

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

60th Legislative Day

May 25, 1993

PRESIDENT PHILIP:

The hour of twelve having arrived, the Senate will please come to order. Will our Members please rise, and our friends in the gallery please rise, for the prayer. The prayer today is by Pastor Troster, Saint Paul's Lutheran Church, Matteson, Illinois.

PASTOR TROSTER:

(Prayer by Pastor Troster)

PRESIDENT PHILIP:

...(microphone cutoff)...Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 19th; Thursday, May 20th; Friday, May 21st; Sunday, May 23rd; and Monday, May 24th, in the year 1993, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports that the Motion to Concur with House Amendment 1 to Senate Bill 25 Be Approved for Consideration; Motion to Concur with House Amendment 2 to Senate Bill 650 Be Approved for Consideration; and the Motion to Concur with House Amendment 2 to Senate Bill 678 Be Approved for Consideration.

PRESIDENT PHILIP:

WAND-TV has requested permission to videotape the proceeding today. Is leave granted? Leave is granted. Resolutions.

SECRETARY HARRY:

Senate Resolution 522, offered by Senator Cullerton.

Senate Resolution 523, Senator Garcia.

Senate Resolution 524, by Senator Garcia.

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Senate Resolution 525, by Senator Cullerton.

Senate Resolution 526 is offered by Senator del Valle.

Senator Hawkinson offers Senate Resolution 527.

Senate Resolution 528, by Senator Dudycz.

Senate Resolution 529, by Senator Palmer.

And Senator Demuzio offers Senate Resolutions 530 and 531.

They're all congratulatory and designatory, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'm pleased to tell you that two of my very fine constituents from Lindenhurst, Illinois, and their two daughters are here. It's none other than Don and Jean Banick, B-A-N-I-C-K, and their two daughters, Tara and Trina, who are serving as Honorary Pages today. And I would like all of you to welcome my good friends, who are sitting in the President's Gallery.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Ladies and Gentlemen of the Senate, we're ready to start. We are starting on page 11, on the Secretary's Desk, Senate Bills for Concurrence, final action. Motions to Concur. Senate Bill 45 -- I'm sorry. Senate Bill 41? No. Is it Senate Bill 45? It says Senator Raica. Any -- any bills that have come out of Judicial Committee will be placed on a Supplemental Calendar. Senate Bill 41. Senator Mahar? Madam Secretary, will you please read the

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bill.

ACTING SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 41.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar, will you explain the amendment?

SENATOR MAHAR:

Thank you, Madam President and Members. This is the Illinois Bankers' Association and -- Illinois EPA's innocent landowner bill. The amendment that was put on in the House merely clarifies that an owner of residential property is not liable for response costs or damages as a result of proper application of pesticides to the residential property. This was done so on -- at the request of the insurance industry. I know of no opposition to the bill, and I would move to concur with Amendment No. 1 to Senate Bill 41.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further discussion? Hearing none, Senator Mahar, to close. The question is, shall -- shall the Senate concur in House Amendment 1. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk -- Madam Secretary, take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And then that bill -- in the Senate -- that bill, having received 56 votes, the Senate does concur in House Amendment 1 to Senate Bill 41. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 45? Senator Raica? Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

House Amendments No. 1 and 2 to Senate Bill 45.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Raica.

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SENATOR RAICA:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I'd move to concur in House Amendments 1 and 2 to Senate Bill 45.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Raica, to close. This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 45. Those in favor shall vote Aye. Those opposed shall vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that motion, there are 55 Yeas, none voting Nay, 1 voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 45. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 60. Senator Mahar? Madam Secretary, will you read the -- the bill.

ACTING SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 60.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar.

SENATOR MAHAR:

Thank you -- thank you, Madam President and Members. This -- this does as the Calendar so -- indicates. It relates to preference points in connection with the employment by firefighters. House Amendment No. 1 is the same provision as Senate Bill 211, by -- offered by Senator O'Malley, and which went out of here without opposition. It amends the Fire Protection Act. Provides that if a fire vacancy -- if a vacancy occurs on an elected board of trustees, the vacancy shall be filled by the elected board within sixty days. Also adds language which would allow an appointed board of trustees of a fire district to become an elected board by ordinance of the fire district board or the

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appointing authority. It also extends this to include municipalities as well as fire protection districts. And the amendment deletes the Section referring to a candidate may not receive preference points if the amount of points awarded would place the candidate before a military veteran. And the reason behind this, military veterans already have preference points too. I know of no objection to these two amendments, and I would move to concur with House Amendments 1 and 2 to Senate Bill 60.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Could I have a question of the sponsor?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The sponsor said he will yield.

SENATOR CULLERTON:

On the original bill -- was there anyone opposed to the original bill, in terms of, maybe, some municipalities?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar. Senator Mahar.

SENATOR MAHAR:

No. There -- there was no opposition in committee, and I think it was a unanimous roll call in the Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator Mahar, to close. This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 60. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Madam Secretary, take the roll. On that question, there are 57 Ayes, none voting Nay, none voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 60. And the bill, having received the required constitutional majority, is

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hereby declared passed. Senate Bill 90. Could we have a little more order? Ladies and Gentlemen of the Senate? Senate Bill 90. Senator Klemm? Madam Secretary, will you please read the motion.
ACTING SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 90.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. I'd like to move to concur with House Amendment No. 1 on Senate Bill 90. What House Amendment No. 1 did was actually reinsert the bill as we originally introduced it, but it did make some changes to delete existing language provided that an audit or a treasurer's account be conducted by a licensed accountant or by two trustees, and provides that certain items be certified in the audit. What it does now is it makes the annual audit and financial report shall conform with Section 3 of the Governmental Account Audit Act, and it does give us a little bit of extra assurance. And I do move its concurrence.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR KLEMM:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 90. All those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Had all voted who wished? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 90. And the bill, having received the required constitutional majority, is declared

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passed. Senate Bill 91. Senator Burzynski? Madam Secretary, will you read the motion?

ACTING SECRETARY HAWKER:

House Amendments 1 and 3 to Senate Bill 91.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This amends the Downstate Forest Preserve District Act. The amendments basically say that the elections will be held at a nonpartisan election, and the bill applies only to counties under the population of ninety thousand. I move for its concurrence.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR BURZYNSKI:

I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendment -- House Amendments 1 and 3. All those in favor of it will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Madam Secretary, take the roll. On that question, there are 58 Ayes, none voting No, none voting Present. And the Senate does concur in House Amendments 1 and 3 to Senate Bill 91. And the bill, having received the required constitutional majority, is hereby declared passed. The Illinois Information Service requests permission to videotape today's Session for documentary purposes. Is there leave? Leave is granted. This is Senate Bill 139. Senator Karpiel. Madam Secretary?

ACTING SECRETARY HAWKER:

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House Amendments 1 and 2 to Senate Bill 139.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Madam President. The -- the bill, as it left the Senate, amends the Job Referral and Job Listing Services Consumer Protection Act to exempt not-for-profit organizations from the Act. Amendment 1 is an attempt to limit the scope of the bill to cover the not-for-profit organizations, and it would delete the original language and would exempt any newsletter or matching service provided by a not-for-profit organization that has been in existence at least three years, and the annual fee for the service does not exceed fifty dollars.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Do you wish...

SENATOR KARPIEL:

I move to concur in Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Madam -- Senator Karpel, to close?

SENATOR KARPIEL:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpel moves to concur in House Amendment No. 1 to Senate Bill 139. Any discussion? Hearing none, those in favor, vote Aye. Those opposed, vote Nay. And the voting is open, to Amendment No. 1. Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 58 Yeas, none voting Nay, 1 voting Aye -- Present <sic>, I believe. And the Senate does concur in House Amendment 1 to Senate Bill 139. Senator Karpel.

SENATOR KARPIEL:

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Thank you, Madam President. Amendment No. -- I move to non-concur in Amendment No. 2 to Senate Bill 139.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel moves to non-concur in House Amendment No. 2 to Senate Bill 139. Is there any discussion? Hearing none, all those in favor, say Aye. All opposed, say Nay. The Ayes have it. Senator Welch. For what purpose do you rise, sir?

SENATOR WELCH:

Well, I had a question about that amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I'm sorry.

SENATOR WELCH:

Yes. I was -- I was wondering about Amendment No. 2 and why we are deleting that from this bill. This was requested by the Attorney General. What's the reason for non-concurrence?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel, on Amendment 2.

SENATOR KARPIEL:

Senator Welch, I -- I brought this to committee on a concurrence motion. I filed a concurrence motion on both Amendments 1 and 2. I brought them to committee. Amendment No. 2 failed in committee. That's why I'm now non-concurring.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Bill -- we move to... The Ayes have it on the failure to concur on Amendment No. 2, and the motion carries, and the Secretary shall so inform the House. Senate Bill 157. Senator Hasara? Madam Secretary, will you read the Motion to Concur -- to Non-concur - or is it to concur? - to concur on Senate Bill 157.

ACTING SECRETARY HAWKER:

House Amendments 2 and 3 to Senate Bill 157.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hasara.

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SENATOR HASARA:

Thank you, Madam President. House Amendment No. 2 deletes the provisions of the bill that authorize the Director of CMS to adopt rules to terminate health care coverage for State employees. House Amendment No. 3 is at the request of the Department of Military Affairs, so that they may be legally represented by the Attorney General for their new Lincoln Challenge Program. I would ask for a favorable roll call in adopting Amendments No. 2 and 3 to Senate Bill 157.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On -- is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

She indicates that she will yield.

SENATOR CULLERTON:

This House Amendment No. 3 that you wish to concur with amends the State Employee Indemnification Act, and it appears to include contractors with the Department of Military Affairs for youth programs, which is one of the Governor's programs. I understand that -- that bill -- or that program, but this is -- has the effect of -- of indemnifying independent contractors who are normally not part of the Indemnification Act. So I wonder if you could explain the rationale.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hasara.

SENATOR HASARA:

As I understand it, Senator, this is part of the new volunteer program, and as I believe in the case of other programs where the State is using volunteers, we are asking that they be indemnified so that the Department may meet its obligations under the new Lincoln Challenge Plan that the Governor has suggested.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Okay. So these would be volunteers - people perhaps who are in the National Guard who are volunteering. I think volunteers are already covered in the Indemnification Act.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hasara.

SENATOR HASARA:

It's my understanding that -- these are National Guardsmen who will be volunteering their time to work with students.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton? Any further discussion? Hearing none, this is final action. The question is, shall the Senate concur in House Amendments 2 and 3 in Senate Bill 157. All those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 53 Yeas, none voting No, 3 voting Present. And this motion to concur, having received the required constitutional majority, is hereby declared passed. Senate Bill 188. Senator Palmer? Madam Secretary, will you read the motion.

ACTING SECRETARY HAWKER:

House Amendment No. 5 to Senate Bill 188.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. Senate Bill 188 directs the Department of Energy and Natural Resources to create a grant and loan program, using secondary materials collected in recycling programs. It gives priorities to proposals that will create small businesses or jobs and enterprises and changes the deadline for

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starting the program from January 1994 to March 1994; places a cap on the amounts of grants and limits the operation to two years. It passed unanimously out of the Environment and Energy Committee, and I move that the Senate concur in Amendment No. 5.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator Palmer, to close?

SENATOR PALMER:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendment No. 5 to Senate Bill 188. Those in favor will vote Aye. Those opposed will vote -- Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 55 Ayes, none voting No, 3 voting Present. And the Senate does concur in Amendment No. 5 to -- to Senate Bill 188. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 192. Senator Klemm. Madam Secretary, will you read the motion.

ACTING SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 192.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

Well, thank you, Madam President. I wish to move to concur with House Amendments No. 1 and No. 2 to Senate Bill 192. House Amendment No. 1 authorizes the county board in counties with a population between sixty-two thousand and eighty thousand, which borders Mississippi <sic>, to own and operate a toll ferry for the purpose of conveying persons, vehicles and other property across

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the Mississippi River. Apparently -- I think the City of Quincy has a toll ferry that they wish not to operate any longer. And the county wishes to do that. IDOT supports it, and we need legislation to allow that in this one instance. And that's what Amendment No. 1 does. Amendment No. 2 - all that does is add the word, the operating fund. County boards can appropriate up to three percent of their corporate funds, and this Amendment No. 2 would add or their operating funds. I do move their adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR KLEMM:

I just request a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to -- to Senate Bill 192. And the -- those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And this -- the Senate does concur in House Amendments 1 and 2 to Senate Bill 192. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill -- 227. Senator Maitland? Madam Secretary, will you read the motion?

ACTING SECRETARY HAWKER:

Senate Bill 227, with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We're doing concurrence motions now. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. I am going to be concurring in House Amendments No. 1 and

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2 to Senate Bill 227. Let me indicate to the Body what changes have been made with respect to these two amendments that have been added by the House. Amendment No. 1 really becomes the bill, and it prohibits the IEPA from issuing a permit for the construction or development of a solid waste disposal facility which is located above a mine shaft or tunnel or near a geological fault, unless an appropriate showing of structural integrity has been made to the IEPA. Additionally, it shifts the Senate Bill 172 siting authority for regional pollution control facility which consists of a hazardous or solid waste disposal facility from the county to the municipality when the site for the facility is in an unincorporated area of a county with a population of less than one hundred thousand and the site includes land which was adjacent to the -- to the municipality on April 1 of 1993. A further change that was brought about in Amendment No. 2 was that it does place a sunset as of January 1, 1997, on the provisions shifting the siting authority. This is somewhat of a change in this bill from when it left the Senate. We ran into additional opposition in the House, some concerns. So we have narrowed the scope of this. I know Senator Welch has some interest in this bill. He and I had meetings with them. He may have some questions, but -- but, Madam President, I would move for the adoption of House Amendments No. 1 and 2 to Senate Bill 227.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Welch.

SENATOR WELCH:

I had -- I had a few questions of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll answer.

SENATOR WELCH:

Senator, the -- the limitation on building a -- a dump site on top of a mine shaft is limited to "or within two hundred feet of a

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fault that has had displacement within Holocene time..." Now, could you explain to me why you're limiting it to a certain time period that happened a few thousand years ago, as opposed to any limitation whatsoever?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Senator Welch, it's my understanding it is -- it is following -- Subtitle D regulations from the feds. This is -- this is consistent.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

The -- the -- allowing an adjacent city to have the siting authority, as opposed to the county, the -- what is the population differential? If the city is located next to a larger county and the -- the landfill is going to be in the larger county, how big does that county have to be before it loses the control over the siting process?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Over a hundred thousand, Senator Welch.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

In Amendment No. 2 we have a -- there is a limitation of four years for the -- for the siting authority. Why is there a four-year limitation on the -- on the siting by a town that is under five thousand? If it's -- if it's good for four years, why isn't it good to remain in their -- in perpetuity?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Maitland.

SENATOR MAITLAND:

Senator Welch, I -- I absolutely agree with you, and I will -- will pledge to you -- I will...(microphone malfunctioning)...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland?

SENATOR MAITLAND:

I will -- I will pledge to you and other, primarily, downstaters that -- that we'll continue to move forward here. I think this was charting new ground. The House had some concerns about extending that out, and it just was necessary for us to agree with this four-year sunset at this time.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Well, it -- it doesn't seem to me to make much sense to have a four-year limit on it. Why don't we agree to House Amendment 1 and non-concur in House Amendment 2 and try to get a conference committee going on that? I think that might result in a compromise.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Senator Welch, that is -- that is one -- one possibility, and I -- I understand that. My -- my concern is, in discussing this with the House sponsors, it appeared very clearly that this was the only way it was going to pass the House, and this is important to me and -- and obviously to you, as well. And I felt that this was the compromise we ought to make with the assumption that -- that if this works, it may well be a reasonable change and we ought to pursue it more diligently in the future.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Welch. Senator Burzynski? For discussion?

SENATOR BURZYNSKI:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR BURZYNSKI:

Senator Maitland, what effect does this have on existing facilities: if I have a landfill that's already sited and wants to expand but located within a -- a mile and a half of a municipality?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Senator, it -- it has no -- no effect on -- on any existing authority, and I -- I wanted to make sure I -- because in the 172 siting process, there are some -- you know, the differences here, and I wanted to make sure I gave you the correct answer. No -- no -- has no effect on existing authorities.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

So if -- if I have a facility and they desire to expand and go through the county and the regional pollution control facility, they can do that without the municipality's authority.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Senator, only if it requires 172 siting. That's the only -- that's the only effect.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson. Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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Thank you. Will the sponsor yield for some questions?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will. Senator...

SENATOR HAWKINSON:

Senator, Peoria County had some concerns about their existing landfill in the original bill, and I believe there was language accommodating them in the original bill. With the amendments, is that language still in there?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Senator Hawkinson. The language -- the amendment that we put on -- that was put on in the House, this only affects counties one hundred thousand or less. So, Peoria County is exempt from this change in siting.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

In -- in counties -- as I read the analysis, though, of the House amendments, in counties over a hundred and fifty thousand, if it's within a mile and a half now of a city, you require municipal approval as well?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Senator, I think maybe you're reading the synopsis of the bill as it left here. The mile-and-a-half issue is completely out of the bill. That was another major area of concern for the House.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- further discussion? Senator Demuzio. Senator Demuzio?

SENATOR DEMUZIO:

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Well, thank you very much, Madam President. Senator Maitland, you know, we fought very hard back in '81, I am told. And matter of fact, 172 was -- the siting bill was my bill. I don't know why we want to change the siting criteria -- or -- or the siting authority from the county board to the city. I understand what you are attempting to do for a narrow, specific purpose. However, when you say a hundred thousand population or more, that applies to every one of the counties in which I represent, although they have to be within - what? - one and a half miles of the city in order to have... Of the corporate limits of any municipality? Then adjacent... I don't see the word "adjacent" in here. Could you -- could you explain that to me? I don't see the word "adjacent", too, in the -- in the amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Well, Senator, I -- I explained this in my -- in my opening remarks.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Well then, I rise in opposition to this. I think this thing ought to all go back to conference committee. I think Senator Welch has raised some very interesting comments. I don't think that the counties would appreciate us changing the siting provisions. I know that the voters certainly would not, and I would strongly urge a non-concurrence - a No vote - on this concurrence motion. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. A question of the sponsor?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR PALMER:

Senator Maitland, are there guidelines for ensuring that the integrity of the structure is maintained, number one? And secondly, who makes the decision?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Madam President, perhaps we could have a bit of order. I -- I didn't hear Senator Palmer's question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Palmer, would you repeat your question, please?

SENATOR PALMER:

Yes. Thank you, Madam President. I asked if there are guidelines for determining the engineering integrity of the facility, number one; and secondly, who makes that decision?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Senator Palmer, EPA. That's -- that's in their -- that's in their responsibility. That -- that comes from the 172 siting process. Absolutely, there are. Federal regs, I'm told.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President. In response to Senator Demuzio, adjacent is a word -- term "adjacent" is in both amendments. Amendment No. 2, it is on line 12, beginning with the words "land that was, on April 1, 1993, adjacent to a municipality..." And Amendment No. 1, it's on line number 11, with the term -- words beginning "governing body of the adjacent municipality rather

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than..."

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. I hope -- Senator Demuzio, I -- I think -- I think you like this amendment, not dislike this amendment, for downstate counties of -- of this size. It protects those small communities who really have no power. And it doesn't negatively affect the 172 siting process. And I really think this is a -- a good vote, and I would seek the support of the Body.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 227. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 34 Yeas, 22 Nays, 1 voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 227. The bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 273. Senator Cullerton? Madam Secretary, read the bill. 273.

ACTING SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 273.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I would move to non-concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate -- Cullerton moves to non-concur to House Amendment No. 1 in Senate Bill 273. Any discussion? Senator Cullerton moves

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to non-concur. All those in favor to non-concur, signify by saying Aye. All those opposed, say No. And the -- in the opinion of the Chair, the Ayes have it to non-concur in House Amendment No. 1. The motion carries, and the Secretary -- shall so inform the House. Senator Cullerton. Okay. He's done. Senate Bill 289. Senator Welch? Madam Secretary, will you read the bill?

ACTING SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 289.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Madam President, I would move to non-concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch moves to non-concur with House Amendment No. 1 to Senate Bill 289. All those in favor, say Aye. All those opposed, Nay. The Ayes have it. In the opinion of the Chair, the motion carries, and the Secretary shall so inform the House. Senate Bill 383. Senator DeAngelis? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Amendments 1 and 3 to Senate Bill 383.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I move to concur with House Amendments No. 1 and 3 to Senate Bill 383. Amendment No. 1 amends the Real Estate Licensure Act by exempting those people who make -- references or referrals in the buildings they live in. It limits the amount of referrals they can do. It also limits the amount of compensation they could receive from it. Amendment No. 3 changes the formulary that passed out of the Senate. The

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formulary that passed out of the Senate on the payment of deposits was five percent or a rate based on a formula tied to interest paid on a 26-week U.S. Treasury Bills. The amendment from the House changes it to the highest -- I'm sorry, to the passbook rate offered by the State's largest bank as of December 31st of the lease's preceding calendar year. Be happy to answer any questions. If not, I move the Senate concur with Amendments No. 1 and 3 on Senate Bill 383.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President. I rise in support of the motion. I think that the House has improved this bill. Initially, when we talked about it, I did have a minor reservation, and that is that we are changing the law that now says that the amount of interest paid on security deposits is five percent. We were going to have it float. The only problem was that it -- if the interest rates went above five percent, we still kept the cap. So what the House has done, in effect, is to say, what's fair is fair. If the interest rate is lower than five percent, you'll pay less than that. But if that interest rate goes above five percent, you have to pay more. So I think it's a reasonable amendment, and I -- I urge that we concur, along with Senator DeAngelis' motion.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall the House -- the Senate concur in House Amendments 1 and 3 to Senate Bill -- 383. This is final action. The question is, shall the Senate concur - I'll repeat - in House Amendments 1 and 3 to Senate Bill 383. Those in favor, vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 Yeas,

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none voting Nay, 1 voting Present. And the Senate does concur in House Amendments 1 and 3 to Senate Bill 383. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 439. Senator Watson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 439.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. I move that the Senate concur in House Amendments 1 and 2 to Senate Bill 439. The original legislation dealt with commercial drivers' license and allowing some restricted use by agriculture-related commercial drivers' businesses. The first amendment clarified that -- that statement. And the second amendment amended the Downstate Public Transportation Act which would allow two mass transit districts - South Central Illinois Mass Transit, located in my district, and ultimately Senator O'Daniel's district, and the Rides Mass Transit District, located in Senator Rea's district - to participate as a rural mass transit district in the formula for the downstate transportation funding source. Be glad to answer any questions. Appreciate your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR WATSON:

Just appreciate your affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 439. All those in favor will vote Aye. All those opposed will vote Nay. And the

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voting is open. Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 57 Ayes, none voting No, none voting Present. And the Senate does concur in -- in House Amendments 1 and 2 to Senate Bill 439. And the bill, having received the required constitutional majority, is hereby declared passed. WCIA-Channel 3 requests permission to videotape. Is leave granted? Leave is granted. If we could have a little more order, it would be very much appreciated by the Chair. Motion -- Senate Bill 473. Senator Berman? Madam Secretary.

ACTING SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 473.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

It would be nice if we -- if we'd give Senator Berman the courtesy of listening to his remarks. Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I move to concur in -- in House Amendment No. 1 to Senate Bill 473. The amendment does two things. It creates the Longtime Owner-Occupant Property Tax Relief Act, which authorizes the county board in counties of a hundred thousand persons or more to provide tax relief through tax deferral or exemption, or both, for longtime owner-occupants for that portion of increased taxes resulting from increased market value of their property as a consequence of the refurbishing or renovation of other residences or construction of new residence in long-established residential areas. The second part of the same amendment is requested by the Cook County Clerk's Office to provide for the entry of amounts of delinquent taxes for the year 1993 and all subsequent years on the Collector's books in the suitable, appropriate books of record. Be glad to respond to any questions, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR BERMAN:

Ask for a favorable roll.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. Senate Bill 473. The question is, shall the Senate concur in House Amendment 1 -- rather, House Amendment 1 to Senate Bill 473. Those in favor, vote Aye. Those opposed will vote Nay. And the voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Yeas, 1 voting Nay, none voting Present. And this bill -- this -- Senate does concur in House Amendment 1 to Senate Bill 473. And the bill, having received the required constitutional majority, is hereby declared passed. Senator Fawell. Senate Bill 479? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 479.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a clarifying amendment to the Motorola smart car bill. It is merely clarifying the amendment requested by IDOT. It's identical to the language we passed in House Bill 1543. Passed the Senate 56 to nothing. If you have any questions, I'd be glad to answer them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator Fawell, to close?

SENATOR FAWELL:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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This is final action. The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 479. Those in favor shall vote Aye. Those opposed shall vote Nay. And the -- the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 58 Yeas, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to -- to Senate Bill 479. And the bill, having received the required constitutional majority, is hereby declared passed. Senator Hasara, for what purpose do you rise?

SENATOR HASARA:

On a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, please.

SENATOR HASARA:

Thank you. Ladies and Gentlemen of the Senate, in the gallery on the Republican side are fifth- and sixth-grade students from Feitshans Elementary Center here in Springfield. They're part of the Feitshans Department of Transportation Mentor Program in which twenty-two Department of Transportation employees and friends volunteer at least one or two hours a week to tutor children at Feitshans. While tutoring is a big part of the program, the program's also designed to introduce these children to different experiences and ways of thinking. Today these children are learning about State Government and history. Please join me in welcoming the Feitshans children to the General Assembly.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome to the Senate. Will you please rise and be recognized? Thank you. Senate Bill 490. Senator Molaro? Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendments 1 and 2 to Senate Bill 490.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President, Members of the Senate. Amendments No. 1 and 2 -- well, Amendment 1 just allows a minor under the age of eighteen to have a debit card. As you all know, debit cards are different than credit cards. Debit cards you'll get from a bank. You put up five, six hundred dollars. They'll give you a card that's up to five or six hundred, so you can pay your bills. You can take a look at what it is to learn how to pay bills, yet you'll never get bad credit, because it's a debit card and you can only go up to that amount. Senate -- I mean, Amendment No. 2 to Senate Bill 490 is also very simple. What it does is it raises from five dollars to ten dollars what a credit card company, or a small company, or an installment loan can do if you are delinquent more than ten days. So now, usually in most -- circumstances, if you're talking about a credit card to a -- like a Sears or a J.C. Penney's, that's where you usually have under two hundred dollars. If you charge it, usually takes about thirty days for the billing. You have another thirty days to pay, and then ten days after that. So it's usually anywhere from sixty to seventy days before they could charge you ten dollars. Right now it is currently five dollars. This was passed in 1991. We're asking that it be raised to ten dollars because in the two years since it's been passed, they've finally done studies. With the cost of -- with postage, bill keeping and everything else, it almost costs about eight or nine or ten dollars to do this. So those are the two amendments that we ask that be tacked on to Senate Bill 490.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Palmer.

SENATOR PALMER:

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

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he'll yield.

SENATOR PALMER:

Senator Molaro, according to my analysis, the -- by increasing the fees for delinquent installment payments, it could have the effect of making it -- those who can afford -- cannot afford higher installment payments to pay much more because the -- it would hurt smaller installment payment payers. And I'm just wondering if you would talk about that and give me an example. Let's say that I have a credit card and I have a small installment payment. How would this affect my repayment schedule and the -- the cost to me if I am delinquent?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro.

SENATOR MOLARO:

All it would do is -- when you're -- most of the time when you talk about MasterCard or these major credit cards, their -- their bills average somewhere around three, four hundred dollars that people owe. What we're talking about, most of the credit cards under two hundred dollars are like Sears or J.C. Penney or Jewel - that type of thing. So all it would be is that after you're given the late notice and you don't pay within ten days, instead of them tacking on a delinquency charge of five dollars, they'll now be able to tack on ten dollars. So in other words, if you owed one sixty, instead of now owing one sixty-five, you would owe a hundred and seventy dollars. So the law currently is now five dollars, and we're going to up it -- up it to ten dollars because the cost of sending out the delinquency notices and the accounting costs about seven or eight dollars now. So it makes no sense to even send out delinquency notices, because it costs you seven dollars to do it. So we're raising it from five to ten dollars. And remember, this is on installment contracts, people who were

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able to pass credit ratings to begin with. No one's going to be charged from five to ten dollars unless they haven't paid their bills. So it's not -- it doesn't have -- nothing to do with utilities or -- or things like that that most people involve themselves in. These are people who have already passed credit report and have went out and borrowed money or bought things on borrowed money.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Anything further, Senator Palmer? Senator Welch.

SENATOR WELCH:

Well, I -- I had a question of the sponsor. I -- I don't understand why in the world we would want to do this. If I'm -- if I'm ten days late on my credit card, nobody sends me a delinquent notice. All they do is on the next bill, they say, "Hey, you missed your last payment." So these fees that are listed in the analysis that we have are absolutely bogus. There's no -- they don't do anything different except punch in the computer you didn't get your payment in there on time. Plus a lot of payments are made eleven days. So you have to pay an extra five bucks because you're a couple days late? I've got a question of the sponsor. How many...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR WELCH:

If you take the whole world of number of delinquent payments, how many are made up by the next -- with the next payment - the regular scheduled payment the following month - or before that time? What percentage of the total amount of delinquent payments are made up in time?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro, to respond.

SENATOR MOLARO:

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I don't know.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Well, my thinking is, it's over ninety percent, because a lot of times people hesitate to pay their bill because they don't get their check on time; they're off on vacation that week; or, heaven forbid, they're off on family leave, and they're not getting paid so they didn't pay the bill that time. This is -- this is the worst consumer bill I've seen this year. And for us to pass this, there's absolutely no reason. Nobody is requesting this except for big business. You know, Visa and Sears and Montgomery Wards, they'll do fine. They're going to make out like bandits on this. There's absolutely no reason to pass this bill. There's absolutely no problem that -- that exists that this is trying to remedy. In the words of former Senator Jack Schaffer, who used to say this every, single year I was here, "If it ain't broke, don't fix it." And that's what we're doing. I think we should vote No. This is a terrible bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Rauschenberger. And could we have a little quiet? We have a number of students in the audience, and it would be nice to have our students watch us in operation so they can hear us. Senator...

SENATOR RAUSCHENBERGER:

By -- by way of explanation for Senator Welch, I would point out that this does not involve revolving debt. The examples you gave revolve around credit card debt and revolving debt. This is targeted at and applies only to, as far as I can tell, installment debt. And installment debt in general today is either granted by people selling you an automobile or by smaller retailers. This is not a bill for Sears or Montgomery Wards, or any of the big

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retailers. The idea here is to keep the adequate credit available from smaller retailers. By increasing the late charge from five to ten dollars, they do have enough revenue to follow up with consumers. These are the kind of people that sell refrigerators on credit at fifty dollars a month on an installment basis, where the payments are level, flat and they recur monthly. So this -- this is not any kind of surprise, but it's not revolving debt that's involved, Senator Welch. This is only installment debt. And as a retailer with -- with some knowledge of the problems in installment debt, I stand in support of this amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. <sic> President. Could I yield for one minute to Senator Garcia, who's got a personal privilege? For one second?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Garcia, for what purpose do you arise? Senator Garcia.

SENATOR GARCIA:

Madam President, I would like to take this opportunity to recognize a group of students here from the 1st District, and they are from the Francisco Madero School in Chicago. And they're coordinated by Ms. Stancikas and Mr. Condon. Would they please rise so that we can recognize them?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Would you please rise. Welcome to Springfield. Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I -- I stand in support of this legislation. A year or so ago, we made some changes in this legislation which allowed for

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a five percent -- to go up to five percent of the fee. This just raises the minimum from five dollars to ten dollars. And as my good friend and seatmate, Senator Welch, said, that this is a bad consumers' bill, well, that's the ones we're after, is the bad consumer, the consumer who is past due, the consumer who has lived up his or her grace period, and now they're saying that we have a late penalty. There should be a late penalty. And to go from five dollars to ten dollars, in my estimation, is not unreasonable, and I stand in support of this legislation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Madam Chair and Members of the Senate. I echo the remarks of Senator Welch. This most certainly is a very bad consumer bill, and the bad part about it, it hurts the young married couple who just got married. We've already taken away the possibility of the American dream, and now we're saying that even if you can't buy a house and you're going to rent and have to go out and buy a refrigerator, maybe, or something, we'll -- we will now try and penalize you for that because maybe you're -- you're -- you were out of a job temporarily, or for whatever reason you couldn't make all of your payments on time. I think this is a bad bill. If you're going to do it and raise the rate, you ought to raise it on everybody, not just those people who -- who are able to get credit. And I see the limit, according to my analysis, is up to a hundred and fifty dollars a month. If your note is like a hundred and fifty dollars a month, anything over that this bill doesn't affect. Well, I think the bill is discriminatory <sic>. If you're going to put the rates on there, you ought to be putting them on for everybody. I think it's unfair. It's going to hurt the low-income people, the couples who just get married, trying to get a start on life. And we should defeat this bill, because it

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most certainly have a negative impact on the consumers.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator LaPaille.

SENATOR LaPAILLE:

Thank you...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Could we have your -- could we have your attention? Thank you.

SENATOR LaPAILLE:

Thank you, Madam President. I rise in support of this bill. For my colleagues that are saying this is anti-consumer, anti-consumer, you're not going to receive the "Ralph Nader Consumer Award" if you vote No on this bill. This bill is helping businesses - small businesses - in Illinois. And we gave them this law two years ago, and we told them for accounts under a hundred dollars, you could charge a five-dollar late fee. Well, we find that to send the mailings out, et cetera, it costs them approximately ten dollars in payroll and outside collection costs, benefits, credit bureau costs, supplies, postage, telephone and computer costs. So we gave them something that basically is costing them money to do. And what they want to do, sponsored by the Illinois Retail Merchants' Association, is say, "At least let us recoup our costs for sending out these notices", and it's only ten dollars on those loans that are two hundred dollars or less that is owed. Two hundred dollars or more, the five percent kicks in. So for those people that are worried that this is anti-consumer, it is aimed. It's aimed at the consumer that is not paying their bill. And if -- if you believe in your local appliance store and your local cities and villages where you reside, it's aimed to help your local appliance store, your local furniture store, et cetera. So this is a good business bill for small business in Illinois, and I stand in support.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR MOLARO:

I just want to reiterate, so we -- so we don't misunderstand each other. First of all, when you talk about installment contracts, and this is what we're -- this is going to be on the -- people are going to be notified of this. This isn't something that you're going to spring on someone - they don't know about it. Someone walks in -- this is not directed against poor people. I mean, I think the medium income of my -- my district is probably about fifteen thousand a year. This is -- this is for someone who goes out, they contract that they're going to be paying "X" amount of dollars per month. Now if they don't pay within thirty days, forty days, given notice, now they're delinquent after having forty days to pay, because that's how most of these revolving charges work, to be able to put a delinquency fee and give them all kinds of notice and let them know -- moving it -- it's five dollars currently. We're moving it from five dollars to ten dollars. I'm not trying to hurt married couples with this. We're talking about someone who is able to go out and buy something. They got the goods. They signed on saying, "I'll pay my bills." They don't pay it, and the person's saying, "Hey, you agreed to pay." It's forty, fifty days later. You owe a hundred and forty-seven dollars. You didn't pay it. We're going to tack on an additional five dollars or an additional, now, ten dollars. The thing that -- that also, as far as credit cards are concerned, remember: You buy it. Thirty days later you get the bill. You have another thirty days to pay it and ten days after that. So you have seventy days to pay for something that you took home. And that's -- that's what we're asking here, and that's what the amendment says.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 490. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 43 Yeas, 11 Nays, 2 voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 490. And the bill, having received the required constitutional majority, is hereby declared passed. WSSU, WIPA requests permission to record. Is leave granted? Leave is granted. Senate Bill 533? Out of the record. I'd like to have leave to return Senate Bill 536 later. Leave is granted. Thank you. Senate Bill 538. Senator Karpziel? Mr. Clerk -- Mr. Senator -- Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendment 1 to Senate Bill 538.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

Thank -- thank you, Madam President. I move to concur in Amendment 1 on Senate Bill 538. That was an amendment that we put on -- that amendment repeals an amendment that we put on here in the Senate involving the Chicago Board of Education. That amendment was removed, and I am concurring in that House action.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Fawell. Further discussion? Hearing none, Senator Karpziel, to close. Senator Karpziel's bill is 538. This is final action. The question -- is, shall the Senate concur in House Amendment 1 to Senate Bill 538. Those in favor, vote Aye. Those in favor <sic>, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On

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that question, there are 52 Yeas, 5 voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 538. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill -- Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

For a point of personal privilege. I have...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, please.

SENATOR FAWELL:

I have two constituents here who are here with their -- their children: Mr. McFadden and Mr. McNamara. They are up on -- unfortunately on the Democrat side. They should be on the other side. And their children are hard at work here as Pages, and helping us vote our switches. And I'd like to have them stand and be recognized.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will our guests in the gallery please rise. And welcome to Springfield. Senate Bill 543. Senator Burzynski. Mr. --- Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendment 1 to Senate Bill 543.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you, Madam President...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Could we please have some order so we can hear Senator Burzynski?

SENATOR BURZYNSKI:

This amendment is an amendment that's been agreed to by the vegetable processors. It does become the bill, and I would move

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for its concurrence.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator Burzynski, to close? Oh, sorry. You didn't put your button on fast enough, but, Senator Cullerton, I'll recognize you.

SENATOR CULLERTON:

You're right. I did not -- I did not turn my button on because I was looking up at the board and I saw 538. And I was wondering if that's the bill we're on.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

No. It's 543.

SENATOR CULLERTON:

Okay. So -- so that's why I didn't turn my button on.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Oh.

SENATOR CULLERTON:

Okay?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Understood.

SENATOR CULLERTON:

So now, if you give me a second...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I will give you a second, Senator Cullerton. A second is over. Are you ready? Senator Cullerton. Any further discussion? Hearing none, Senator Burzynski, to close.

SENATOR BURZYNSKI:

Would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On that question... This is final action. The question shall be, shall the Senate concur in House Amendment 1 to Senate Bill 543. Those in favor shall vote Aye. Those opposed shall vote Nay. And the voting is open. All those -- who voted who wished?

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All those who have voted who wished? Take the record, Mr. Secretary. On that question, there are 58 Ayes, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 543. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 558. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendments 1 and 2 to Senate Bill 558.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I move that the Senate concur in House Amendments 1 and 2 on Senate Bill 558. As you all know, Senate Bill 558 was a committee bill. It was a recodification of the Property Tax Act. The bill was designed to be user-friendly and not make any substantive changes. House Amendment No. 1 restores some language which kind of violated that mission, and it was restored back into the bill. And Amendment No. 2 is just a number of technical and grammatical changes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any...

SENATOR DeANGELIS:

I urge that the Senate concur in House Amendments No. 1 and 2 on Senate Bill 558.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator DeAngelis -- closed. This is final action. The question is, shall the Senate concur in Senate Bill -- in House Amendments 1 and 2 to Senate Bill 558. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are

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58 Yeas, none voting Nay, none voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 558. And the bill, having received the required constitutional majority, is hereby declared passed. Senator O'Malley? Mr. Secretary, Senate Bill 614.

SECRETARY HARRY:

House Amendment 1 to Senate Bill 614.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Madam President, Members of the Senate, I move to non-concur with House Amendments 1 and 2 <sic>. It's my intention to work with the House sponsor regarding his amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley moves to non-concur with House Amendment 1 to Senate Bill 614. All those in -- any discussion? Hearing none, all those in favor, say Aye. All those against, say Nay. The Ayes have it, and the Secretary shall so -- the motion carries, and the Secretary shall so inform the House. Senate Bill 616. Senator Woodyard? Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendment 1 to Senate Bill 616.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President, Members of the Senate. Senate Bill 616 is the changes in the low-level radioactive waste siting process. The House added -- or changed language to indicate that the Commission should look at seismologic, tectonic and other scientific data in the siting process, as well as -- as saying that they may consider not putting the site in -- in a State park. And I guess that was because of the concern exhibited by the --

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the people in the area of Site M. And that's what the amendment does, and I would move concurrence.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Any further discussion? Senator Woodyard moves for the approval of -- House Amendment 1 to Senate Bill 616. This is final action. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 616. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting No, 4 voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 616. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 650 is on the Supplemental Calendar. Senate Bill 664. Senator Butler? Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendments 1, 2 and 3 to Senate Bill 664.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

Thank you, Madam President. I move that the Senate concur with House Amendment No. 1, House Amendment No. 2 and House Amendment No. 3. House Amendment No. 1 deletes everything and makes the bill a -- a shell. Actually, Amendment No. 2 is the bill. It creates four income tax check-offs. Creates one for breast and cervical cancer research. Number two, it creates the Ryan White Pediatric and Adult AIDS Victims' Assistance Fund. Number three, it creates the Illinois Special Olympics Fund. And number four, it creates a Meals on -- on Wheels Check-off Fund. Amendment No. 3 is merely a technical correction. It -- it reinforces the fact that the advisory committee for breast and

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cervical cancer research is unfunded. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Palmer. Senator Palmer.

SENATOR PALMER:

Oh. Thank you, Madam President. Just a comment. I'm going to vote for this, and I'm glad to see that the advisory committee for talking about breast cancer has been expanded, but I hope that we will come back and do more the next time, because we certainly had the opportunity to do so.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator Butler, to close?

SENATOR BUTLER:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 664. Those in favor, will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And this Senate concurring in House Amendments 1, 2 and 3 to Senate Bill 664 -- and this bill, having received the required constitutional majority, is hereby declared passed. All right. Senate Bill 678 is on the Supplemental. So we go to Senate Bill 707. Senator Farley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Amendments 1 and 2 to Senate Bill 707.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Farley.

SENATOR FARLEY:

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Thank you, Madam Speaker, Ladies and Gentlemen of the Senate. I would move to non-concur in House Amendments No. 1 and 2 to Senate Bill 707.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Farley moves to non-concur in House Amendments 1 and 2 to Senate Bill 707. All those in favor, say Aye. All opposed. The Ayes have it, in the opinion of the Chair. The motion carries, and the Secretary shall so inform the House. Senate Bill 714. Senator Dudycz. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendment No. 1 to Senate Bill 714.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. I move that the Senate concur in House Amendment No. 1 to Senate Bill 714. The amendment amends the State Police Act concerning appointment of State Police officers. It removes the prohibition against appointees who have reached the maximum age limit set by the Merit Board. It's similar to Senate Bill 871, which we passed earlier, which removed the thirty-five-year-old maximum age limit for applicants to municipal police forces.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator Dudycz, to close. This is final action on Senate Bill 714. The question is, shall the Senate concur in House Amendment 1 to Senate Bill -- 714. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 58 Ayes, none voting Nay, none voting Present. And this -- the Senate does concur in House Amendment 1 to Senate Bill 714. And the bill, having received the required

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constitutional majority, is hereby declared passed. Senate Bill 764. Senator Karpziel. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendment 3 to Senate Bill 764.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. House -- Senate -- House Amendment 1 <sic> to Senate Bill 764 becomes the bill. It does the same thing that the original bill did; however, it was worked out with the EPA and the Trial Lawyers so that an agreement was reached. And there are no opponents to the bill now, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none... Oh, sorry. Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch has a question. She indicates she will hear it.

SENATOR WELCH:

Senator Karpziel, I heard you say there was no opposition, but our analysis shows that the Environmental Council opposes Amendment No. 3.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

Well, they haven't told me about it, Senator Welch. I don't know...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

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...(microphone cutoff)...stand -- my understanding is that this limits the liability of real estate purchasers for release of hazardous substances. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- Senator Karpziel.

SENATOR KARPIEL:

Was that a question? I couldn't hear you. I'm sorry.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch, will you repeat your question, please? Could we please have some order in the Senate? It's beginning to reflect on the -- on the President here: me.

SENATOR WELCH:

What the -- what the amendment does is it limits liability of certain buyers of real property for a release of hazardous wastes. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

That's what the original bill does. But they have to have completed a proper response plan, okayed by the EPA. And I think the Trial Lawyers had some problems with that and have tightened that up.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Well, the Trial Lawyers aren't necessarily environmentalists. That's why I was asking the -- the questions. It seems that the EPA can agree not to clean up property if the source was some other property. Is that -- is that the gist of the agreement?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel. Senator Karpziel.

SENATOR KARPIEL:

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I can't hear him.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch, will you please -- restate your question?

SENATOR WELCH:

My question is: Can the EPA agree not to take any action, even though property is contaminated, if they believe that the source of the contamination was an adjacent piece of property?

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

I don't think there's anything in the bill about that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Well, that's what our analysis shows that it does. It does allow the Environmental Protection Agency to allow land to remain contaminated, if the owner of the property didn't do the contaminating, and that's what I was wondering - about what limitations there are on that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

I think, Senator, you're referring to a phrase that was -- language that was in the original bill that has been changed in the amendment. Are you looking on page 2 of the amendment?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- Senator Welch.

SENATOR WELCH:

Well, I -- no, page 2 -- I couldn't find it on page 2, where it -- it gives the Agency the authority, basically, to do nothing. But on page 1 it does say, under Section <sic> (a), the State may grant a release of liability as a result of a release if the person either performs the response actions or he didn't cause it, under paragraph (a), subsection (2).

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

I understand -- they have to meet all four of those requirements. That's an "and", not "or".

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- Senator Welch.

SENATOR WELCH:

Well, Senator, is there any protection against somebody who has contaminated property from selling off part of the property, or selling off all the property, to some buyer and then the buyer saying, "We didn't know that it was contaminated," or "We didn't cause it," so that a owner of contaminated property can basically deed it out to a -- a straw man or a subsidiary or a -- a another party that is in agreement with them to try to get the property out of a compliance plan the EPA may want to impose upon the property?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel. Senator Karpziel.

SENATOR KARPIEL:

Well, I think the seller would be liable, but the buyer, under this legislation, could get some relief from the liability if it meets all the criteria that the EPA would set for a response.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- any further discussion? Senator Welch.

SENATOR WELCH:

Well, I'm not... Does this do anything about the question of joint and several liability on a clean-up situation?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel.

SENATOR KARPIEL:

No, it doesn't.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR KARPIEL:

Well, thank you, Madam President. Just to say that the Environmental Council did not come into committee, did not file a witness slip opposing this, has not talked to me, and I'm unaware of any opposition to the bill at this point.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendment 3 to Senate Bill 764. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 31 Yeas, 22 Nays, 1 voting Present. And the Senate does concur in House Amendment 3 to Senate Bill 764, and the bill, having received the required constitutional majority, is hereby declared passed. Senator Welch.

SENATOR WELCH:

I'd like a verification of the positive votes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your verification is in order. Senator Welch has requested a verification. Would all the Senators be in their seats? The

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Secretary will read the affirmative votes.

SECRETARY HARRY:

The following voted in the affirmative: Barkhausen, Burzynski, Butler, Donahue, Dudycz, Ralph Dunn, Farley, Fawell, Fitzgerald, Geo-Karis, Hawkinson, Jacobs, Karpel, Lauzen, Madigan, Mahar, Maitland, McCracken, O'Daniel, Peterson, Petka, Raica, Rauschenberger, Rea, Sieben, Syverson, Topinka, Watson, Weaver, Woodyard and Mr. President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR WELCH:

Yes. Senator Petka?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka is in his seat.

SENATOR WELCH:

Senator DeAngelis?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He's in his seat.

SENATOR WELCH:

Senator Fawell?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell? She's right there.

SENATOR WELCH:

Senator Farley?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Farley? Is Senator Farley in the Chambers? Senator Farley? There he is, right there.

SENATOR WELCH:

Senator McCracken?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator McCracken? He's over there on your side of the aisle.

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SENATOR WELCH:

Senator Raica?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Raica? He is right there against the wall.

SENATOR WELCH:

Senator Weaver?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver? He is right in his seat. Anybody else?

SENATOR WELCH:

That's it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On the verified roll call, the Ayes are 31, the Nays are 22, those voting Present are 1. And this bill, having received the required constitutional majority, with the amendment, is declared passed.

PRESIDING OFFICER: (SENATOR DONAHUE)

...(microphone cutoff)...Garcia, for what purpose do you arise?

SENATOR GARCIA:

Madam President, for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR GARCIA:

Madam President and fellow Members of the Senate, I have the distinct pleasure once again this afternoon, of recognizing another grade school from the 1st District that is in Springfield today. I would like to take this opportunity to introduce to you students, teachers and the principal of the Davis School, led by Dr. Pledge, who is the principal; Mr. Hernandez; Mrs. Iniguez, and Archibald. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you rise and be recognized by the Senate? On the Order

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of Concurrence is Senate Bill 869. Senator Severns. Mr. Secretary.

SECRETARY HARRY:

House Amendments 2 and 3 to Senate Bill 869.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. I move to non-concur in House Amendments 2 and 3 filed to Senate Bill 869.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Severns moves to non-concur in Senate -- House Amendments 2 and 3 to Senate Bill 869. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Hawkinson, on Senate Bill 906? Mr. Secretary.

SECRETARY HARRY:

House Amendment 1 to Senate Bill 906.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson?

SENATOR HAWKINSON:

Thank you, Madam President. Senate Bill 906 deals with the dismissal of statutory summary suspension bills. As we sent this over to the House, we had it in -- in shape where if there was a failure of an officer to appear, that that would be grounds for a continuance. The House amendment just clarifies that and says it's within the sound discretion of the judge whether the statutory summary suspension hearing will be dismissed upon the failure of an officer to appear. And I -- I think it's a friendly amendment, and I would ask for concurrence in House Amendment No. 1 to Senate Bill 906.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, this

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is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 906. 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 56 Ayes, 1 Nay, and none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 906. And the -- and the bill, having received the required constitutional majority, is declared passed. Senator Karpel, on Senate Bill 952? Mr. Secretary.

SECRETARY HARRY:

House Amendment No. 1 to Senate Bill 952.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpel.

SENATOR KARPIEL:

Thank you -- thank you, Madam President. House Amendment to Senate -- I move to concur in House Amendment 1 to Senate Bill 952. Senate Bill 952 is the procedures for permitting and all the different technical changes that are needed to bring the Illinois Clean Air Act into compliance with the federal requirements. The fees that were in the bill as it passed the Senate have been removed from the bill. So this is simply the cleanup and the -- the changes in the procedures. And the -- fees, if there is an agreement on that at some later time, we'll put that -- find another bill for that, but at this time, it's just a change in the procedures.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, this is final action. The question is, shall the Senate -- concur in House Amendment No. 1 to Senate Bill 952. Those in favor will vote Aye. Opposed, Nay. The Ayes have -- whoops -- right. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, there are 58 Ayes, no Nays and none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 952. This bill, having received the required constitutional majority, is declared passed. Senator Geo-Karis, leave to return to Senate Bill 536. Senator Geo-Karis, on Senate Bill 536? Mr. Secretary.

SECRETARY HARRY:

House Amendment No. 1 to Senate Bill 536.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This is -- this is -- this is a Motion to Non-concur.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis moves to non-concur in House Amendment No. 1 to Senate Bill 536. Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Geo-Karis?

SENATOR GEO-KARIS:

Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

WICS-TV requests permission to tape the Session. Is leave granted? Leave is granted. On page 15, at the middle of the Calendar, we will go to the Order of Non-concurrences and Motions to Refuse to Recede. On that Order is House Bill 991. Senator Trotter? Senator Trotter? Out of the record. House Bill 1212. Senator Woodyard? Out of the record. Have leave to go back to 1302. Senator Cronin, on House Bill 1331? Mr. Secretary.

SECRETARY HARRY:

Senate Amendment No. 1 to House Bill 1331.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

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SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I make a Motion to Refuse to Recede, and I ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Cronin moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1331 and that a conference committee be adopted <sic>. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Going to Supplemental Calendar No. 1, on the Order of Concurrences. First up would be Senate Bill 25. Senator Cullerton? Senate Bill 25? Out of the record. Senator Cullerton, on Senate Bill 650? Out of the record. Senate Bill 678. Senator Cronin. Mr. Secretary -- Madam Secretary.

ACTING SECRETARY HAWKER:

House Amendment No. 2 to Senate Bill 678.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I move to concur with House Amendment No. 2 which was adopted in the House. That amendment provides that if requested by the victim's parents or legal guardian and if the victim is under the age of fifteen, the court shall notify the victim's parents or legal guardian of the defendant's or minor defendant's HIV test results. This was an amendment that was suggested by the Legal Assistance Foundation and another child advocacy group that was concerned about confidentiality. It was a compromise that was agreed to by both sides. I ask for the support of this concurrence motion.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Seeing none, this is final action. The question is, shall Senate concur in House Amendment No. 2 to Senate Bill 678. Those in favor will vote Aye. Opposed, Nay. The Ayes have -- 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 and none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 678, and the bill, having received the required constitutional majority, is declared passed. Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 532, offered by Senator Topinka.

Senate Resolution 533, offered by Senator Topinka.

Senate Resolution 534, offered by Senator Trotter.

And Senate Resolution 535, offered by Senator Woodyard. They're all congratulatory.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar.

ACTING SECRETARY HAWKER:

And Senate Resolution 536, offered by Senator Woodyard. It is substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

At the bottom of page 9 on your regular Calendar, we will go to the Order of Secretary's Desk - Resolutions. First up will be Senator Dudycz, on Senate Resolution 138. ...(microphone cutoff)...the record. Senator Klemm, on Senate Resolution 139? Out of the record. Senator Dudycz, on Senate Resolution 144? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 144.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

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Thank you, Madam President. Senate Resolution 144 creates a 1996 Chicago Convention Committee to lobby the Republican National Committee and the Democrat National Committee to locate their 1996 national conventions in the City of Chicago. The preamble states that the City of Chicago would be a great location for both Republican and Democrat national party conventions. The Committee shall be composed of sixteen members, appointed as follows: two Members of the General Assembly, appointed by the Senate President; two members of the public, appointed by the Senate President; two Members of the General Assembly, appointed by the Senate Minority Leader; and two members of the public, appointed by the Senate Minority Leader; the Governor, or his designee, and three public members appointed by the Governor; and the Mayor of the City of Chicago, or his designee, and three public members appointed by the Mayor of the City of Chicago. The President of the Senate shall designate a chairman of the committee and the committee shall report quarterly to the General Assembly, the Governor and the Mayor of the City of Chicago on its activities and progress until January 1, 1995, or until both parties have selected the site for their 1996 conventions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Senator LaPaille.

SENATOR LaPAILLE:

Yes, Madam President. A hundred and twenty-eight Senate resolutions later, we have Senator Dudycz's Chicago Convention Committee Task Force. So, I would say, was a great resolution you drafted, Walter, and we should probably all support you.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR DUDYCZ:

Thank you, Madam President. I just would appreciate Senator

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LaPaille and I -- your -- your kind comments, and I welcome you as getting on -- board as a hyphenated sponsor of this wonderful resolution. And I would just seek everybody's support on this resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz moves the adoption of Senate Resolution 144. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. ...(microphone cutoff)... voted who wished? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. There are -- on that question, there are 54 Ayes, 4 Nays and none voting Present. The resolution is adopted. Senator DeAngelis, on Senate Resolution 297? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 297, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. There is proposed within the City of Chicago an entertainment establishment called "Capone's Chicago", and this resolution simply asks the developers of that to use good taste when they build this so-called entertainment complex and to avoid any excessive ethnic besmirching in the process of building this facility. And if they don't do it, we're going to bust their chops.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

I just would like to know what -- what good taste is in Senator DeAngelis' mind. What is good taste, Senator?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

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SENATOR DeANGELIS:

That which is given to all other ethnic and racial groups.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs. Senator LaPaille.

SENATOR LaPAILLE:

Yes, Madam President. After being taken for a ride on that last resolution from "the boys in the outfit," I stand in support of Senator DeAngelis' resolution also.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any further discussion? Senator DeAngelis, to close. Senator DeAngelis moves the adoption of Senate Resolution 297. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Senator Cronin, on Senate Resolution 318. Miss -- Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 318, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin?

SENATOR CRONIN:

Thank you very much, Madam Speaker -- Madam President - forgive me - and Ladies and Gentlemen of the Senate. Senate Resolution 318 is a sincere effort by both parties in regard to this issue, namely the issue of trench safety - worker safety, to come together and to try to devise a plan that will be agreeable to both sides. We plan on having hearings pursuant to this resolution, and I ask for the support of the Membership. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Cronin moves the adoption of Senate Resolution 318. All those in favor, say Aye. Opposed, Nay. The Ayes have it. Resolution is adopted. Senator Topinka, on Senate Resolution 332? Madam Secretary, read the

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resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 332, offered by Senator Topinka.

One committee amendment was adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Topinka.

SENATOR TOPINKA:

Yes, Madam President, Ladies and Gentlemen of the Senate. This creates the Family Preservation Task Force to review the present system of delivering family preservation services in the State of Illinois. I think most of you are aware that in 1987, the State of Illinois enacted a -- the Family Preservation Act, which was in response to federal mandates. Then, for the short term, we came up with this rather contentious Family First Program. There are those in the State who swear by it, those, such as the Public Guardian of Cook County, think it should be abolished altogether, and a whole range of people in between. The whole question of family preservation kind of underpins what we've been trying to do all year here, in terms of the Department of Children and Family Services, and the trouble that it's been in in trying to kind of get its act together. This, hopefully, will iron that out. And I would seek an affirmative roll call, because I think it kind of does the job.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Topinka moves the adoption of Senate Resolution 332. Those in favor will vote Aye. Opposed, Nay. 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, and none voting Present. The resolution is adopted. Senator Palmer, on Senate Resolution 376? Madam Secretary, read this resolution.

ACTING SECRETARY HAWKER:

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Senate Resolution 376, offered by Senator Palmer.

The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. This amendment was unanimously adopted in Executive. It deletes the -- parts of a study that were already done, and enhances a 1991 study by the Taxpayers' Federation by calling on DCCA to study what actions other states have taken in relation to enterprise zones and in relation to State incentive programs, such as TIF districts. And I ask for a -- move that this be adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Palmer moves the adoption of Senate Resolution 376. All 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, and none voting Present. Senate Resolution 376 is adopted. Senator Woodyard, on Senate Resolution 391? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 391, offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President and Members of the Senate. Senate Resolution 391 is an initiative suggested by the Congressional Sportsmen's Congress and was initiated over in the House as a -- as a single House resolution and passed over there as an initiative of the Illinois Legislative Sportsmen's Caucus. It simply designates hunting as a -- as a wildlife management tool,

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and states that no law should be passed that would restrict the taking of and consumptive use of wildlife.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, I was just curious. Have there been bills introduced that you -- you are fearful of potentially passing that this resolution is addressed -- addressing?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator...

SENATOR CULLERTON:

In other words, what kind of legislation would -- could be proposed that you would urge not be passed by this resolution?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woodyard.

SENATOR WOODYARD:

Well, I guess if you want -- and in answer to your first question, I know of no legislation that has been introduced at this particular time, and I think that's probably the reason that we want this on the books. The second thing -- second question, what kind of legislation could be introduced? Well, I suppose, hypothetically, you can introduce legislation, if you find enough support, pass it, that would eliminate all hunting. And what we intend to do is to -- to try to use this resolution to encourage that not to happen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Welch.

SENATOR WELCH:

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Well, I had a question of the sponsor, too.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR WELCH:

The resolution, as listed in the Calendar, says it "Recognizes the importance of hunting as a tool of wildlife management." Who are you going to give this resolution to once it passes? I mean, people who disagree?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woodyard.

SENATOR WOODYARD:

I'll send one to you, Pat, if you'd like.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR FAWELL:

Senator, would this prohibit us from introducing any such laws that would prohibit the use of -- of certain kinds of traps or certain kinds of -- of slaughtering of certain kinds of animals?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woodyard.

SENATOR WOODYARD:

Does this have -- was your question dealing with the beer distributors? No, I -- Senator, I really didn't hear the answer to your question. I -- I can tell you that it doesn't deal with any orange caps, so...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

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Does it deal with certain kinds -- would this prohibit us from passing any laws that would prohibit any certain kinds of traps, such as leg-hold traps and -- or preventing leg-hold traps from being used in general, not for nuisance animals, but in general, in -- in any county? I realize Cook County already is exempt. Would this allow leg-hold traps to be used in Cook County?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woodyard.

SENATOR WOODYARD:

Well, quite frankly, Senator, it doesn't deal specifically with leg-hold traps, but -- let me tell you, this is a resolution, and if your leg-hold trap legislation should pass the Senate and House, then this resolution certainly would not -- prohibit that law from going into effect.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR WOODYARD:

But I -- excuse me. I want to make one comment to a question we had from Senator Welch, and -- and maybe it was too short an answer, but I -- I think we do intend to send a copy of this resolution to anybody that buys an orange cap.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woodyard moves that -- moves the adoption of Senate Resolution 391. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Senator del Valle, on Senate Resolution 407? Read the -- read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Resolution 407, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

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SENATOR del VALLE:

Thank you, Madam Chairperson. This resolution urges the State Board of Education to review and evaluate all federal subsidy and grant programs under which federal funds are available. We recently learned that Chicago has failed over the years to capture Federal Breakfast Program funds that are available, to the tune of thirty-six million dollars. We also learned that no other school district in the State has applied for the subsidy, even though sixty percent of the schools in the nation are getting the subsidy. We know that twenty percent of the Illinois children are -- are poor, therefore eligible, so what we're doing with this resolution is urging the State Board of Education to develop procedures to inform school districts that may benefit from any federal subsidy or grant program of the existence of the program.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator del Valle moves the adoption of Senate Resolution 407. Those in favor will vote Aye. Those 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. Senate Resolution 407 is adopted. Senator Syverson, on Senate Resolution 408? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 408, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. Senate Resolution 408 urges Delta Dental Plans of Illinois to phase out or substantially modify its current practice of withholding five percent of all fees. This passed overwhelmingly with the Executive Committee yesterday on 11 to 1. It has bipartisan supports, and I'll be happy to answer any

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questions, if there is any, otherwise just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR CULLERTON:

I'm in favor of the proposal. I'm just curious, though. Who has the ultimate power to stop this withholding? Is it an agreement between the Board of Directors of the Delta Dental Plans of Illinois and the Illinois State Dental Society? And if so, can't -- can't they just change the agreement, or in other words, why isn't this a -- a bill, as opposed to a resolution?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

This is -- Lauzen wants me to take it out of the record. This is a -- this is the first step, and I think we will come back with a -- with a bill. You asked a good question. I'm not sure who has the final authority. I know that they have been requested to -- to stop this withholding, and also know that the Department of Insurance, in 1986, told them they no longer needed to continue to withhold because their reserves were adequate. So I hope that through this resolution, Delta Dental will get the message and voluntarily cease this practice.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Senator Garcia.

SENATOR GARCIA:

Madam President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

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State your point, Senator.

SENATOR GARCIA:

Madam President, there's another school here from my district that I have the distinct pleasure of introducing. Would you join me in welcoming to Springfield, the students, parents and staff and faculty of the Madero School?

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you rise and be recognized? On Senate Resolution 408, Senator -- Senator Peterson, for what purpose do you rise?

SENATOR PETERSON:

Thank you, Madam President. An inquiry of the Chair. Isn't this the same group that's come through here four times already from his district? They just keep walking around the Rotunda and coming back.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia.

SENATOR GARCIA:

No, Madam President, we have the youngest population in the State of Illinois in my district, that's why they just keep coming through here.

PRESIDING OFFICER: (SENATOR DONAHUE)

Well, you're welcome. Senator Syverson, to close on Senate Resolution 408.

SENATOR SYVERSON:

Thank you. This is an important resolution, and we'd like to ask for all your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson moves the adoption of Senate Resolution 408. 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 56 Ayes, no Nays, none voting Present. Senate Resolution 408 is declared

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adopted. Senator Watson, on Senate Resolution 448. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 448, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Madam President. This resolution does exactly what the Calendar says. It directs the Senate Education Committee to hold public hearings on the issue of cult activities on campuses of Illinois colleges and universities. It's been brought to our attention that there is a possible problem. We would like to have the Senate Education Committee look into possible solutions to that problem.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. A question of the sponsor?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR PALMER:

Senator Watson, could you give me an example of what you mean by cult activities on the campuses?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, a -- a personal friend of mine ended up having a situation in which one of his children got involved in a cult at one of our universities, and it changed this child's personality - it changed this child's attitude towards their family; it changed their attitude towards their school - they dropped out, and it was a direct result of activity that was -- obviously, we would

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consider as cult. And I think in light of what we've seen happening in Texas -- and we've been made aware by people in this State that are willing to come before the Education Committee and talk about this type of concern, and that's what this is all about.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator LaPaille.

SENATOR LaPAILLE:

Yes, will the Gentleman yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR LaPAILLE:

Senator Watson, your resolution would direct the Senate Education Committee to hold public hearings. Are you having a problem with the chairman of that committee?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Only the minority spokesman; the chairman's all right.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator LaPaille.

SENATOR LaPAILLE:

Well, I think we should all support this resolution. We can see, once again, the ruthless committee chairmens <sic> (Chairmen) are denying Senator Watson, in the Senate Education Committee, the right to have a hearing and we have to direct the Senate Education Committee chairman to hold public hearings on this very serious issue. So we should support this. Another example of the blatant, ruthless rule of Senate chairmen by denying a Member of -- of the Senate the opportunity to have a hearing. So I think we should support his resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Madam President. We just had discussion here and if I can ask the sponsor: Rumor has it that the only reason he's putting this through is a lot of these people became Cub fans after they went through this cult.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson. Further discussion? Senator Welch?

SENATOR WELCH:

Yes, I'd just like to tell Senator Watson that there was legislation introduced in 1981 to -- to regulate cults. I'm serious. There was legislation to regulate cults, and it never got anywhere, except it did result in my getting elected, so if you want to introduce legislation on cults, good luck.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR WATSON:

Yeah, I -- I think it's unfortunate when -- maybe it happens to be the Senate Education Committee chairman comes before this Body and asks for support of fifty-nine Members of the Senate in an issue that is very, very concerning to many people in this State and the -- one of the previous speakers, the Chairman of the Democrat Party, can make all the light he wants of this. And it -- and it's a very serious issue and he's doing very good about getting up and trying to chastise some of us on this side of the aisle for some things that we feel very sincere about and feel that there's an immediate problem in this State that needs to be addressed. And for us to come to the Body of this Senate and ask for that kind of support - I mean, I see no problem with that. If -- if Senator LaPaille does, that's his business, but I'd appreciate the support, hopefully, this Body would give in this

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resolution. And let's don't make light of something that's very serious to a lot of people in this State and a very close personal friend of mine, whose family has been disrupted by the very thing we want to -- we want to address by this resolution. I think it's very unfortunate that a Member of this Body has to get up and make light of an issue such as this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator LaPaille, for what purpose do you rise?

SENATOR LAPAILLE:

On a point of personal privilege - my name was used in debate. Senator Watson, I was just, in light, saying that you're the chairman of the committee that you are now ordering the committee to hold a hearing. I'm just basically making somewhat of light, and perhaps you could have talked to yourself in the shower and said, "Hey, I'll do a hearing of my own committee." So, it was not done on the seriousness of this issue; it was just done in good faith and good humor. And I mean, the bottom line is, you could just hold a hearing. You are the chairman of the Senate Education Committee, and that's all it's about. I -- I see what you're trying to do here; it's a very serious issue, but you have the power to hold hearings without a resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, to close for a second time.

SENATOR WATSON:

Well, then I -- in the future, I just wish he'd keep his lightness to himself, because it really is a serious issue and it's one that I think and certainly, we can ask the Education Committee to hold hearings, but I think it's something that the Body -- the Members of this Body need to be aware of and support. In the future, maybe the previous speaker could just keep those kind of remarks to himself.

PRESIDING OFFICER: (SENATOR DONAHUE)

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On that question, Senator Watson moves the adoption of Senate Resolution 448. 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 51 Ayes, no Nays, 5 voting Present. Senate Resolution 448 is adopted. House Joint Resolution 22. Senator Madigan? Senator Philip? Madam Secretary, read the resolution.
ACTING SECRETARY HAWKER:

House Joint Resolution 22, offered by President Philip.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Joint Resolution 22 memorializes Congress to accelerate the construction of the Fitzsimmons Army Medical Center in Colorado. That is the Army Center that trains all the doctors and all of the nurses for the Armed Services. That's all that simply does. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Philip moves the adoption of House Joint Resolution 22. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Senator Karpziel, on House Joint Resolution 24? Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

House Joint Resolution 24, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. House Joint Resolution 24 urges the Secretary of State and the Illinois Literacy Council to actively seek business and labor endorsement of lifelong learning,

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by encouraging all Illinois workers without high school diplomas to acquire the GED. And they will commit to share information available about local GED classes and encourage workers to obtain the GED by providing paid release time, if necessary, and reimbursing the GED test fee for workers who pass the GED test.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Karpriel moves the adoption of Senate -- House Joint Resolution 24. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Senator Weaver, on House Joint Resolution 36? Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

House Joint Resolution 36, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. House Joint Resolution 36 reaffirms the commitment of the General Assembly to the continued operation and State support of the Institute of Aviation at the University of Illinois. Be happy to answer any questions, if anyone has any.

PRESIDING OFFICER: (SENATOR DONAHUE)

...(microphone malfunctioning)...

SENATOR CULLERTON:

Would the sponsor yield? Senator, what is the budget of the Institute for Aviation at the University of Illinois? And, if you could comment on why -- why did the Board of Higher Education recommend that it be eliminated?

PRESIDING OFFICER: (SENATOR DONAHUE)

...(microphone malfunctioning)...

SENATOR WEAVER:

I can't answer why the Board of Higher Education eliminated or

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requested that it be eliminated. They -- I think they were looking at all programs Statewide at every institution of higher education for periodic reviews of whether or not these -- these are necessary and should be supported by the State. I think there's about a million and a half dollars total in -- in the State support, although there's more in their budget because of high fees paid by students for -- for flight training and -- and aeronautics.

PRESIDING OFFICER: (SENATOR DONAHUE)

...(microphone malfunctioning)...

SENATOR WEAVER:

I would just ask for the adoption of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver moves the adoption of House Joint Resolution 36. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Senator Cronin, on Senate Joint Resolution 35. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 35, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 35 authorizes the Illinois Toll Highway Authority to expand the toll highway system to include an O'Hare Airport bypass around the western edge of O'Hare, and an extension. As some of you know, and as those who were in Executive Committee know, Section 14.1 of the Toll Highway Act provides that prior to the issuance of bonds, or prior to the initiation of financing for a toll highway, that particular toll highway shall be authorized by a joint resolution of the General Assembly. This resolution authorizes the Toll Highway Authority

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to expand the toll highway system to include an O'Hare bypass. This has been discussed for many years. The traffic research and figures support the necessity of this construction, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Cullerton?

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR CULLERTON:

Senator, this is more than just a recommendation, and more than just a resolution along the lines of the earlier ones that we've adopted. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

I'm not sure I understand your question. What do you mean by "more than"?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, we -- we were just passing resolutions about whether you should be allowed to hunt, and making recommendations along the lines of -- you know, congratulatory resolutions that have some potential controversy. But this is an authorization to construct a tollway. Is that correct? In other words, this is necessary by law, for us to pass a joint resolution, and if we pass it, the Tollway Act is amended and the Tollway Authority is required, then, to -- to construct this highway. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

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SENATOR CRONIN:

Not exactly, Senator. Your -- your point with regard to the impact of this resolution being different than others is -- is -- is accurate, but this is the result of a -- of a study by the Toll Highway Authority. And they have determined that this is a priority in terms of traffic needs throughout the State, and they came to -- to me and asked me if I would sponsor this resolution, which does, in effect then, give them authorization to proceed. But this is merely the first step, and my understanding is -- is that there is -- there is some way to go -- to go yet.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I wasn't present in the committee. I know there were some people who voted No. Does -- does this have anything to do with the issue of the expansion of runways at O'Hare Airport? I know that there has been some controversy over the issue of a bypass, and whether or not that location of the bypass precludes the possibility of new runways out at O'Hare. Could you tell me whether or not this is involved, as a result of this resolution?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

This resolution is based on research and based on the findings of the Toll Highway Authority, with respect to traffic patterns and the need to move traffic through the area located in and around O'Hare Airport. That's what this resolution is based on.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, again, not having been in the committee, were there any witness slips indicating the opposition of the City of Chicago,

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for example?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

No. There was no opposition by the City of Chicago. None that I know of.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. <sic> President, Ladies and Gentlemen of the Senate. I don't know how many of you use the tollways in, around, and up and around Chicago, but I think that if you did, you would see that there is a tremendous need for a lot of repair in the existing tollway system. And I guess my question to the sponsor would be: How does this interplay with the -- the repair schedule that is necessary in order to even maintain the roads, number one; and number two, are the dollars, or will the dollars, be available to support this additional authority to the highway system?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you. Thank you, Madam President...

PRESIDING OFFICER: (SENATOR DONAHUE)

Excuse me, Senator Butler. It didn't sound like a question, Senator Jacobs. Sorry. Senator Cronin.

SENATOR JACOBS:

Well, I'm sorry. They -- they were both questions. One is: How does it affect the -- the maintenance that is currently ongoing in that -- that area as far as dollars? And what does it -- what is the cost of this project, if there is to be one, and do they have the available funds to pay for that particular new road that they would put in?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

My understanding, Senator, based on information given to me from the Toll Highway Authority, is that this resolution is consistent with their ten-year plan, so to speak, for transportation needs throughout the State of Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Just -- just one final question then. Senator, how does this -- you know, whenever you look at the wording of this resolution, it looks like it's a law. How does this differ from a law?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Senator Jacobs, in the Illinois Code, specifically under the Toll Highway Act, Section 14.1, it provides that Prior to - and I'm quoting - the issuance of bonds for or the commencement of construction of any new toll highway, however, that particular toll highway shall be authorized by joint resolution of the General Assembly. So we're merely complying with the requirements of law.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

But -- but, Senator, that portion of the law that you just read refers to actual funding and -- and -- and placement of the road. We're talking about even looking at the possibility of putting in a road. I think you'd have been much better put - rather than to put the word "authorized" - to study, to look at, or whatever the case may be, or to recommend. But I think when

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you put "authorize", we are going to be expending -- potentially expending big bucks here. And I think we should take a very, very hard look at what we're doing up in that area.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you very much, Madam President. Senator Cullerton brought up some excellent points, and I would urge that this -- this Body take a very careful look at this, because it isn't a mere matter of extending a tollway. What is involved here is a -- is a mechanism for expanding, or at least improving, O'Hare. And I don't see how we can do this unilaterally, nor do I see how the tollway system, or the Tollway Authority, can act on its own. This is a very complex issue. I can tell you that I've been involved in this particular bypass for about seven or eight years, and that issue is -- is far from being resolved. It is a matter for all of the suburbs involved in O'Hare expansion. And it should not, I don't think, move forward until we know for sure -- and I mean for sure -- exactly what's going to happen at O'Hare. At this point, I would urge this Body to -- to vote No as a -- as a cautionary flag, because this whole matter is far, far from being settled.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much, Madam President. If I might -- and I -- and I think I had a conversation with Senator Cronin about this in committee -- looking at this Senate joint resolution -- and I think Senator Butler is -- is correct -- this preamble here says that the General Assembly finds that it is in the best interests of the people of Illinois to expand the Illinois toll highway system. And then it talks about the facts found in the preamble.

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I don't know those -- I don't know what the facts are. And then it talks about building the -- authorizing to expand the toll road system around O'Hare Airport Bypass, but it even tells us that it be -- should be constructed at an East/West direction near Thorndale Avenue at the West and the Bypass at the East shall -- and -- these are all things that are in this resolution. I don't know anything at all about this. No one has come to my office to tell me anything at all about this resolution. I find it incredible that we're about to authorize something that we know -- which we know nothing about. But more importantly, Madam President, perhaps I should ask you: In the Illinois Constitution, Section 8, Passage of Bills, Section (c), it says, "No bill shall become...law without the concurrence of a majority of...Members elected to each house. Final passage of a bill shall be by record vote." I might ask the Parliamentarian to somehow or other look at that, interpret that as to whether or not we are, in fact, in violation of that -- of this -- of the Constitution, Section 8(c) of Article IV.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. I would agree with Senators Butler and Demuzio. This would be a very dangerous precedent, I think, to vote for an authorization bill that impacts upon budget and impacts upon both collar counties on -- on the City of Chicago, and to do so by skirting the legislative process and the responsibility of the General Assembly - as Senator Demuzio pointed out - to have a vote of record on this. This means that we have no discussion, other than this few minutes that we are devoting to such a serious matter. I would suggest that we not do this.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is an area just -- just south of this area is -- I represented for the past ten years, and I happen to be the one that had three tollways in my district up until very recently. Now I've just got two of them. However, bottom line is: this road is needed, and it -- it is needed desperately. And if we don't do it this way, then the only other way is to ask the Illinois Department of Transportation if they would like to take the vast majority of their funds for a year and -- and put it into this bypass. 355, which was constructed about five years ago, cost the tollway three hundred and fifty-five million dollars for approximately fourteen miles of road. Now, if you people would like us to get a free road for a change, I'm all for it, but I can't imagine this Assembly ever giving the western suburbs anything free. Therefore, when we want to get rid of this -- this traffic and -- and this gridlock, the only way we can go is the tollway, and I strongly urge your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. Just a quick question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield -- he'll yield.

SENATOR SYVERSON:

Senator, you had mentioned that this is a -- a top priority for the -- the Tollway. Does this bump -- on the list of priorities of jobs that need to be done, does this move -- by approving this, move that project up above much-needed projects and their like - for example, the Rockford area?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

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SENATOR CRONIN:

Senator Syverson, I'm told by the Toll Highway Authority that they have a list of projects that are important to them, based on facts and figures, research about transportation patterns and so forth. This issue - namely, an O'Hare Bypass or western access to O'Hare - has been one that has been discussed for many, many years. If you've ever driven in and around O'Hare Airport, you know what a traffic nightmare it can be to get to that airport with -- with the current pattern. In response to your question specifically, no. There haven't been other projects that have been bumped. The Toll Highway Authority is an autonomous agency created by the Legislature. It is self-supporting. Senator Fawell makes an excellent point. If you don't want to vote for this and you think the alternative is to ask the taxpayers to pay for a roadway through IDOT, then that's -- that's your choice.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Well, you mentioned that O'Hare is so -- so busy. You know, we've got plenty of room in Rockford. If you'd like to come out and fly out of the Rockford Airport, I think you would find it not only one of the -- the most efficient airports, but one of the most courteous. We welcome you in Rockford.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Just to follow up on Senator -- Syverson's comments. The Toll Highway could spend that money bringing out and expanding 90 to the Rockford area for the third airport. So that would work quite well, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

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SENATOR COLLINS:

Thank you, Madam President. I don't know whether or not -- the last speaker knew that federal tax dollars to build those highways under the Surface Transportation Act also comes from taxpayers. So they are -- you know, whether we fund it through the State, or whether or not we fund it through the government, it still comes from taxpayers. My concern is, I guess -- Senator, what -- what's -- did they designate -- have they designated the -- the actual location of this tollway at this point? Do you have anything on paper to indicate where it's going to be, what it's going to look like, the impact upon the expansion of runways at O'Hare, and -- and future plans for that airport? And who determined the needs? Was there a needs study or assessments that you have a copy of, that -- that determine whether or not you -- they actually needed the tollway? You just indicated - which is true - that that's an independent agent. We don't appropriate their operating expense. I've tried to do that since I've been here: audits of their accounts to see what they're doing with the money. They're just kind of willy-nilly out there on their own, they do what they -- they handle an awful lot of money on their own. And for them to come and to ask you to pass a resolution without the plan -- I understand the process, and that it have to be a joint resolution passed by both houses, but what I wanted to know, whether or not you had some kind of plans before you, and -- and a needs assessment to determine that this ought to be a priority. And I'm sure you realize that Senator Palmer and myself and some others have been trying to have the states to take a greater look at - another look at - in terms of priority, how we spend the federal dollars. And we're most certainly not doing anything for mass transit. We have a whole environmental problem that we -- we are looking at, and trying to shift some of this money from the federal highway dollars into environment concerns

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here for mass transit. How do you put that -- this as a priority, and what facts do you have to prove that this is a priority, over us doing some of the other things that we need to do, in terms of mass transit?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

In response, Senator Collins, all I can tell you is that, with respect to the specificity of -- of the location of the -- the roadway, my information is no more specific than what is provided in the resolution; namely, that it's to be constructed generally along the western edge of O'Hare between I-90, which is the Northwest Tollway, and I-294. With respect to your point about the need for mass transit, I -- I agree with you, and -- and I -- I'd like to urge the Mayor of the City of Chicago to agree with us as well. I think the CTA really needs to be a priority. So, I agree with you. But with respect to this resolution, this independent agency created by the Legislature - this autonomous, self-supporting agency - has determined that there are transportation needs in and around O'Hare. I know, from personal experience - I know the constituents in the district I represent know from personal experience - that the traffic patterns and transportation needs up near O'Hare are -- are -- can create quite a distressful situation, and this is an approach that I am supportive of.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Senator, that's the whole point. This -- this whole -- this whole building of this -- this highway is self-serving. So what you're saying here, you take the -- the word of this agency, that is self-serving, over and above some definitive data, recognizing

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the need that we could be using with these same federal dollars to deal with the mass transit problem and some other problem, and you don't even have, in writing, a needs assessment or a direct location as to where this thing is going to be -- this highway is going to be constructed. So therefore, you don't have -- you can't make a determination whether or not it is needed or not, or whether or not it should be a priority.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very -- thank you, again, Madam President. I -- I, in fact, would be seeking a ruling from the Chair. I -- I noticed also in reading the same Statute that we were referring to, with respect to the -- to the ruling, that it does say that the plans must be approved by the Governor prior to the joint resolution be -- being added -- being brought to the Senate and to the House. Can the -- can the sponsor indicate to us whether or not the Governor has, in fact, approved of these plans, as provided in the Statute?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Senator Demuzio, I think that you've misread the Statute. I think, as I read it, the words say, "The Authority shall at the same time submit to the Governor...". So this -- this hasn't passed yet. Hasn't even passed out of this Chamber yet. If it passes out of here, and it passes out of the House, then I'd be happy to seek an answer to your question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Let me pose this question then, to the Chair, if I might, as a

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matter of inquiry: Since we are, in the "Whereas" of the -- of the joint resolution, saying that Section 14-1 <sic>(14.1) of the Toll Highway Act provides that prior to the issuance of bonds or the commencement of construction of any new highway, we in the General Assembly have to take some specific action. Since we don't know what -- what in the world we are doing here, I would -- seek a ruling from the Chair as to whether or not Senate Joint Resolution 35, in fact, is a -- a bill that ought to be submitted in legislative bill form, or whether or not, in fact, it's applicable the way in which it is before us now.

PRESIDING OFFICER: (SENATOR DONAHUE)

It's applicable in its present form, because pursuant to the Tollway Highway Act, which you have just read, the issuance of bonds for the commencement of construction of any new tollway highway, that highway shall be authorized by joint resolution of the General Assembly, and it takes thirty votes. Senator Demuzio.
SENATOR DEMUZIO:

Well, you -- you are indicating that prior to the issuance of bonds, that would in fact, take thirty votes under your ruling? I -- I would appeal that ruling and indicate to you that it seems to me that legislative action requires a three-fifths vote of the -- of the Senate in order for that action to take place.

PRESIDING OFFICER: (SENATOR DONAHUE)

While we're checking into that, Senator Demuzio, Senator Butler, for what purpose do you rise?

SENATOR BUTLER:

Well, I apologize for rising a second time. I just want to caution any Senators who might visualize this as a -- as a means of -- of slowing down the expansion of O'Hare - specifically in adding runways - let me tell you, as someone who has been involved in this for the last fifteen years, to my knowledge there's no map existing that would indicate that this, in any way, would -- would

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hinder the expansion of O'Hare. So if that is your motive for voting for it, please don't. I think I agree with the other side. There's a lot of ramification to this that we don't know, and we should be cautious.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Carroll, for what purpose do you rise?

SENATOR CARROLL:

Thank you, Madam President. I guess it would be also a point of parliamentary inquiry. I am reading from the ILCSs - the Statutes of Illinois as compiled - in 605 10/14.1, approval of plans and estimate of cost by the Governor. The Authority shall, prior to the issuance of any bonds under this Act, submit to the Governor for his approval preliminary plans showing the proposed location of the route or routes of the particular toll highway for which the bonds are to be issued, which plans shall designate the approximate points - you know, start and finish - of the new road. The Authority shall, at the same time, submit to the Governor for his approval, preliminary estimates of the cost of construction of the toll highway, shown on said preliminary plans. If the Governor approves the preliminary plans and the estimate of the cost thereof, the Authority may thereupon proceed with the issuance of bonds as hereinafter provided. So, first the Governor shall approve; then they may commence with offering of bonds. But prior to the issuance of bonds or the commencement of construction, the particular tollway -- they shall be authorized by joint resolution of the General Assembly. I think that Section is absolutely clear. They must first submit it to the Governor: the plans and the cost estimates. He has to approve it before any bonds can issue, and then the next step is the Legislature -- Legislature has to do it by joint resolution. If the first step has not been taken, the second step cannot be timely.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Well, Madam President, I know that there's a parliamentary inquiry pending, and I just think that since we have, obviously, a new Parliamentarian on the job, sitting behind you, that this is a very tough job for her on her first day, and I thought maybe she might need some assistance.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Carroll, for what purpose do you rise?

SENATOR CARROLL:

I assume that you accepted mine, as it was stated, as a parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DONAHUE)

Absolutely, sir.

SENATOR CARROLL:

Okay. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, Senator Cullerton, the Chair stands by what it said originally, in that this resolution requires thirty votes for passage. Senator Cullerton -- or, I mean Senator Carroll?

SENATOR CARROLL:

Thank you, Madam President. I won't say that we all look alike. My parliamentary inquiry was different than theirs. It did not go to the number of votes. My parliamentary inquiry was based on the wording of the Statute. The Statute is crystal clear that it requires the Tollway to submit to the Governor for approval, plans, and then submit to the Governor for approval estimates, prior to the Legislature taking any action. After those happen, then they are authorized to issue bonds if the General Assembly, by resolution, approves that system. My point being that since, as I heard the commentary - and there's nothing in the record that indicates to the contrary - at this point in

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time the Toll Authority has not submitted to the Governor preliminary plans nor preliminary cost estimates, and the Governor has not approved of preliminary plans or preliminary cost estimates; therefore, there is no action we can take under the Statute, and I cite again 605 ILCS <sic> 10/14.1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

Just -- just briefly, and in response to Senator Carroll: I -- I'm reading the same Section, and -- and it does not say -- as you stated -- it does not say that there shall be a plan submitted to the Governor prior to the Legislature taking any action. It's not there. That language is not there. What I read, it says, "The Authority shall, prior to the issuance of any bonds..." Now, you know, and before they issue bonds, this resolution has to pass. So I don't know how, as a practical matter, what you're suggesting could possibly take place.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. Then let me read it again. And I'll read just the most pertinent parts, if I can. First it says, the Authority shall, prior to the issuance, submit to the Governor. We agree on that. Okay? Prior to the issuance of any bonds, they shall submit to the Governor these various things. Okay? It -- now, let me get down to about the last six lines -- seven lines. And I'm quoting, "If the Governor shall approve the preliminary plans and the estimate of the cost thereof, the Authority may thereupon proceed with the issuance of bonds as hereinafter provided." Next sentence, which obviously is the hereinafter provided -- next sentence: "Prior to the issuance of bonds...or the commencement of construction of any new toll

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highway, however, that particular toll highway shall be authorized by joint resolution of the General Assembly." That's the hereinafter provided. So, first the Governor has to act; then the Tollway can act as hereinafter provided, and the hereinafter provided is then we shall take action. It's all in one paragraph. You can't interpret it in any other way.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- I would again ask -- I think I asked to determine, the President, whether or not this, in fact, rightfully belongs in a -- in a -- in a bill, or whether or not the resolution before us is one that you will rule is -- is in order. Since we are, in fact, commanding the Tollway to issue bonds for the commencement of construction, it seems to me, one, your ruling of thirty votes, I think, is -- is inaccurate, but if, in fact, you can tell me whether or not this is a -- a bill or resolution that is before us.

PRESIDING OFFICER: (SENATOR DONAHUE)

Would you state your -- state your question? I'm sorry.

SENATOR DEMUZIO:

Is this a -- a bill or resolution that is before us? Is it properly -- in proper form?

PRESIDING OFFICER: (SENATOR DONAHUE)

Yes, Senator Demuzio, it's in its proper form, and it is a resolution. The question before us is Senate Joint Resolution 35. Senator Cronin, to close.

SENATOR CRONIN:

Thank you very much, Madam President. Just to wrap it up here, very briefly, I'd like to point out to the Members of this Body that we've already voted on two prior resolutions; the same sum and substance with respect to tollways in other parts of the

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State, one of which was sponsored by my colleague, Senator Dunn, on the Democratic side of the aisle. I think that there seems to be a lot of concern - and I understand - when it comes to O'Hare Airport and the future of O'Hare. Let me say this: That this O'Hare Bypass transportation network roadway that is contemplated in this resolution is something that's been discussed for years and years. This is something that would greatly benefit those in suburban Cook County and the collar counties, with respect to moving in and around O'Hare Airport. The Toll Highway Authority is an independent, autonomous agency that has asked me to sponsor this resolution, and I ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator Cronin. Senator Carroll.

SENATOR CARROLL:

Well, Madam President, I haven't heard an answer to the parliamentary inquiry I had made as to the language. And let me state again that the words -- the operative words under the -- under the theories that the courts have always followed of legislative inclusion ex industria are hereinafter provided. And the hereinafter provided is constrictive of what else we may do. Is the Chair ruling on that? I mean, I haven't heard a ruling, per se.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Carroll, I think your comments will be duly noted. The Chair does not rule on the effectiveness of the resolution.

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That is an issue and for another branch of government, if the issue persists. The question is on the adoption of Senate Resolution -- Senate Joint Resolution 35, and that is what's before us. The question is, shall Senate Joint Resolution 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? All voted who wish? Take the record. On that question, there are 28 Ayes, 24 Nays, 6 voting Present. Senate Joint Resolution 35 fails. Senator McCracken, on Senate Joint Resolution 53? Madam Secretary, read the resolution. Senator Fawell, on Senate Joint Resolution 45? Excuse me -- Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Joint...

PRESIDING OFFICER: (SENATOR DONAHUE)

Do you -- do you wish to have this returned to the Order -- yeah. Madam Secretary, have there been any Floor Amendments approved for consideration?

ACTING SECRETARY HAWKER:

Senate Joint Resolution 45, offered by Senator Fawell. Floor Amendment No. 1, by Senator Fawell, reported Approved for Consideration by the Rules Committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell, to explain the amendment.

SENATOR FAWELL:

Thank you very much. The amendment just took out the objectionable language. It was a little sarcastic when we originally put this amendment through. This is the amendment -- this is the resolution that we will send to Washington to tell them that we cannot pass the -- the bill, and we are passing this resolution instead, to get the funding for our -- our highways. The amendment is an agreed amendment. Everybody is on board now, and I would ask for your favorable vote.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Fawell moves the adoption of -- of Amendment No. 1 to Senate Joint Resolution 45. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution -- the amendment is adopted. Now, Senator Fawell, on Senate Joint Resolution 45.

SENATOR FAWELL:

Thank you very much, Madam President. What this amendment -- resolution will do is -- it basically states that we cannot pass the bill that says that if you are convicted of any kind of drug offense, that we will take your driver's license away, because the Supreme Court, under the Lindner decision, has already ruled that unconstitutional, and therefore we are requesting that they give us a waiver and that we receive the -- the funds as the Federal Government has prescribed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Madam President, Members of the Senate. The -- the Federal Government passed a law in 1991 that said that if we did not pass a law requiring the revocation or suspension of an individual's driver's license upon their conviction of any violation of the Controlled Substance Act, or any drug offense, that this would cause us to lose 20.1 million dollars. The legislation was introduced, and I believe it was supported by the Secretary of State, but it was killed in the Senate Transportation Committee. So, in this particular case, the Federal Government allows a -- an out that if you pass a resolution saying that you'd like to pass the bill and the Governor sends a letter saying that he thinks it'd be a nice bill, then we get to keep the 20.1 million dollars. The problem is that we have to do this every year. So, if we pass this, we'll have to pass it again next year,

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unless we decide to -- to pass the bill. So, obviously we have to pass the resolution; otherwise, we lose 20.1 million dollars. I would just point out, however, this gives me another opportunity to point out that starting October 1st, we will lose, however, thirteen million dollars to road construction; because, although we're caving in to the Federal Government on this resolution, we decided to not cave in to the Federal Government with regard to the issue of helmets for motorcyclists. So, it does give us an opportunity to hopefully not lose money. We have to do it again next year, but the better course of action would be to pass the bill. If it's declared to be unconstitutional, fine; we still have passed the bill, and it would have made a better course of action. But now we have no choice.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator McCracken.

SENATOR MCCRACKEN:

I'd be happy to support a resolution stating to the Federal Government that it's unconstitutional to pass the motorcycle helmet law and get our money from them that way. How would that be?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fawell, to close.

SENATOR FAWELL:

Thank you very much. I think this is the only option that we really have open to us. As the Illinois Supreme Court stated in the Lindner decision, keeping, -- and I am quoting, "Keeping off the roads drivers who have committed offenses not involving vehicles is not a reasonable means of ensuring that the roads are free of drivers who operate vehicles unsafely or illegally. To the contrary, the means chosen are arbitrary, not only because the offenses specified..." - which is the drug offenses - "...have no connection to motor vehicles, but also because the inclusion of

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those offenses and no others is arbitrary." Therefore, -- I ask your -- your Aye vote on this. We do not have to pass a resolution every year. The Governor merely has to send in a letter every year. And I ask for your Aye -- vote on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell moves the adoption of Senate Joint Resolution 45. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. Senate -- Senate Joint Resolution 45 is declared adopted. Senator McCracken, on Senate Joint Resolution 53. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 53, offered by Senator McCracken.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken.

SENATOR MCCRACKEN:

Thank you, Madam President. This resolution asks Congress to consider before passage of the BTU Energy Tax Proposal its effect on citizens requiring energy assistance, and also that it enact a program to rebate to all units of local and State Government monies so that they would be treated as if the tax were not enacted. I move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

Yes, Madam Chairman, Ladies and Gentlemen of the Senate. Without having the -- the entire resolution in front of us, Senator, does this take effect only if the BTU tax is passed by the congress?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator McCracken.

SENATOR McCracken:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

No, if -- if that's the case, then we may be before the -- putting the cart before the horse here, but I understand what you're trying to do, and I just wanted to know if, in fact, it was only -- dependent up on the passage in Congress.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Seeing none, Senator McCracken, to close? On that -- or Senator McCracken moves that Senate Joint Resolution 53 be adopted. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Senator McCracken, on Senate Joint Resolution 55? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 55, offered by Senator McCracken.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken.

SENATOR McCracken:

Thank you, Madam President. SJR 55 would require that the Department of Aging hold between three and eight public hearings throughout the State for the purpose of determining the most cost-effective mean for administering its programs. The model they use now is twenty years old. It was based at the time on population patterns in existence then, and it may be appropriate to make some of those shifts. This is not the issue of where to spend the money, but how to administer the programs. I move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, Senator

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McCracken moves the adoption of Senate Joint Resolution 55. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Joint Resolution 55 is adopted. Senate Joint Resolution 57. Senator Watson? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 57, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Madam President. This resolution does, again, exactly what the Calendar says. It invites the members of our Illinois Delegation - Congressional Delegation, to meet in a Joint Session of the Illinois General Assembly to discuss issues of unfunded federal mandates. We've seen several resolutions here today, and we constantly get before us mandates coming from Washington, to dictating policy onto us as a State, and unfortunately, many of those -- those mandates are unfunded. During the last Session, there was some two hundred and sixty-eight different mandates that came from Washington that -- that told states - not only Illinois, but throughout this country - that -- certain policies they would have to follow. If they don't follow them, then penalties come into play or they don't fund it. We'd like to talk to our Congressional Delegation about this, and there's a movement going on. Several states have done this and asked to talk to their Congressional Delegations also, and I think this is a means by which we can get the message to those people we send to Washington, that we have a serious concern about federal mandates.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR CULLERTON:

Does this mean we get to have our Congressmen come down to Springfield, and we get to talk to them and everything?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

I would certainly hope so. And that -- that's not a bad idea.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, -- that's -- that would be nice because I know a lot of us would like to visit with our Congressmen more often. The only thing I'm a little worried about here is that we want to -- in this resolution, we say that we want to have Alabama serve as a model to other states. Isn't -- that be kind of a bad precedent to start?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please. Did you, Senator...

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR COLLINS:

Senator, did you ask the Congressional Delegation to meet with us, or have the Governor asked them to meet with us? Did the President of the Senate ask that they meet with us? And -- and were -- were they rejected?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

I'm not sure that anyone has asked. That's what this resolution is to do, and -- and we certainly haven't been rejected.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

Well, Senator, that's why I -- I don't think the resolution is necessary, because all you have to do, I think - the Chief Executive of this State - is to pick up the phone and ask that they meet with us and the meeting would take place. But anytime you process a piece of paper through this General Assembly, costs money and, you know, it's -- it's the old saying: "If it's not broke, don't fix it." If there is no problem with us meeting with -- with the Congressional Delegation, then I don't see the necessity for this resolution. I think this is a waste of money.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you. I -- I would like to pose this question to the sponsor, if I might. It -- I know what your intent here is and that is to meet with the Illinois Delegation to tell them about mandates that they pass on to us and we have to pass on -- either -- either absorb or pass on. But I guess one point of the resolution that I have concern with and that is that the Illinois General Assembly invites the members of the Illinois Congressional Delegation to meet with a Joint Session of the Illinois General Assembly. Do you have any idea when that will be? Will that be -- if they accept, will that be in July or August, September, October or any particular time that they would choose to joint --

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have a joint session?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Well, obviously, we'd have to do that when they're not in Session and at a time in which we are. So that would be the intent.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I would just suggest to you that if we are adjourning here on Friday and not coming back until October or whatever, that to have a Joint Session of the Illinois General Assembly is pretty expensive. And a lot of the voters were complaining about the fact that it took us last year until July 19th to -- to adjourn. So, I don't mind them meeting with us, but I'm kind of surprised that you would call for a Joint Session, particularly if we're not even going to be here. It would be rather expensive. Do you have any idea how much a -- a Joint Session of the Legislature would cost, Senator Watson?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio. Senator -- Senator Watson. I'm sorry.

SENATOR WATSON:

Well, obviously we'd want to do this when we're in regular Session, maybe in the fall in the Veto Session, maybe even next spring.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I -- you know this is an excellent idea. When -- when we were talking about the former resolution that I introduced, I called up five of our Congressmen, three of whom I

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think you will recognize: Congressman Sangmeister, Congressman Poshard and Congressman Ewing, all of whom just recently left our great portals here. They didn't even know they had a problem. Maybe if we sit down and talk to these guys occasionally - I happen to talk to my Congressman. It's my brother-in-law, so I talk to him about once every two or three weeks. But, you know, maybe if we talk to the rest of them occasionally, we might not get into some of these binds.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I had hoped from the suggestion yesterday, Senator Watson, in the Executive Committee, that you would have prepared an amendment to this resolution to invite local governmental units to the table as well. So while we're sitting down with the Members of the Congress reminding them of all those federal mandates that we pass without the dollars, that we would invite the local governmental units to the table as well so they could remind us of all those State mandates that we pass without sending the dollars. And I know you have your proposed constitutional amendment, but we don't know what's going to happen to that. And I just think that when you're sending out invitations to Members of Congress, since you didn't put the amendment on, that you'll remember to get enough postage to send out to the local governmental units.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Watson, you wish to close?

SENATOR WATSON:

Well, no, I think what we're going to do is we'll be getting invitations from units of local government, individually, to come meet with them to talk about the issue of State mandates. And that is a problem, and I appreciate the Senator's recognition of

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that. I think that local units of government have the same problem that we do here trying to comply with our mandates, that we do trying to comply with the federal mandates. What we want to do here is just bring in our Congressional Delegation and sit down and talk to them at a time which is compatible to all of us about some of these problems, because we're seeing more and more of this happening. And I think we need to address this concern, and that's what this amendment and this resolution attempts to do.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson moves the adoption of Senate Joint Resolution 57. 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 53 Ayes, no Nays, 4 Members voting Present. Senate Joint Resolution 57 is adopted. Senate Joint Resolution 62. Senator Woodyard. Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 62, offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Senate Joint Resolution 62 is actually the results of a meeting that I attended in Nashville, Tennessee, on the 30th of April and 1st of May. A year ago we created -- or opted in to the Interstate Rail Compact of Florida, Georgia, Tennessee, Kentucky, Indiana and Illinois. AMTRAK has basically decided that they need a - a route from Jacksonville, Florida, to Chicago, primarily for the Chicago market that would be attending the 1996 Olympics in -- in Atlanta. The -- the route that would be taken is one that would -- could come through Illinois. What this resolution seeks to do is to encourage the - particularly the Transportation Department, to

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authorize a feasibility study on that western route that would come through Illinois. There was a meeting of the subcommittee chaired by Congressman Carr four days after our meeting in Nashville, at which two of the Congressmen did propose an appropriation of two hundred thousand dollars for this feasibility study. Three of the states have already passed this resolution, and I would urge its adoption here in this Body.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Woodyard has moved the adoption of Senate Joint Resolution 62. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 64. Senator Weaver. Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 64, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Joint Resolution 64 urges the U.S. Department of Defense and all other affected governmental entities to take all action available to expedite the sale of military bases that have been closed. In our particular area, there's Chanute Air Force Base that they -- various people have bid on various tracts. They've been authorized, but they're not signing the deeds, and they're holding up the employment of hundreds and hundreds of people. So, this is just merely a resolution to try to get the Federal Government to -- expedite the deed transaction to private ownership.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Weaver has moved the adoption of Senate Joint Resolution 64. Those in favor, Aye. Opposed, Nay. The Ayes have it, and the resolution is

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adopted. Earlier, leave was granted to Senator Donahue to return to page 15, House 1302. Senator Donahue? Read -- read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Amendment 1 to House Bill 1302.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would refuse to recede from Senate Amendment to House Bill 1302.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue moves that the Senate refuse to recede from the adoption of Senate Amendment 1 to House Bill 1302, and that -- that a committee on -- conference committee be appointed. All those in favor, Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the Secretary shall so inform the House. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Bill 293, which amendment is as follows:

Senate Amendment No. 1.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of Amendment No. 2.

Action taken by the House May 25th, 1993.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to

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wit:

House Bill 1637, with Senate Amendments 1 and 2.

We have like Messages on House Bill 1974, with Senate Amendments 1 and 2; House Bill 2130, with Senate Amendment 1; House Bill 2397, with Senate Amendment 2; House Bill 2408, with Senate Amendment 1; House Bill 2397, with Senate Amendment 2; and House Bill 2408 with Senate Amendment 1.

All actions non-concurred in by the House, May 25th, 1993.

PRESIDING OFFICER: (SENATOR MAITLAND)

Resolutions.

SECRETARY HARRY:

Senate Resolution 537, by Senator Hawkinson.

And Senate Resolution 538, offered by Senator Welch.

They're both congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar. Senator Welch, for what purpose do you arise, sir?

SENATOR WELCH:

Mr. President, I'd like to table two motions I have on the Calendar. On page 16, I would like to table the Motion to Discharge Committee on House Bill 314. And on page 17, I'd like to table Motion to Discharge Committee on House Bill 1749.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch, that -- that motion is -- order. Senator Welch has moved we -- that the Senate -- to table House Bill -- the Motion to Discharge the Committee on House Bill 314 and House Bill 749. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Any further business to come before the Senate? Senator Severns?

SENATOR SEVERNS:

Thank you, Mr. President. On the same Order of Business, I would also like to make a motion to table my Motion to Discharge

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on House Bill 125, House Bill 1300 and House Bill 1816.

PRESIDING OFFICER: (SENATOR MAITLAND)

That's 125, -- 1300 and 1860 <sic> (1816). Senator Severns has moved to table her Motion to Discharge the Committee on House Bills 125, 1300 and 1860 <sic> (1816). Those in favor, Aye. Opposed, Nay. The Ayes have it, and the motion carries. Any further business to come? Senator Palmer?

SENATOR PALMER:

Thank you, Mr. President. On the same Order of Business, I would move to table House Bill 1625 and Senate Bill 886.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Palmer, do you wish to table the bill or table the motion?

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

I -- I'm sorry, we didn't quite -- table the motion on -- on House Bill 1625 and Senate Bill 886?

SENATOR PALMER:

Motion, yes - motion.

PRESIDING OFFICER: (SENATOR MAITLAND)

Table the Motions to Discharge the Committee on House Bill 1625 and Senate Bill 886. Is that correct? Senator Palmer has moved to -- to table her Motion to Discharge the Committee on House Bill 1625 and Senate Bill 886. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is carried. Senator Dunn, for what purpose do you arise, sir?

SENATOR RALPH DUNN:

Thank you, Mr. President. I have the same motion on House Bill 1009. I move to table the -- table the amendment <sic> to -- to discharge the committee.

PRESIDING OFFICER: (SENATOR MAITLAND)

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60th Legislative Day

May 25, 1993

Senator Dunn has moved to table his Motion to Discharge the Committee from further action on House Bill 1002. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. Senator Stern, for what purpose do you arise, ma'am?

SENATOR STERN:

Mr. President, I would like to move to table my Motions to Discharge Committee on the following bills: House Bill 957, House Bill 2102, Senate Bill 153, Senate Bill 785. I think -- yeah, I said that one. I think that's it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator, that motion is order. Senator Stern has moved to table the Motion to Discharge the Committee from further action of House Bills 957, House Bill 2102, Senate Bill 153 and Senate Bill 785. All those in favor, say Aye. Opposed, Nay. The Ayes have it and the motion carries. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Well, thank you, Mr. President. I -- I was wondering if you might inform the Membership as to what the schedule is for the remainder of the day, and if we're coming back later, or whether or not we're coming back tomorrow or -- next week, or what. Just give us an idea of what we're doing if you would, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Well, Senator, we certainly plan to do that, and I was ready to go to that Order of Business and the lights started coming on. I'm responding to those. You are the last person to -- to rise, and so I will indicate to you that -- that when we adjourn this afternoon, we will not be coming, obviously, back for any further business this afternoon and -- upon adjournment, we will stand adjourned until tomorrow at the hour of 12 noon. Senator Palmer, for what purpose do you arise, ma'am?

SENATOR PALMER:

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
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Thank you, Mr. President. I'd like to return to the Motions to Discharge. I inadvertently left out House Bill 241, and I would like to table the Motion to Discharge on that bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Palmer has moved to -- that her -- that her -- to -- that her motion to table the -- that her Motion to Discharge the Committee with respect to House Bill 241. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is carried. Any further business to come to -- before the Senate? The Senate stands adjourned until 12 o'clock Wednesday, May 25th -- 6th -- May 26th, I'm sorry.

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