there, and the thing is that this is -- and we're afraid that some of this might come back again this winter. So I would say that Senator Bowles is -- she's correct, and we need this bill bad as a dead man needs a coffin.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka.

SENATOR TOPINKA:

Yes, if I -- a question of the sponsor, and -- and for whatever goes on here, this is really a real question. Okay?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield.

SENATOR TOPINKA:

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Yes, thank you. This -- this was somewhat similar to a bill I had about two to four years ago - somewhere in the course of that - couldn't pass it for spit. But you may have better luck, considering the circumstances. Does this indeed also include, like, the photographing of floodplains and -- so that people who could buy homes would have an idea of where they could put this home without being flooded out? Does that take that into consideration?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

To the extent that it would be considered a hazard, I would say yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka.

SENATOR TOPINKA:

Do you consider a floodplain a hazard, if indeed a building is on it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

Sorry -- I'm sorry. I didn't understand the...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka.

SENATOR TOPINKA:

Do you consider a floodplain a hazard, if it -- if it holds buildings?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

Well, there were areas in Missouri, and also on the Illinois side, that were floodplain areas on which buildings had been

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constructed and they were totally and completely devastated. So it has the potential, yes, of being a hazardous area.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Topinka.

SENATOR TOPINKA:

And who would have access to these maps? Would they -- would they be available to -- let's say, like could real estate boards get them, pass them out? I mean, would they be done wholesale? Would they be kind of like -- part of the information network we have with the State, or do they kind of stay with FEMA and we'd have to kind of hit on FEMA if we had a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

I would say that they would be public knowledge. They would be available to anyone who had a concern.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. According to my Calendar, this bill is sponsored by Senator Demuzio, and I want to state that Senator Demuzio looks much better presenting this bill than he has on any of those in the past. But I would like to ask the -- the sponsor a question, if she would yield.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Jacobs.

SENATOR JACOBS:

Just a little follow-up if you might, on Senator Dudycz's question in regard to the hazards and et cetera. Inasmuch as they are photographing hazardous areas, do they get hazard pay for that?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

Not to my knowledge, but we could consider it, I presume.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Well, you know, I -- I'm from an area that -- that also is on the Mississippi River. Years ago we took the precautions and we leveed our area. And have you ever considered maybe taking local monies and putting this -- leveeing these areas, rather than worrying about the hazard?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

I'm sorry. I had an interruption and I didn't get the Senator's question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

You're doing a nice enough job. I'll leave it go.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think we've aggravated Mrs. -- Senator Bowles enough. I might tell you that Mr. Bell from the Department of Transportation said he had no problems with the bill, and I move for its favorable passage. And I admire Mrs. Bowles for putting up with some of our antics. But you have to expect it, this is your first bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Final sponsor -- final Senator, Senator Demuzio.

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SENATOR DEMUZIO:

Well, as a cosponsor, I feel compelled to say something positive about this bill. Senator, you know more about this bill than I did. I'm sure glad that you are the sponsor. Let me indicate to you, I -- I asked Representative Ryder, you know, what the nature of this bill was and why it was here, and he was unable to answer. A while ago he just called me and he said this is just a vehicle bill for the highway program. So I would rise in support of it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Bowles, you wish to close?

SENATOR BOWLES:

I would ask for a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2931 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, 1 Member voting Present. House Bill 2931, having received the required constitutional majority, is declared passed. Congratulations, Senator, on your first bill. House Bill 3094. Senator Raica? Senator Raica? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3094.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What House Bill 3094 does is provides that if a police officer has probable cause to believe that a vehicle is being driven by a

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person who's under the influence and that individual has caused a death or personal injury, the officer can require the person to submit to a drug, breath or urine test. And I just ask for a -- a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Just to ask Senator Raica if this is his first bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? The question is, shall House Bill 3094. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 3094, having received the required constitutional majority, is declared passed. House Bill 3244. Senator DeAngelis, do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator -- Senator DeAngelis seeks leave of the Body to return House Bill 3244 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3244. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 6, by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 6 is an amendment that clarifies some problems and objections to Amendment No. 5, which is the amendment that creates the Education for Homeless Children

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Act. It changes the definition of a homeless child. Adds another person to the transportation issue, which is the ombudsman. Removes the -- turns around and requires the birth certificate. Removes the -- the requirement or the opportunity not to present a birth certificate. Provides a two-year phase-in for Chicago, but while that phase-in is in effect, which is in the bill, they must provide transportation for the student. And then there's a technical reference to the federal law.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Berman.

SENATOR BERMAN:

I stand in support of this bill. I think the sponsor has done an excellent job in reconciling some serious questions. There is going to be additional discussion as this bill moves along, and if it passes, there will also be sort of a supervision, because some of the questions that have been raised, particularly regarding transportation, no one knows the answer. Those are costs that may be incurred, but we want to monitor this so that we accomplish the good purposes of the bill, without incurring unforeseen extensive expenses. But I think it's an excellent bill in -- at the present time.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Yes. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Klemm.

SENATOR KLEMM:

Well, my -- my concern in our area, obviously, are some transportation costs for those that are outside the district's area that we have to spend -- send a special bus to some of the homeless centers and bring them into their area. These would be

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concerns. Obviously we want to address those and we probably can before maybe even the Veto Session. So my question to you, Senator: Is this an area that we'll be working on - that some of our districts will look for some support for some reimbursement on that?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Senator Klemm.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins. Okay. All right. Very good. Senator DeAngelis, you wish to close, sir?

SENATOR DeANGELIS:

Yeah. I might remind the Body that we're discussing Amendment No. 6, but we've already discussed No. 5, which is the bill that 6 is attached to. But I move for a roll call on -- favorable roll call on Amendment No. 6.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator -- Senator DeAngelis moves the adoption of Floor Amendment No. 6 to House Bill 3244. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Middle of page 6 is House Bill 3244. Senator DeAngelis? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3244.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 3244 has the original Act in it, which is the bill that eliminated some unnecessary reporting on the State Board of Education. It has on it Senate Amendment No. 2, which is from the Auditor General's Office, which directs the State Treasury to -- to take monies from various funds, which they're supposed to do each year, to the Audit Expense Fund, in order to pay for the expenses of auditing. And Amendment No. 5, which we just amended, is the bill that creates the -- the Education for Homeless Children Act, and this was discussed rather extensively yesterday. I'll be happy to answer any questions on it. And Amendment No. 6, in fact, amended Amendment No. 5 to clear up some points that some people had some problems with. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall House Bill 3244 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 3244, having received the required constitutional majority, is declared passed. House Bill 3278. Senator Donahue? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3278.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

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Thank you -- thank you, Mr. President. I just wanted to make sure they were all awake. This is a pretty extensive bill, and -- and bear with me. I'll go through it as quickly as I can, and then I'll be more than happy to answer any questions or would -- the various sponsors of the amendments, I'm sure, would be more than happy to do that. The underlying bill, House Bill 3278, deals with federally mandated rules and regulations concerning child support and our ability to do a better job in collecting and -- and remitting that -- our child support payments. Also, one of the amendments deals with the same type of thing. But Amendment No. 2 requires welfare mothers under the age of seventeen to live in an adult-supervised living arrangement. Amendment No. 3 repeals the provision that provided eligible inmates with an -- expedited welfare payments. Amendment No. 4 requires a welfare mother age eighteen and under who has not received a high school diploma or GED, must be enrolled in school or be working toward that GED or they will lose their AFDC grant. Amendment No. 5 provides that AFDC mothers shall not receive an increase in a grant solely due to the fact that they had a birth of an additional child. Amendment No. 7 added the provision, sponsored by Senator Tom Dunn, which provided for a -- a demonstration project giving time limits to our welfare recipients. That's basically what's in this bill, and I would hope we could have a favorable roll call. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I'd intended to ask this yesterday, but on Amendment

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No. 6, on page 2, lines 31 and 32, there is language that says "An attorney who provides representation pursuant to this Section shall represent the Illinois Department exclusively." If you took that at face value, it might mean that those assistant State's attorneys and assistant attorney generals downstate who collect the IV-D payments could not have any other practice. It's my understanding that that's not the -- that's not the intention; that it simply means that when they're representing the Department in these cases, they're not representing some other party. But I'd like that on the record.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

That's absolutely correct. What we are trying to establish with that language is that those attorneys do represent the State of Illinois, and an attorney-client relationship does exist between the State and the attorney.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Donahue, you wish to close? On that question, there -- on -- the question is, shall House Bill 3278 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 53 Ayes, no <sic> (3) Nays, 2 Members voting Present. House Bill 3278, having received the required constitutional majority, is declared passed. Senator DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR DeANGELIS:

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Mr. President, I would like to offer a special thanks to all the people that worked on the Education for the Homeless Act. I realize that the educational community had some serious concerns. I don't think I've seen that kind of cooperation on too many other bills, but I want to thank the -- the three MOEs up there - the mavens of education: Ann Dickett from SCOPE and Kathy Richards from ED-RED and -- and Heidi Biederperson <sic> (Biederman) from LUDA. And then I'd also like to thank Sister - Sister, are you here? - Sister Marie, Darcey -- Marcy Sutton and Diane Nylan, and also the Members of the Committee who had some difficulty with this bill at the outset. So, I think if we applied the same effort to the school aid formula, we could probably resolve it.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bill 3322. Senator Madigan? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3322.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. House Bill 3322, as it came over to the Senate, provided that a corporation which was convicted of a crime resulting in the loss of its license, could have the license reinstated; however, to have that license reinstated, the members of the corporate -- member or member of the corporation directly responsible for the crime must no longer have any relationship or connection to that corporation. There were two Floor amendments offered to House Bill 3322 the other day. First of all, Senator Berman offered a clarifying amendment to the original language which more narrowly and more

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correctly defined the nature and intense scope of the legislation. Secondly, there was an amendment offered by Senator Donahue to address a problem in her district regarding -- or coming about as a result of the flood last year. There was a facility over there that had a liquor license exemption for being on State property. As a result of the flood, that facility is now under the control of the federal government, or the Army Corps of Engineers, and we simply want to move that exemption or transfer that exemption so that it reflects that it's on federal property, rather than State property. I would be glad to answer any questions to House Bill 3322, as amended, and otherwise would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. Just for the record - is there anything in this bill, Senator Madigan, dealing with the cash beer law?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. No, Senator Cronin, there is nothing in this bill on the cash beer law.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 3322 pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 voting Yes, 5 voting No, no voting Present. House Bill 3322, having received the required constitutional majority, is declared passed. Senator Fawell, do you wish to have House Bill 3457 returned to 2nd Reading for the purposes of amendment?

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SENATOR FAWELL:

Yes, I do.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. Senator Fawell seeks leave of the Body to return House Bill 3457 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3457. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, by Senator Fawell.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a clarifying change, as requested by the State Board of Education and agreed to by all parties. It provides that districts only need to submit their school improvement plans if requested to do so by the State Board, and number two, provides that the State Board shall complete its review of the process after all school improvement plans have been completed, as opposed to submitted. And I would ask your favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Seeing -- seeing no discussion, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. On page 6, bottom of page 6, we find House Bill 3457. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3457.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. The Senate Amendment No. 2 did delete the original bill and becomes the bill. This amendment was developed with input from the IEA, the IMA, the State Chamber of Commerce, State Board of Education, LUDA, the School Boards' Association, and so on and so forth. It requires the State Board to provide technical assistance to the school accountability process, as may be requested by the local school districts, LSCs, school improvement panels and the regional superintendents. It authorizes the technical assistance provided by the State Board of Education to include, one, the training of -- of their personnel in the process so that they, in turn, can come back to the schools and tell them what they expect, and development of models of school improvement as may be used by examples by districts in developing their plans. It allows school districts to file the school improvement plans two by two by two.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? Seeing none...

SENATOR FAWELL:

I'm -- I'm just -- I'll tell you, I...

PRESIDING OFFICER: (SENATOR WATSON)

...the question is, shall House Bill 3457 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. House Bill 3457, having received the required constitutional majority, is declared passed. Senator DeAngelis, for what purpose do you rise?

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SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR DeANGELIS:

When we passed House Bill 2631, I should have read a legislative intent, because there might have been some question based on a bill that I passed yesterday. So may I read it into the record - the legislative intent?

PRESIDING OFFICER: (SENATOR WATSON)

You may.

SENATOR DeANGELIS:

Thank you. For purposes of legislative intent, the limitations on the number of charitable game events that may be held at any one premises are not intended to apply to premises owned by municipalities. House Bill 2634, passed by us last week, sets forth limitations for premises owned by municipalities.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. The record will so reflect. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

I thought about moving to reconsider on Senator Fawell's bill, because I didn't get it all -- hear all the rest of the explanation, but I think I'll let it go for the moment.

PRESIDING OFFICER: (SENATOR WATSON)

Well, thank you. House Bill 3485. Senator Burzynski? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3485.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that really takes care of some students - dental students - that were kind of lost in the crack. In 1983 we passed legislation requiring a minimum of two years of clinical training; however, there were students that were completing the one-year training that was then required by the State Board of Dentistry, and so this really takes care of that. In addition to that, also, this deals with legislation concerning advertisements that might imply that they're a public service rather than by a for-profit organization.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall House Bill 3485 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 3485, having received the required constitutional majority, is declared passed. House Bill 3551. Senator Fawell? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3551.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. Maybe I should just ask for a favorable vote. It -- it has -- it creates special license plates for fallen police officers and firefighters. It has several amendments. One is -- it contains clean-up language requested by

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the State Police, Mid-West Truckers, Illinois Transportation Association, IDOT, and so on. Second, allows the Tollway Authority to hire its own attorneys. Third, provides unincorporated territory located within the -- Cook County, the homeowners' association of a subdivision with at least a hundred permanent dwellers may erect street signs. And fourth, amends the -- and extends two years the quick-take powers of the Southwestern Illinois Development Authority. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 3551 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 1 voting No, 1 voting Present. House Bill 3551, having received the required constitutional majority, is declared passed. House Bill 3582. Senator Butler? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3582.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. House Bill 3582 will save western -- will save western civilization as we know it. It -- all -- all of the controversial amendments have been taken out. We're back down to the original bill, which authorizes currency exchanges to dispense candy, gum and other packaged goods in addition to vending soft drinks now. So we all can rest easier tonight.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator del Valle.

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SENATOR DEL VALLE:

Well, thank you, Mr. Chairman. I just want to comment that a couple years ago, when we were talking with the Currency Exchange Association about lowering their check-cashing fees for Public Aid checks and for other government checks, they were offered the opportunity to be able to sell other -- candies and other -- other items, and their response back then was, "Well, we don't -- we don't really want to do that. We don't care about that. We just don't want our fees reduced." And now we have a bill that allows them to do what was offered, in exchange for a -- what was a reasonable proposal to reduce what are still very high fees for cashing government checks. And so, I'm kind of disappointed that we didn't get cooperation back then, but here we are today, trying to help them out once again.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? Senator Butler, to close.

SENATOR BUTLER:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

On that question, there -- oh, excuse me. The question is, shall House Bill 3582 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yes, 4 voting No, 2 voting Present. House Bill 3582, having received the required constitutional majority, is declared passed. House Bill 3587. Senator Dudycz? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3587.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 3587, as amended, provides for State troopers who are cleared of any wrongdoing in a suspension hearing to be awarded back pay plus seven percent interest. It also requires that an officer must be given a three-day notice before being interrogated, which can be waived at the officer's discretion. The bill also contains the contents of two pieces of legislation previously passed out of the Senate, but somehow got stuck in the -- in the House, which provide for the Treasurer -- of the Illinois Treasurer to cooperate with our appropriate jurisdictional authorities in putting banking services in State buildings or on State property, and the Auditor General's recommendations on State housing benefits, calling on certain State agencies to develop housing policies that address specific criteria.

PRESIDING OFFICER: (SENATOR WATSON)

Questions? Senator Palmer.

SENATOR PALMER:

Just a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR PALMER:

I'd like the record to reflect that on 3582 I was not looking at my board. I pushed Present. I meant to push No.

PRESIDING OFFICER: (SENATOR WATSON)

The record will so reflect. Is there any other discussion? The question is, shall House Bill 3587 pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. House Bill 3587, having

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received the required constitutional majority, is declared passed. House Bill 3611. Senator Sieben? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. House Bill 3611 amends the Directors' Section of the Banking Act. Permits directors to consider community neighborhood effects of their business decisions, including mergers and changes of control. We added two amendments to the bill yesterday. The first amendment is language agreed to by the Community Bankers and the Illinois Bankers Association dealing with director and officer liability. And the Amendment No. 3 was added that allows trust funds awaiting investment to be collateralized by surety bonds. There's no opposition to the bill, and I'd move for its passage.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3611 pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, 1 voting Present. House Bill 3611, having received the required constitutional majority, is declared passed. House Bill 3883. Senator Topinka. Madam Secretary, would you please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3883.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, this creates the Biotechnology Section <sic> (Sector) Development Act. Requires the Department of Agriculture to set up a new program to develop biotechnology businesses in the State, and it establishes an advisory council to assist the Department. It is our attempt here to get at the fact that the State has no organized efforts or role in providing biotechnology planning or development in this State. It's supported by the University of Illinois, Northwestern University, the Department of Agriculture, and comes out of the Citizens Assembly. And there seems to be no opposition. I'd seek a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3883 pass. All those in favor, please vote Yes. Those opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 3883, having received the required constitutional majority, is declared passed. House Bill 3975. Senator Topinka. Please read the Secretary -- please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3975.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Topinka.

SENATOR TOPINKA:

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Yes. Mr. President, Ladies and Gentlemen of the Senate, this creates the Freestanding Hospice Residence Licensing Act; however, in -- in how we put this together, we agreed that we would only pass it out as a study should the parties involved here not be able to come to any kind of a conclusion. Indeed, the study exists. The conclusion was not reached. It is no greater than a study, and we would like to send it back to the House in that form.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, shall House Bill 3975 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, 1 voting Present. House Bill 3975, having received the required constitutional majority, is declared passed. Madam Secretary, Committee Reports.

ACTING SECRETARY HAWKER:

Senator Raica, Chairman of the Committee on Local Government and Elections, reports Senate Bill No. 1083, with a motion to concur with House Amendment No. 2, Be Adopted.

PRESIDING OFFICER: (SENATOR WATSON)

For all practical purposes, that concludes House Bills 3rd Reading unless some Member has a bill they'd like to possibly go back to. Seeing none, why, we will -- that concludes our 3rd -- Senator Woodyard, for what purpose do you rise, please?

SENATOR WOODYARD:

Supplemental?

PRESIDING OFFICER: (SENATOR WATSON)

There has been a Supplemental Calendar that has been distributed. The Membership will be advised that the Senate now shall proceed to Supplemental Calendar No. 1. On the Order of Secretary's Desk, Concurrence, Senate Bills, is Senate Bill 1083,

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sponsored by Senator Woodyard. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1083.

Filed by Senator Woodyard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Thank -- thank you, Mr. President and Members of the Senate. Before explaining this bill, I would like to certainly publicly and personally thank Senator O'Malley for relinquishing his sponsorship of Senate Bill 1083. And I also apologize taking up the time, but this does have quite a lot of urgency involved with it. In mid-April, when floods hit Central Illinois, the Danville Sanitary District sewerage treatment plant was severely damaged by that flooding - something in the several millions of dollars - and we're now discharging raw sewerage into the river. The sanitary district is really in a Catch-22 situation. EPA would only waive for forty-five days that discharge of raw sewage into the river, and yet the bidding process that has to take place under State law would require something near ninety days. What this bill now does, would allow an exemption, under certain kinds of disasters, on that bidding process. It's my understanding the contracts are ready to be signed this weekend. The Governor has agreed to take immediate action in signing this bill as soon as it reaches his desk, and I would like for your favorable consideration on concurrence.

PRESIDING OFFICER: (SENATOR WATSON)

Further consideration? Senator Petka.

SENATOR PETKA:

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

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please.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point, Senator Petka.

SENATOR PETKA:

I would like to be recorded Aye on House Bill 3611. For some reason, my switch did not work.

PRESIDING OFFICER: (SENATOR WATSON)

The record will so reflect. Senator Severns, for what purpose do you rise? Senator Severns.

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR WATSON)

Yes, the sponsor will yield, Senator Severns.

SENATOR SEVERNS:

Senator Woodyard, is there any specific reason why this legislation failed to demand an extraordinary vote if, in fact, it's an emergency? And I understand you're talking about a specific situation. But if it's an emergency, should not an extraordinary vote be required, and is there any reason why that language was left out?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

I don't really know the answer to that. I think the Parliamentarian maybe would be able to answer that.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns.

SENATOR SEVERNS:

I -- I'm not talking about an extraordinary vote here. I'm saying an extraordinary vote in the language that you've just written. All that's required right now is -- is the proposal in

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writing. On the heels of -- of passing in this Chamber, at long last, some purchasing reform measures, which include competitive bidding as its preference, it seems ironic that a day later we're passing something that provides for no competitive bidding and just with a written notice. It seems a little loose, or a little lax.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Was that a question, Senator? Excuse me. Senator Woodyard.

SENATOR WOODYARD:

Well, it's my understanding, Senator, that we didn't change the language in the part of the bill that deals with the Board having to pass on the contracts, so - they very definitely would - but it does then go ahead and exempt, after the Board's passage, that competitive bidding portion. And it is very narrowly -- as nearly as we can tell, very narrowly defined in there as to -- you know, the only time you can waive this is in the event of -- of a disaster. Speaker Madigan very personally signed off on this language, as well as -- we have at least indication from the Governor that he would sign it. I don't know what else to say.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns.

SENATOR SEVERNS:

Well, then, perhaps I can ask, what's the definition of a man-made disaster?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

I would presume that that could be in the event somebody planted a bomb in the plant or something like that. Our problem -- I don't know how to -- how to get past the EPA problems - both federal and State - on discharge of sewerage into that river

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without this kind of legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Senator, I regret to make this request, as you're trying to act on 3rd Reading, but would you consider at least putting a repealer in this language?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard. This is final action.

SENATOR WOODYARD:

Well, Senator, I really need to get this bill passed by this weekend, and I think there are a lot of people on this Floor that -- that want to get out of here. And the only thing I know is, vote your conscience, I guess. We -- I -- I really need to get this thing moving.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Seeing none - and this is final action - and the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1083. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Yes, 2 voting No, and no voting Present. Senate Bill 1083 -- the Senate does concur in House Amendments No. 2 to Senate Bill 1083, and the bill, having received the required constitutional majority, is declared passed. Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

Thank you, Mr. President. The -- on our adjournment resolution, Senate Joint Resolution 165, the House gave us the wrong information on their -- the wrong time on their adjournment, so I would like to -- having voted on the prevailing side, table Senate Joint Resolution 165.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver moves, having voted on the prevailing side, that the Senate reconsider the vote by which Senate Joint Resolution 165 passed. Those in favor, say Aye. Opposed, Nay. Senator Weaver now moves that Senate Joint Resolution 165 be tabled. All those in favor, say Aye. Opposed, Nay. And the Ayes have it, and Senate Joint Resolution 165 is tabled. Resolutions, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 166.

(Secretary reads SJR No. 166)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 166.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 166. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Okay. Senator Weaver has moved for the adoption of Senate Joint Resolution No. 166. Those in favor, say Aye. Opposed, Nay. And the Ayes have it, and the resolution is adopted. Resolutions, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Resolution 1491, offered by Senator O'Malley.

Senate Resolution 1492, offered by Senator DeAngelis.

Senate Resolution 1493, offered by Senator Shaw.

Senate Resolution 1494, offered by Senator Watson.

And Senate Resolution 1495, offered by Senator Jones, President Philip and others.

They're all congratulatory and death resolutions.

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PRESIDING OFFICER: (SENATOR WATSON)

Consent Calendar, Madam Secretary. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

A point of personal privilege, Mr. President. I understand -- it was called to our attention that this is the sixth wedding anniversary of Greg Kenworth, and he snatched a little Democratic girl, Ellen, about six years ago, and so we want to congratulate you, Greg.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR JONES:

Yeah. Thank you, Mr. President. On Senate -- on Senate Resolution 1495, which is a death resolution, and -- in honor of Jacqueline Kennedy Onassis, who passed yesterday. The -- the resolution -- I would appreciate it if the Secretary would read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 1495, offered by Senator Jones, President Philip and all Members.

(Secretary reads SR No. 1495)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I ask leave to have all Members of the Senate included on this resolution. And speaking to the resolution, which -- which laid out the life and career of Jacqueline Kennedy, as one who personally got involved politically during that campaign in 1960, and she being the youngest First Lady to grace the White House with all her dignity and charm, and we -- we do mourn her death. But she was a -- a great lady, a

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great First Lady of this nation. And I move for the adoption of the resolution.

PRESIDING OFFICER: (SENATOR WATSON)

Well said. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. Through triumph and tragedy, Jackie Kennedy demonstrated courage, something Hemingway defined as "grace under pressure". She helped this nation through some of its darkest days with stoic resolve. She died the same way she lived, with grace under pressure. May she rest in peace.

PRESIDING OFFICER: (SENATOR WATSON)

Will the Membership please pause for a moment of silence. We have adopted the resolution, Senator Jones, so the motion was not necessary. Thank you. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Madam Secretary, are there any objections filed to any of the resolutions on the Consent Calendar?

ACTING SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, No. And the motion carries, and the resolutions are adopted. That should conclude our business of today, and the Senate will stand adjourned until 2 o'clock, Wednesday, May 25th. Hope you'll have a enjoyable weekend. The Senate stands adjourned.

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