

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

May 22, 1995

PRESIDING OFFICER: (SENATOR WEAVER)

The regular Session of the 89th General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Pastor Gaylord Buss, First United Methodist Church, Lincoln. Pastor.

PASTOR GAYLORD BUSS:

(Prayer by Pastor Gaylord Buss)

PRESIDING OFFICER: (SENATOR WEAVER)

All rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Thursday, May 18th; Friday, May 19th; and Sunday, May 21st, in the year 1995, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR WEAVER)

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

SECRETARY HARRY:

Senator Woodyard, Chair of the Committee on Agriculture and Conservation, reports Senate Bill 623 - the motion to concur with House Amendment 1 Be Approved for Consideration.

Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Bill 114 - a motion to concur with House Amendment 1 Be Adopted, Senate Bill 717 - the motion to concur with House Amendment 1 Be Adopted, Senate Bill 831 - motion to concur with House Amendment 1 Be Adopted, Senate

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Bill 978 - motion to concur with House Amendment 1 Be Adopted, and Senate Bill 1142 - the motion to concur with House Amendment 1 Be Adopted.

Senator Karpel, Chair of the Committee on Executive, reports Senate Amendment 1 to House Bill 90 Be Adopted, and Senate Amendment 1 to House Bill 2429 Be Adopted.

Senator Dunn, Chair of the Committee on Higher Education, reports Senate Bill 210 - the motion to concur with House Amendments 1 and 2 Be Adopted; and Senate Amendment 2 to House Bill 820 Be Adopted.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Amendment 1 to House Bill 652 Be Adopted, and Senate Amendment 1 to House Bill 1248 Be Adopted.

Senator Klemm, Chair of the Committee on Local Government and Elections, reports Senate Bill 63 - the motion to concur with House Amendment 1 Be Approved for Consideration, Senate Bill 77 - the motion to concur with House Amendment 1 Be Approved for Consideration, Senate Bill 158 - motion to concur with House Amendment 1 Be Approved for Consideration, Senate Bill 948 - motion to concur with House Amendment 1 Be Approved for Consideration, and Senate Bill 1111 - the motion to concur with House Amendment 1 Be Approved for Consideration.

Senator Fawell, Chair of the Committee on Transportation, reports Senate Amendment 2 to House Bill 1587 Be Adopted.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Bill 629 - the motion to concur with House Amendment 1 Be Adopted.

Senator Cronin, Chair of the Committee on Education, reports Senate Bill 50 - the motion to concur with House Amendments 1 and 8 Be Approved for Consideration, Senate Bill 165 - the motion to concur with House Amendment 4 Be Approved for Consideration, and Senate Bill 1005 - the motion to concur with House Amendment 1 Be

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Approved for Consideration.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Amendment 1 to House Bill 1465 Be Adopted.

And, Senator Raica, Chair of the Committee on Public Health and Welfare, reports Senate Amendment 2 to House Bill 2226 Be Adopted, and Senate Amendment 4 to House Bill 2330 Be Adopted.

PRESIDING OFFICER: (SENATOR WEAVER)

Messages from the House.

SECRETARY HARRY:

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

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

House Bill 206, with Senate Amendment 1.

Non-concurred in by the House, May 21st, 1995.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 206 and a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House.

SECRETARY HARRY:

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

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

Senate Bill 566, together with the following amendment, which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1.

Passed the House, as amended, May 21st, 1995.

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We have a like Message on Senate Bill 838, with Amendments 4, 5, 6, 7, 8, 9, 10 and 11.

PRESIDING OFFICER: (SENATOR WEAVER)

WCIA requests permission to videotape. Is there leave? Leave is granted. On page 8 of today's Calendar is the Order of House Bills 2nd Reading. Today is the final day that a sponsor may move a bill from 2nd to 3rd, so if you wish to move them, now is the time. Senator Butler, on House Bill 32? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 32.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler. Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, Mr. President, is offered by Senator Butler.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler, to explain the amendment.

SENATOR BUTLER:

Thank you very much. Amendment No. -- Committee Amendment No. 1 removed all references to the original bill dealing with plumbing -- plumbing exemptions. Amendment No. 2 added Senate Bill 429, which passed the Senate last May 3rd by a -- with 47 votes. That amendment provides that the Illinois Department of Public Health shall work with all interested parties to adopt guidelines for proper installation of manufactured homes. And the third part of Amendment No. 1 added House Bill 1259 and House Bill 1260, written by the Illinois Department of Public Health to clean up some confusing verbiage in -- in their Acts pertaining to

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modular dwellings. It covers mobile structure, manufactured homes, et cetera. That was Committee No. 1 -- excuse me, Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor. I -- my...

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me just a second, Senator Berman. Senator Butler, did you explain the Floor amendment or Amendment No. 1? Senator Butler.

SENATOR BUTLER:

I'm sorry. I -- I moved to -- Committee Amendment No. 1. It should have been on No. 2. I'm Sorry. Committee <sic> Amendment No. 2 is a small technical amendment suggested by the Municipal League to tighten language that was in the original version of Senate Bill 429. We know of no opposition to 32 in this form.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR BERMAN:

My recollection was that there was a commitment that this bill wasn't going to move off of 2nd until the plumbers got back to you, because of some questions with language that they had. Senator Butler, could you refresh my memory?

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler.

SENATOR BUTLER:

The last I heard, there was some confusion by the plumbers over the -- over another part of the bill. It had nothing to do with this.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Berman.

SENATOR BERMAN:

I'm told that they have -- that they did have some problems with what Amendment 1 and the bill addresses. Would you mind taking this out of the record? I think that was your commitment to the committee.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler.

SENATOR BUTLER:

Well, we've spoken to them. They have not gotten back to us at all on this. And remember, we're close to the deadline.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Well...

PRESIDING OFFICER: (SENATOR WEAVER)

This is the adoption of amendment, Senator. It's not 3rd Reading.

SENATOR BERMAN:

Well, I guess then my next question is, if you're going to adopt the amendment, do we have a commitment to bring the bill back before you move it on 3rd? I just -- that was the discussion in committee, and I think you and I would both like to -- to make sure where the plumbers are. That was what you indicated to the committee. So if you want to move it to 3rd with the commitment

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that you'll bring it back, that's okay with me, too. But I just don't want to -- to overlook the commitment that you made in committee.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler.

SENATOR BUTLER:

Senator, we're as anxious as you are to know where the plumbers are on this. I'd like to move it to 3rd, hoping we're going to hear from them.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Just like to rise in support of the amendment. I think that a lot of the questions and the comments that were raised in committee the other day have been answered, and I think that the bill does address the needs of almost everyone that has expressed some concern.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Senator, you were in committee; you had an amendment that was defeated, then this amendment was offered. The -- the interest group that was opposed to your amendment was some plumbers. They had not seen your amendment - the second amendment. We all voted for it with the understanding that they would look at that amendment to see if they had a problem with it. My understanding is that they have looked at it. They have a lobbyist in Springfield that represents their interests. He has communicated at least with our staff that he does have a problem with the amendment. So, I understand we're getting close to the end. All we're asking for is, in the next fifteen minutes, that we see if

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we can track that person down and have a discussion, very briefly, to see if there's a problem, what the problem is, or -- or maybe there's a misunderstanding. So, that's what the request would be, since there was a commitment in the committee that you would work out any disagreements that they might have with the amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I would like to rise in support of the efforts of Senator Butler. I -- to tell you what happens in the rural area, we -- we just simply don't have that many licensed plumbers. I mean, that's -- that's the problem that we have, is the simple fact that getting those type -- those individuals, a licensed plumber, to come out to the site to make that connection is a major problem, and they're talking about days of delay. And this would -- they have to comply with the compliance with the Department of Housing and Urban Development standards under the existing plumbing license law. So I -- I don't see that there should be that major of a problem here, and certainly support the Senator's effort.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Butler moves the adoption of Floor Amendment No. 2 to House Bill 32. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Maitland, on 820? Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 820.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Members of the Senate, Floor Amendment No. 2 to House Bill 820 is an amendment that replaces the first amendment that we placed on the bill the other day. It was not, frankly, what we really wanted, and this one, let me indicate, has four major points. ISAC may purchase or originate loans, other than federally reinsured student loans. Number two, loans originated by ISAC may be secured, may be credit-based, and may be, but not required to be, guaranteed by the Commission or any other entity. Number three, expenses to administer ISAC-originated loans through IDAPP may be paid from sources other than the State's General Revenue Fund. And finally, ISAC may give priority consideration to students who qualify for assistance under ISAC-administered need-based programs. I would -- I would suggest to the Body that -- that we have not received the approval from the Bureau on this amendment yet. We don't know for sure whether we're going to move the bill, but we believe this more clearly embraces what we are attempting to do, changes in federal guidelines, et cetera. And I would seek adoption for the amendment. I will move the bill to 3rd at this point, Mr. President, if it passes. Thank you.

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PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall the Senate adopt Floor Amendment No. 2 to House Bill 865 -- excuse me, 820. Senate Bill -- House Bill 820. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Have there been other amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator O'Malley, on 865? Senator O'Malley. 865. Do you wish to move it? Out of the record. Senator Mahar, on 1089? Do you wish to move the bill? Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1089.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senators Walsh and Fitzgerald.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh, on Amendment No. 3.

SENATOR WALSH:

Yeah. Amendment No. 3 on -- on House Bill 1089 deletes everything except for a setback provision which was similar to House Bill 929 that we passed yesterday, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

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Is there discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR HENDON:

Senator Walsh, exactly what will this amendment do, and is there any specific company that it will affect?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

I'm sorry. Could -- could you repeat the question, Senator?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

My question is: Exactly what will this amendment do? What will it accomplish?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

Senator, this is the amendment that was debated in the Environment Committee last week, and it was -- it was passed through the Environment Committee. And this would allow a recycling facility to -- that is located in the City of Chicago, to continue to operate.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

Okay. This is the Flood Brothers Recycling Center, correct? The one in my district that the people are against?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

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SENATOR WALSH:

It's the -- it's the Flood Brothers' amendment, yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Hendon.

SENATOR HENDON:

Well, I'm going to be very brief on this. I just hope that everyone is listening and not just talking, because I'm trying to just make a point without being overdramatic. But this is a bad amendment. This allows one company, who is in violation of the law, to not just continue to operate, but to expand - to expand. And I urge all of you to vote No. I'm going to have to request a roll call on this amendment, unfortunately. I urge all of you to vote No. I did pass around a letter, and I -- I gave the letter to Senator Walsh, which says that on May the 15th, my friends - May the 15th - this facility was inspected once again, because the City of Chicago is trying to work with them, and May the 15th, they found them -- and I will read -- I'm reading from a letter from the State of Illinois Environmental Protection Agency: Notwithstanding, Flood Brothers remain obligated to comply with all applicable requirements of the Act and regulations. The IEPA inspected the site - listen to this - May 15th, 1995, and preliminarily, the inspection reveals that the Flood Brothers continue to operate as it has in the past. The sites continue to receive unacceptable amount of mixed waste, along with it -- its recyclables. Flood Brothers is found - and I am still reading - to be in violation and appropriate enforcement action will be taken. So before you vote Yes on this, at least know that May 15th of this year, of this month, they were still found to be in violation of the law. And why in the world would any of us vote to allow a company that is already in violation of the law, according to our own EPA, to get to do more business than they're currently doing? And why a fine Senator such as Senator Walsh

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would be carrying this is beyond imagination. I urge a No vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR COLLINS:

Senator, why -- why is it necessary for the Legislature to get involved in this particular project, given that it is regulated also by the City of Chicago? It has been found that there are problems, in that this -- this particular group seem to have some problems adhering to the -- the local and State rules and regulations. Why -- what is the urgency and the necessity for the Senate to get involved - the Legislature to get involved - with this particular project?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

Senator, because, in the end of last year, we passed a law that -- that -- that changed their status, and now they will need this permit in order to be a -- a transfer station. This doesn't exempt them from having to go and get other City permits, and it doesn't exempt them from any other State and local laws, as far as transfer stations go.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins said she couldn't hear you, Senator Walsh. Would you repeat?

SENATOR WALSH:

Oh, I'm -- I'm sorry. Senator, this is because of a -- a law that we passed last year that pertained to setbacks. Prior to this, they were not in violation, but because of our law that we

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passed, they became in violation. This is in no way going to exempt them from getting City permits and getting State permits that are necessary to operate a transfer station and for them to also live up to whatever is within the permit to -- to operate those transfer stations.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Well, Senator, even though we -- we passed the law last year, no matter what we did, it is not -- the intention of that law was not to allow people to operate hazardous -- under hazardous conditions, and especially when you're talking about in close proximity to -- to a school. There -- there are little children there. And this particular group have had a history of violations. And -- and so why should we -- why should we -- or, why should they have the audacity to come to the Legislature to seek some relief when they're in violation of the City regulations, as well as EPA, which is the State laws. And that's where the problem is. I'm not -- I'm not interested in putting anyone out of business, because we do need jobs and more revenue in the State of Illinois, but at the same time, those businesses must realize that they -- have to operate within the confines of the law, and no one should be exempt, especially when it comes to hazardous waste.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I rose earlier to -- to comment on the same issue that Senator Walsh did, and Senator Walsh is absolutely correct. Because we changed the law on regional centers, that this put this operation into -- into the problem that it's in. And I stand in

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support of this amendment and ask the Members on this side of the aisle to vote Aye also.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon, for a second time.

SENATOR HENDON:

Thank you, Mr. President. I apologize for rising for a second time, but I want to clear up what my great friend, who I have supported everything that he's wanted in his community, just said. I also supported him when he ran for a higher office, because I believe in Denny Jacobs. But what he said is absolutely incorrect. This facility and I -- is in violation of the law currently, as a recycling center - as a recycling center. This amendment will allow them to operate as a waste transfer station, which allows them to bring in even more garbage and more solid waste and toxic waste than they've brought in in the past. So this -- the law that was passed had nothing to do with -- with their current violations. They are currently in violation of the law, and none of you would want this in your district or would force this -- I would not force this on any of you in your district if your community was -- was completely against this. I urge all Members of this -- of this Body, regardless of which side of the aisle that you vote on, to vote for common sense and vote for the health and well-being of their children. There are eight elementary schools - eight schools - two child parenting centers right by this facility. I was there personally. The place is being run in a way that is unacceptable. It would be unacceptable to you, just like it is unacceptable for the Illinois EPA. I urge you to vote No on this regardless of whoever lobbied you to do otherwise.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Walsh, to close.

SENATOR WALSH:

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Thank you, Mr. President. And -- and I can certainly understand Senator Hendon's opposition to this bill, but as I said yesterday when we talked about a truck bill, this is a territorial type of a bill and living in an urban area, unfortunately, sometimes you have to put up with things that you don't want to have to. We have airports and busy streets and train tracks and a lot of things that aren't necessarily convenient for living in a -- in suburban and in the City in -- in Cook County. So I'd just ask for a -- a favorable vote on this.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is the adoption of Floor Amendment No. 3 to House Bill 1089. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 17, 1 voting Present. Floor Amendment No. 3 to House Bill 1089 is adopted. Have there been any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 1073, Mr. Secretary. Excuse me, 1473. Move the bill.

SECRETARY HARRY:

House Bill 1473.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 1474.

SECRETARY HARRY:

House Bill 1474.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Petka, on 1654? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1654.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Petka.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Petka.

SENATOR PETKA:

Well, thank you very much, Mr. President, Members of the Senate. The amendment which has been approved for consideration was a technical amendment which tightened up the language consisting of when a motorcycle would be in violation of the -- or, the use of a vehicle on farm property would be considered a violation under the terms of criminal trespass to land. I urge its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Petka moves the adoption of amendment -- Floor Amendment No. 1 to House Bill 1654. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Have there been any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Madigan, 2108? Read the bill, Mr.

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Secretary.

SECRETARY HARRY:

House Bill 2108.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 2 to House Bill 2108 represents the efforts of the Governor's Task Force on Horse Racing, insofar as bringing equity and increasing purses to horse -- the horse racing industry in Illinois. It's an extremely long amendment. The highlights of it are insofar as it allows full cart simulcasting. It contains language insofar as evening up between host tracks on the simulcasting. Creates additional off-track betting facilities for the tracks in Illinois. Removes the bonding requirements for Board members. Removes -- requires the Board to examine license applications. The original Floor amendment contained electronic -- this Floor amendment contains electronic wagering, which we will address in an amendment to follow later on -- on House Bill 2108. I don't know if we want to discuss this or debate this on 2nd Reading or 3rd Reading, so at this point, I'll be glad to answer any questions to House Bill 2108.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

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SENATOR RAICA:

If I may, Mr. President, just a question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR RAICA:

Senator Madigan, I know you've worked very hard on this. I have Sportsman and Hawthorne in my district, and my understanding, that this does benefit the horse owners and the tracks as well. I just -- can you just answer that just for the matter of record?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Senator Raica, the answer to that is yes. Everyone is -- you know.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Madigan moves the adoption of Floor Amendment No. 2 to House Bill 2108. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 -- for the record, in Amendment No. 3, the reference to page and line numbers on page 1, line 8 should state "11" instead of "10". Whenever this amendment was approved by the committee, we made notice that there should have been a follow-up amendment to clarify this error. Unfortunately, that error was not allowed to be rectified. I would have preferred to have seen it happen that way so we could take this amendment up or

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down on its own merits. But this is the only issue - the only issue -- and, Senator Raica, you asked the question about helping horsemen and the horse race industry. This is the only issue in the entire bill that truly deals with live horse racing. All other issues in this bill relate to expansion of gambling. My amendment would not have been an expansion, only a permissive return to live racing if the developer or the owner felt that the deal was lucrative enough. What the amendment does is to allow them the same proviso as what is available for Fairmount, which will also be dealt with in this bill. It was a fair and equitable amendment. In fact, without this amendment, what this bill does, it will remove one of the safeguards that this Body, this Legislature, put into the bill regarding live racing. When we passed the bill for off-track betting parlors, we felt that there were some needs for some safeguards from the live racing facilities moving from live racing and moving to off-track betting parlors. So we put a provision in that law, and in that law we said that if you discontinue live racing and you don't bring it back within five years, that you lose your off-track betting parlors. Now, Quad City Downs has lost that advantage if, in fact, this bill passes, because what we are doing now is saying to Quad City Downs, you can have two more off-track betting parlors, but you don't have to continue live racing. In fact, we are removing that provision from you. Other technical amendments were approved in committee, and we'll be working on those. This amendment, for whatever reason - Amendment No. 3 - was felt that it would be a disruptive influence on the delicate balance, if you will, brought about by the big-time track owners. I'm afraid - and I'm not really speaking to the amendment right now, but -- but it has a bearing on it - that in reference to helping horsemen, helping horse breeders, helping the horse racing industry, in fact what we are gradually coming to is an arena to where we have one

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or two live race tracks and everything else being inter-track and off-track. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I want to commend Senator Jacobs for his efforts in -- on the Quad City Downs; however, I must remain -- or stand in opposition to Floor Amendment No. 3 to House Bill 2108. Senator Jacobs mentioned the delicate balance that has gone on over these discussions over the last three years, and I would say that is very accurate. This has been a long arduous process, and to bring this matter, which is a problem but is not supported by the horse racing industry and therefore not part of the discussions as far as the Task Force, I would ask that this Floor Amendment No. 3 be defeated and request a roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Jacobs, to close.

SENATOR JACOBS:

Thank you, Mr. President. Let me just state before this vote is taken - and we probably know where it's going - but in reference to the delicate balance that was so much in effect that if my amendment got on - we will be following this with amendments on the Arlington surcharge, be following it on -- I mean, electronic wagering, and again, helping Fairmount, which I definitely want to do. So there are other items out there to -- to disturb the delicate balance. I think it's a good amendment, and I ask for your support.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs moves the adoption of Floor Amendment No. 3 to House Bill 2108. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, there Ayes are 28, the Nays are 25. Floor Amendment No. 3 to House Bill 2108 is adopted. Are there further amendments, Mr. Secretary? Senator Madigan.

SENATOR MADIGAN:

I -- thank you, Mr. President. I would request a verification of the affirmative votes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan requests a verification. Will the Senators be in their seats, and the Secretary will read the affirmative votes.

SECRETARY HARRY:

Following voted in the affirmative: Berman, Bowles, Carroll, Clayborne, Collins, Cullerton, del Valle, Demuzio, Tom Dunn, Farley, Fitzgerald, Garcia, Hawkinson, Jacobs, Jones, Lauzen, Mahar, Molaro, O'Malley, Palmer, Rea, Severns, Shadid, Shaw, Smith, Trotter, Viverito, and Welch.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan, do you have -- question the presence of any Senator voting on the prevailing side?

SENATOR MADIGAN:

Yes, Mr. President. Senator Shaw.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw on the Floor? Senator Shaw? Strike his name.

SENATOR MADIGAN:

Senator Hawkinson.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hawkinson on the Floor? Senator Hawkinson? Strike his name.

SENATOR MADIGAN:

Senator O'Malley.

PRESIDING OFFICER: (SENATOR WEAVER)

Is Senator O'Malley on the Floor? Senator O'Malley? Strike

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his name.

SENATOR MADIGAN:

Senator Lauzen.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen on the Floor? Senator Lauzen? Strike his name.

SENATOR MADIGAN:

Senator Mahar.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar on the Floor? Senator Mahar? Strike his name.

SENATOR MADIGAN:

Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fitzgerald? Senator Fitzgerald on the Floor? Strike his name.

SENATOR MADIGAN:

Senator Carroll.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll on the Floor? Senator Carroll? Strike his name.

SENATOR MADIGAN:

Senator Collins.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins on the Floor? Senator Collins? Strike her name. Senator Madigan.

SENATOR MADIGAN:

That's it.

PRESIDING OFFICER: (SENATOR WEAVER)

On a verified roll call, the Ayes are 20, and the Nays are 25. It wouldn't affect the outcome. Thank you. We'll show him as recorded. Having received -- having failed to receive the required votes, the amendment fails. Any further amendments, Mr. Secretary?

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SECRETARY HARRY:

Amendment No. 5, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Jacobs arise?

SENATOR JACOBS:

Well, let's see how many can take the mass exodus on the negative side.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs asks for a verification of the negative vote.
Mr. Secretary.

SECRETARY HARRY:

Following voted in the negative: Barkhausen, Butler, Cronin, DeAngelis, Dillard, Donahue, Dudycz, Fawell, Geo-Karis, Hasara, Karpel, Klemm, Madigan, Maitland, Parker, Peterson, Petka, Raica, Rauschenberger, Sieben, Walsh, Watson, Weaver, Woodyard, and Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs, do you question the presence?

SENATOR JACOBS:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

On a verified roll call, the Ayes are 20, the Nays are 25, and the amendment fails. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 5, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Floor Amendment No. 5 to House Bill 25 <sic> is technical, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Madigan moves the

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adoption of Floor Amendment 5 to House Bill 2108. All in favor, signify by saying Aye. Senator Jacobs.

SENATOR JACOBS:

What does this technical amendment do, and how does this not disrupt the -- the delicate balance of this bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

Well, no, actually this preserves the delicate balance of the Task Force work, in that it's a highly technical amendment structured so that the agreement insofar as the surtax that was -- is part of the agreement is preserved in House Bill 2108.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

So we are saying a special surcharge for Arlington is being preserved, is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

That's correct.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Again, the delicate balance. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Madigan moves the adoption of Amendment No. 5 to House Bill 2108. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Further amendments, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 6, offered by Senator Madigan.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Floor Amendment No. 6 deletes the electronic wagering language in the bill that I referred to earlier. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Madigan moves the adoption of Floor Amendment No. 6 to House Bill 2108. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HARRY:

Amendment No. 8, offered by Senators Molaro and Madigan.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. This technical change, it just adds the words "at least". Fairmount Park is supposed to -- race a hundred and five days. This just says that if it's on a Saturday or Sunday, they could go to a hundred and six, but they have to have at least a hundred and five days of racing. It was a technical error that was left out in the original drafting of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not -- Senator Jacobs.

SENATOR JACOBS:

I just want to add, to me, this is a good amendment. This is the only other amendment that I have seen on this bill that actually has anything to do with live racing, and I think we should support it.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Molaro moves the

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adoption of Floor Amendment No. 8 to House Bill 2108. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it, and the amendment's adopted. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator DeAngelis, on 2151 <sic> (2251)? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2251.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Mahar, on 2294? Out of the record. Senator Mahar, do you wish to recall House Bill 41 to the Order of 2nd Reading for the purpose of an amendment? We're going to the Order of 3rd Readings on the top of page 5. Senator Mahar seeks leave of the Body to return House Bill 41 to the Order of 2nd Reading for the purpose of an amendment. Hearing no -- no objection, leave is granted. On the Order of 2nd Reading is House Bill 41. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

I need a crane to pull this...I can't move it. Thank you, Mr. President. The -- what it -- Amendment No. 3 -- Floor Amendment 3 to House Bill 41, what it does is it reduces the number of the ICC, the Illinois Commerce commissioners, from seven to five. It

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terminates the term of office of all existing commissioners and creates new terms for new appointees. It reduces the number of full-time assistants from three to two, and then it mandates a report on technology developments. And basically, that's what the amendment does.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Welch.

SENATOR WELCH:

Mr. President -- thank -- thank you. This is an amendment that was before the Senate last week and we defeated. It's up again; it's the same amendment; and it's just as bad as it was before. A few days ago I had an article from the Chicago Tribune passed out that some of you may have on your desk. And the reason is this is a bad amendment, because, number one, it's a -- an attempt to increase the salary of the Commerce Commission members, reduce it by two members, have everybody resign so that they can get their pay raise. It's going to result in a twelve-percent increase for each of the members -- for the Chairman, and an eighteen-percent increase for the commissioners themselves. This is alleged to be a savings, but it's really not. It's a false economy. There will be more salary going to the members. There will be less efficiency by the Commission. And I think that we should defeat this amendment. So I -- I would urge us to vote No.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Karpziel, to close.

SENATOR KARPIEL:

Thank you, Mr. President. I would like to refute just a couple of comments. This is not a -- midterm raise for the commissioners. The Compensation Review Board is the one that recommended the raises that's already been put in place, but these commissioners would not receive it when they're appointed mid

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term. The Comptroller's Office -- the Comptroller never gives a salary increase in midterm. So the purpose of the bill is not to get pay increases for commissioners. The purpose of the -- of the amendment is actually to save money and to have a more streamlined Commission. Now that there's so much deregulation, we don't need the seven members, and five will do just fine. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel was closing, Senator Welch. The question is the adoption of Floor Amendment No. 3 to House Bill 41. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Senator Welch has requested a roll call. Those in favor of Amendment No. 3 to Senate -- House Bill 41 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, the Ayes are 34, the Nays are 23, none voting Present. The amendment is adopted. Are there further amendments, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Karpziel seeks leave to bring House Bill 90 back to the Order of 2nd Reading. Is there leave? Leave is granted. On the Order of 2nd Reading is House Bill 90. Madam Secretary, are there Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. As the bill came over to the House, House Bill 90 amends the Airport Authorities Act to provide that

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commissioners -- oh, I'm sorry. I'm looking at the wrong -- wrong stuff. It provides that before the DuPage Airport Authority can pass its budget and certify its levy to the county clerk, the budget must first be approved by the county board. The amendment -- the amendment that we have added in committee is to put the remuneration <sic> for those commissioners back into the bill. The House sponsor is in agreement with that, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Shaw.

SENATOR SHAW:

I'll yield to Senator Collins.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam <sic> Chair. Senator -- and let me -- let me just say that this morning when this -- when the amendment came before the committee, we had not had time to really look at the amendment, and since that time, we have reviewed this amendment and I -- I, for the life of me, cannot understand why are we paying ten thousand dollars for the members of this board. Now, all of the other authority board people are paid something like the max is around eighteen hundred dollars a month. And given all of the negative publicity and the fact that these people were -- were on board when all of the problems were happening with this airport, and God knows they are just too numerous to articulate here with all of the wrongdoings and investigations, and I don't think it -- it -- it sets a good policy to the people for us to raise their salaries under this -- under these conditions. How could you ask us to -- to raise their salaries and to pay them a salary now for screwing up so badly? And heaven knows they have, so there's no doubt about it. We -- we are not willing to do

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that, because I think it's irresponsible. Now, these people who -- who -- who made and was responsible for the mismanagement and the misuse of the funds of that Authority - Airport Authority - should not be compensated - at all. We should be reducing their salaries to -- to one dollar. They should have a obligation to stay there, to work it through and -- and until the federal investigations are completed and look into investigating that Airport wrongdoing themselves. We passed an amendment out here calling for an investigation of O'Hare Airport, and yet, we did not see fit for the State of Illinois to get involved in that Airport. Now we want to reward these people by giving them a ten-thousand-dollar salary a year. That's the wrong thing to do.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Senator Karpziel, would you -- sponsor -- would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she will.

SENATOR CULLERTON:

The -- the interesting thing I find is that the -- the House bill, I assume, was sponsored by your State Representative who represents the area, and apparently it's in their -- their intention to remove the salary for the commissioners. I'm just curious if you know how they will react to this amendment which attempts to undo his bill, and is this something which would go to a conference committee, or are they going to agree with this amendment? Do you have any idea?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

All right. First of all, if I could answer along with that --

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respond also to some of the previous comments. We are not giving these commissioners a pay increase. They are now being reimbursed at this rate. That will not change. What the House bill did when it came over was to remove the salary. We are putting it back in here in the House <sic>, and I'll get to that in a minute, but we are not raising any salary for anybody. This is what they now -- is now in the Statute. Senator Cullerton, as far as my House Member, I've talked to him this morning and he is in agreement, and let me tell you why. This may not be a perfect bill the way he nor I would like to see it. We passed a bill out of this Senate that was Senator Philip's bill, that did a great deal more than this bill does, and it was a good bill, but it is being held up in the House. My House Member and I both feel very strongly that something has got to be done about the DuPage Airport's excessive spending. If this is not a perfect bill, at least, perhaps, we can pass it and the major part of the bill is the part that puts their budget under the county board. And I would think all of you on that side of the aisle who are complaining about the DuPage Airport would be glad to see an effort being made to do that, to have somebody other than themselves be able to approve their budget and levy. That's why we are -- I am sponsoring this amendment. I am hoping to get it through. It will go back to the House. My House Member will concur. And I ask for your Aye vote, if there are no more questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Senator Karpziel, thank you. What you're saying is, I guess, then, that the -- the House sponsor is willing to compromise and to accept your amendment to put the -- the salary back to where it -- where it is now. I understand that the bill, as introduced, was trying to send a -- a very strong message to

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the DuPage Airport Authority members that we're -- first of all, they're not going to be able to approve their -- their budget, and secondly, that they're going to not get any compensation at all. However, it may be -- in light of the fact that, as Senator Philip indicated, they are under a federal investigation, it may be worthwhile to look and see how their salaries compare to other salaries of other highway and -- other airport authorities. And from what I understand, they -- the -- the other airport authorities can receive no more than a hundred and fifty dollars per month. So I understand that maybe you don't want to take away their salary altogether, but this is putting it right back at a -- at a number which is probably too high to begin with. So I think maybe -- until the federal investigation is over, maybe it would be nice to have them not have any salary, unless you want to compromise and give them what other airport authorities are giving. So if the amendment doesn't get on, we're still, I would think, all in favor of passing the bill. And so, I think that it would be appropriate to have a No vote on the amendment and then vote for the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw. Is there further discussion? If not, Senator Karpel, to close.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Cullerton, I did do some research and I also found out that a hundred and fifty dollars a month is the most that any other airport pays, especially in the category of airport general aviation that this one is in. And my original bill that I introduced way back, it did have that stipend in it. We are now at the eleventh hour, and we are two days before -- well, a day before the last day we can get bills out of this Chamber, and my House Member and I, while neither one of us are particularly in favor of this, feel that we would rather have

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the bill than lose it again, because year after year we have lost bills on this -- on this topic. And so, I would -- I would rather have it in this form to fight that battle maybe at another day and at least to be able to get their budget under somebody's oversight. Right now, it isn't. And if it takes this amendment -- this amendment was requested by the Senate President, and I acquiesced to him. And so I would ask for your Aye vote, all of you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel moves the adoption of Floor Amendment No. 1 to House Bill 90. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. Been a request for a roll call. Those in favor will vote Aye. And opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 25, none voting Present. The amendment is adopted. Are there further amendments, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. WICS-TV requests permission to videotape. Is there leave? Leave is granted. For what purpose does Senator Raica arise?

SENATOR RAICA:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your...

SENATOR RAICA:

Thank you. Mr. President, in the rear of the gallery on the Democrat side is the graduating class of 1995 for the Summit -- or, St. Joseph School in Summit, who are visiting Springfield today, and I would just ask that they stand and be recognized and

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that the Body give them a warm welcome.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests please rise. Welcome to Springfield. Senator O'Malley, on 207? Out of the record. 226. Senator O'Malley? Out of the record. Senator Petka, on 301? Out of the record. Senator Cullerton, on 320? Senator Cullerton? You wish the bill read a third time? Out of the record. Senator Watson, on 330? Out of the record. Senator Maitland, on 385? Out of the record. Senator DeAngelis, on 527? Out of the record. Senator Parker, on House Bill 652? Senator Parker seeks leave of the Body to return House Bill 652 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. On the Order of 2nd Reading is House Bill 652. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 deletes the bill and allows the Prisoner Review Board to reschedule parole hearings every three years, rather than annually, if at the denial of parole, the Board determines that it is not reasonable to expect that parole would be granted prior to the scheduled hearing date. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall the Senate adopt Floor Amendment No. 1 to House Bill 652. All in favor, signify by saying Aye. Opposed, Nay. The amendment's adopted. Are there further amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Cronin, on 838? Out of the record.
Senator Karpiel, on 955? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 955.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpiel.

SENATOR KARPIEL:

Thank you -- thank you, Mr. President. Well, this is the bill that I'm sure most of you have heard a great deal about in the last few weeks. It's the House version of the Parental Notification Bill. I'm sure you all remember Senate Bill 836, which we passed out of here a few weeks ago, which created the Parental Notice of Abortion Act. Well, House -- House Bill 955 is a similar bill, but there are differences. These differences have caused both of these bills to be caught up in political wrangling between the House and Senate and between different sets of pro-life groups, pro-choice people, a whole -- groups of people that have been fighting over the differences in these bills, which I think is extremely unfortunate. But first of all, let me tell you about the two major differences. In Senate Bill 836, the notification must be given to a parent or guardian. In this bill, we have expanded that to include stepparents who live in the home or grandparents. And I think the reason for that is fairly obvious - obvious that many parents -- many families today are -- include stepparents and also the many children that now live in households that are headed by grandparents. Grandparents-headed households have increased by more than fifty percent. There are now 3.4 million minors living in households headed by grandparents. That's why they were included, so that there could

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be proper notification given to whomever is the child's guardian or parent or whoever is heading up that household. The other difference is -- deals with the doctors. In Senate Bill 836, the complaint - if there is a complaint - that a doctor has done an abortion without the notification, in 836 that complaint is made to the Attorney General or the State's attorney who then may - and I emphasize "may" - bring civil action against a physician once the findings are all in. There then is a penalty imposed for the first violation of -- I believe it's a thousand dollars and five thousand for the second. In House Bill 955, the complaint is made to the State Medical Disciplinary Board who shall recommend civil penalties and other appropriate discipline to the Department of Professional Regulations, and the penalties are exactly the same. These are the two major differences between these two bills. But let me emphasize the similarities. The similarity is that basically each one of these bills is supposed to get at an issue, at a problem, and that is notification. If a child - a minor child - is -- is to have an abortion in the State of Illinois, what we are saying with both of these bills is that notification must first be given to a parent, a -- legal guardian, the grandparent or stepparent, so that these children cannot just go to a doctor and get major surgery performed on her without the knowledge of a close family member, or a guardian, or who's ever taking care of that child. I think it's a good bill. I'm sorry that I -- it has gotten all involved in other things. There are well-meaning people on both sides of the issue of these two bills, but let's not forget that the major reason for the bill is to give notification. And this bill does that, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she would yield?

SENATOR PALMER:

Senator Karpziel, how does this bill define "minor"?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

"'Minor' means any person under 18 years of age who is not or has not been married or who has not been emancipated under the Emancipation of Mature Minors Act."

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Is it also correct then that anyone twenty-one years or older is now considered eligible to be reported to in -- as part of this Act? Reported to, as far as being the person told about the probable abortion?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Notification can be given to the parent, grandparent, legal guardian or stepparent. If there is anyone of those that's twenty-one years and older, I suppose you could say yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

To the bill: I am sure, as Senator Karpziel is, that there are well-intentioned people on both sides of this issue, and I am sure that the fact that Senator Karpziel has brought this bill to the Floor after many, many weeks of not hearing from it and the fact that I see very few lights on suggests that she has the votes for

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it. Let me suggest to you, Members of this Body, that this is an unfortunate bill. I asked the question about who is a minor, and Senator Karpziel gave me the answer that this is anyone eighteen years or younger. Let me tell you whom you're talking about. You are talking about young women who are already in college, who are already in the workplace. Now, think about that. I have been an associate dean of students at a major university, and I have spent a great deal of time with young women in this particular situation, whose parents were already paying large dollars for them to attend a university and who did not want to call a parent, who felt that, by the fact that they were in such a university, they were old enough to make their own decisions. There is a fundamental contradiction in this bill. You are saying that, in almost every other circumstance, these women are old enough to make their own decisions, but in a choice that should be as personal as any choice that is made, that they are not old enough. Now I understand and I sympathize with what the intentions of the sponsor and others who are for this bill intend, and I am not going to go through the usual litany of what we usually talk about, the difficulties that children who are in abusive circumstances and others would have with this. What I do not understand is why a Body that has spent now two years talking about staying out of people's business would get into the most personal business that someone has. This is wrong. If this were a Norman Rockwell kind of world, then fine. It is not, Ladies and Gentlemen, and you are jeopardizing hundreds of thousands of Illinois' young women and we should vote No on this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Petka.

SENATOR PETKA:

For now, Mr. -- Mr. President, I would like to yield my time to Senator O'Malley. I'll -- if -- I'd like to speak after he's

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finished.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

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

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates that she will.

SENATOR O'MALLEY:

In -- in getting around to the question, Senator Karpziel, I want to just state that I know - and you and I have had discussions on numerous occasions concerning this legislation - I know that you have supported Senator Dillard's bill, Senate Bill 836, and I also know how sincerely you are concerned about this issue and that is why you not only supported Senate Bill 836, but are the sponsor of House Bill 955, which is before us today. Would you tell me whether or not you know that -- that Senator Dillard's bill, Senate Bill 836, has been called for a vote in the House of Representatives? And if it hasn't been, can you tell me when it is going to be called?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator, it has not been called, to my knowledge, and you'd probably get a more concrete answer from the Senate President, but it is my understanding they are going to be calling that bill today. As you know, we had originally hoped to call them simultaneously. Last Friday we were at that point, but it was late in the afternoon and many Members had left, so we waited for today. The House, as you know, is having some -- lot of delaying tactics. It's very hard to time anything with the House. But I have been given the assurance that it is going to be called

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and called today.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

Well, Senator Karpel, I appreciate the answer and -- and that you have brought not only myself, but other Members of the Senate, up-to-date as to the status of -- of Senate Bill 836. But let me -- let me say something to you not so much as a reminder, because you know it, but I -- let me make not only a record for it but remind other people who are aware of it that this bill is out here on certain conditions. It's out here in front of this Senate because of the review that it had in the Judiciary Committee of the Senate. Senator, as you feel fervently on this issue, so do I, and I admire you very much for your interest and concern. However, in the Judiciary Committee, when this matter was considered - and it was considered by both sides and there were a lot of questions asked and you knew of my concerns before you came to the committee - I spoke to you privately and then I spoke to you in voting as to conditions on which I would support to allow this bill out on the Floor of the Senate. This bill had six votes in the Judiciary Committee. I was one of those six votes, and as you know, it required six votes to allow it out on the Senate Floor. My conditions for allowing a Yes vote in committee could not have been clearer. They were these: that I would not have a condition or obligation to vote for this bill on the Floor; and

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number two, that this bill would not be called by the sponsor until such time as Senator Dillard's Senate bill was given the opportunity to be heard and voted on in the Illinois House of Representatives. For that reason, Senator, I remind you of those conditions and I would ask you to consider why you are considering this bill before the Senate at this time. I, for one, have never done this before, but I'm going to do it now. Each of us at our desk has a key, and that key turns on our switch, and we cannot vote unless that key is turned. I intend to deliver my key to the Secretary of the Senate, and I have no desire whatsoever to vote on this bill until such time as the House of Representatives allows Senator Dillard's bill to have an opportunity to be heard, an opportunity that they have had ample time to consider. Thank you very much.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Petka.

SENATOR PETKA:

Well, thank you very much, Mr. President and Members of the Senate. Senator O'Malley has stated very succinctly what had occurred in the Judiciary Committee. The bill got out of the Judiciary Committee with six votes. Senator O'Malley was one of those who voted for the bill. I was one of those who voted for the bill under the same conditions. I would -- I have a great deal of respect for the sponsor of this legislation, and I think that she knows that. But I do believe, Senator, that a person's word is his bond. And in a situation like this, I would simply like to ask you, as one Member to another, to live up to the conditions of that vote that was taken, the -- and conditions that you subscribed to in the -- in the Judiciary Committee, and then take this bill out of the record.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

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SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she would yield.

SENATOR COLLINS:

Senator Karpziel -- Senator, is there anything in this bill that would protect a girl who notifies -- whose parent has been notified of her requesting an abortion, would anything be in here to protect her right to proceed to have the abortion, even over the objection of a parent?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator, first of all, this is not a parental consent bill, so she can still have an abortion even if her parents do not want her to. It's just a parental notification bill. And secondly, there is a judicial bypass in this bill that she can access if she feels she doesn't want to go to her parents and notify. There are -- there are ways in this bill to have a judicial bypass of that.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Well, first of all, let me just speak to -- to the broad issue a few minutes and then to the bill. Unlike my learned colleagues - I think, Senator Palmer - I'm not so sure that the people on both side of this issue are of goodwill in this struggle and have -- have exhibit goodwill and concerns about the welfare of the women involved who needs to obtain an abortion. I learned from experience - very blatant, negative experience - that among these groups are a bunch of self-serving women who will stop at nothing to promote their side of this issue, on both sides. Absolutely on

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both sides. The last election was a good example. All of my tenure here, I have stood tall on fighting for the rights - the rights - of women to have a free choice to have an abortion. And I have met consistently with the leaders of the various groups to ask them to help me with one problem that is probably more unique to poor women, young women - many of the people that I represent - than to other groups, and that is the problem with young girls, twelve, thirteen, fourteen years old, who seek out an abortion without any support or notification to their parent, without having adequate medical records - many have never seen a doctor since they had their baby shots - and often end up into serious complication after the abortion because they go home with no one, unsupervised, and many times end up hemorrhaging. It has happened over and over again, and the county keeps some records of it. I've asked them to come up with some way to ensure that these girls, when they do leave the clinic, are in the custody of someone adult that is responsible and will be there with them so that just in case there is some complication and some follow-up. But you know what? They don't care. They truly do not care about the welfare of these girls. They wouldn't even talk to me. They proceeded to publicize all kind of negative materials because I keep silent on this issue, and I will remain silent until we do something about babies going to those clinics and coming -- and I'm not talking about fifteen and over. I only ask for those babies fourteen and under. They should not be allowed to go there and then come home unsupervised, and many times these kids end up into hospitals, destroying any financial hope that that family may have to send their kids to college. A friend of mine even lost a home. That is wrong. I don't care what anybody said; that is wrong. This bill goes too far, Senator, because it goes beyond a level where a girl can be responsible when you talk about eighteen years old, so that's what's wrong with this bill. But I can

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assure you if you come up with a bill that says fourteen and under, Earlean Collins will be right here voting for you in support of that bill, and for that reason, I will vote Present.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. You know, I'm supposed to be pro-choice, although some of the pro-choice people may -- may not think so, but I will tell you, what we are talking about are thirteen- and fourteen-year-old girls. The average age of an unwed mother in this State is fourteen years old. It takes nine months to have a child. What you are talking about is an eighth grader being pregnant. In my district, what is happening are the boys are passing the hat, hopping on a train with a girl, because they're not old enough to drive a car yet, and going into one of these clinics without any notification of the parents. I voted for the other bill. I voted for Senator Dillard's bill. I want a notification bill passed and signed. Anybody who has gone over to the "Blue Zoo" knows that that's exactly what it is over there. They may have the greatest intentions of the world of calling Senator Dillard's bill, and blessings be upon them if they do, but that process has almost come to a standstill. What we are going to do is what has happened time and time and time again, where we have had two pro-life groups fighting with each other because both of them want credit, neither one of them will give, and then they can both go home now if we fail to pass this and possibly say, "Well, we tried. But guess what? We didn't get a notification bill passed." If we don't pass this bill, there's a darn good chance nothing is going to be passed again. It's happened before; it'll happen this time. And anybody that doesn't think it'll happen has not been in the Assembly long enough to see it happen time and time again. We ought to be voting for this bill. I plan

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on voting for this bill, as I voted for Senator Dillard's bill. I don't care which one is signed. I want a parental notification bill passed, signed and the law of the land, and I will guarantee you that's what the vast majority of our constituents want too.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. My name's been mentioned several times during the debate here. Would the sponsor yield for a couple of questions, please?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates that she would.

SENATOR DILLARD:

Senator Karpriel, is there anything, in terms of the grandparent notice provision of this bill, that would restrict the notification going to a -- going to a grandparent who at one point in time in their life had seen that grandchild?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpriel.

SENATOR KARPIEL:

No.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Would it be possible under your bill, Senator Karpriel, to notify a grandparent that lives on the North Pole or in Europe or in Australia?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpriel.

SENATOR KARPIEL:

Yes.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Dillard.

SENATOR DILLARD:

Would it be possible to give notice to a grandparent that might be senile or faced with Alzheimer's or in a coma?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpiel.

SENATOR KARPIEL:

Staff tells me that common law would probably presuppose that the grandparent would have to be competent.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen. To the bill: I very reluctantly rise in, I guess, opposition to this piece of legislation. I'm not going to vote No. I will probably vote Present on this. As the sponsor of what I call the more pristinely drafted Senate Bill 836, which passed this Body pretty easily a few weeks ago, let me tell you my three objections with this bill. My first objection, as I stated in my questioning I believe, is that notification to a grandparent under this bill could be to a grandparent anywhere in the world, one that has never seen their granddaughter, one that wouldn't know their granddaughter's medical history, and very importantly, I believe, unlike the answer to the question I received from the sponsor, especially in a forty-eight-hour notice period, that a notice could be sent to a grandparent that's in a coma in a nursing home or certainly one not in a position to help their grandchild. Secondly, very importantly, the notice requirements under this to the State of Illinois does not have what 836 did, and that's where we confidentially keep track of the types of exceptions that are being done by doctors out there on -- on performing abortion on minors. And most importantly, most importantly -- and I know the

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sponsor of this bill, very much like I do, wants a parental notification bill to pass, but I would submit that we're better off with no bill and would save taxpayers' money rather than to pass this. This bill is really a sham. In the intent Section of this bill, in the preamble Section of this bill - unlike my bill, which was drafted with the assistance of many lawyers that have been in court on these types of actions - in this bill, nowhere does it say that the State's interest in the legislation is to protect the best interest of a minor. I believe that that language was deliberately removed by a number of pro-choice legislators over in the House and that some of the Members - and it's not Senator Karpziel, who didn't draft this bill, but some of the House Members - were literally snookered into removing that intentionally from the preamble. So I believe that we are better off with no bill at all or going back to the drawing board here in the next few days to craft a decent bill. This isn't a parental notification of abortion bill, as it says on the board; it's grandparents, and it's much broader than that. So if you're one like me that believes in parental notice -- I believe in grandparent notice where it's a loving grandmother or grandfather who has some nexus, not even necessarily the guardian of the child, or -- or the -- notice to a legal guardian itself is the way to go. This isn't a parental notice bill. It has loopholes to drive a truck through, and I believe we're better off rejecting this and either going back to the drawing board or not wasting taxpayer dollars to have this thrown out in court. And I'd either urge a Present vote or, as Senator O'Malley suggested, just abstaining. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. To the bill: I -- I voted on this

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in committee because I wanted to bring it to the Floor and see what the debate was, and it's been an interesting debate. I -- I can't figure out and I'm trying to get the politics of it, how you can have people who are devout pro-lifers screaming against this bill, saying it's horrible and it should be a No. Then you have lifelong pro-choicers who get up screaming against this bill and saying we should vote No. Well, I fulfilled my commitment by voting Yes and bringing it to the Floor, but I think we should probably take it out of the record because it seems like it's the type of bill -- or, type of issue that you can't moderate. Either -- either 838 <sic> should pass or it should fail, and I just think that it's a noble attempt -- this bill is a noble attempt on the part of some people trying to second-guess, or I should say first-guess, what the Governor's going to do. Will he -- will not sign 838 <sic>? Will he -- will not sign this? I think it is a -- is a great attempt by the sponsor and some people to get something that the Governor can sign, but I think it's a failed attempt. And some of the people who were going to vote Yes are now going to vote Present, as I see, because you can't mediate something this important. It's too bad, as Legislatures, we have to vote on abortion bills, but I guess if we're forced to vote on them, it should be something with teeth in it so we could have a Yes or a No and a true debate. And I think this bill puts everybody else in the wrong direction, instead of bringing them together. So maybe we should take this out of the record. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

Mr. President, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates that she will.

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SENATOR RAICA:

Senator Karpiel, it states the minor declares in writing - this is, I guess, with the waiver - if the minor declares in writing that she is a victim of sexual abuse, neglect, or physical abuse by a family member, says the attending physician must certify in the patient's medical record that he or she has received the written declaration of abuse or neglect. Now, I'm assuming that that is one way that the minor would get out of having one of the parents notified by the physician of the -- of the abortion. My question to you is: Could the juvenile go to the physician and say that she is a victim of child abuse, neglect, or sexual abuse and receive this waiver without any questions or anything being asked for the sole purpose of just getting the abortion performed?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpiel.

SENATOR KARPIEL:

Well, Senator, it is -- the minor must declare in writing that she is a victim of sexual abuse, neglect, or physical abuse by an adult family member. The attending physician must certify in the patient's medical record that he or she has received the written -- declaration of abuse or neglect, and any notification of public authorities of abuse that may be required under other laws of this State need not be made by the person performing the abortion until after the minor receives an abortion that otherwise complies with the requirements of the Act. So she has to do that in writing; the doctor has to certify that...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

So, Senator, I'm assuming what -- what we're saying is that the minor could, in fact, have had sexual contact with some

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person, fabricate about their parents regarding sexual abuse, sexual -- neglect or abuse, period. The physician would be thereby obligated to perform the abortion, and not until after the abortion is performed would any type of - if I want to use the word "background", it's probably an incorrect word - of any type of investigation or step forward be taken or research be taken to see whether, in fact, this minor is fabricating or, in fact, the allegations against the family member is true.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Senator, I -- I believe that is so, but I also want to say that it's the same requirement that's in the other -- Senate Bill 836.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

One last question, Mr. President, if I may. Senator Karpziel, if I'm not mistaken, in Senator Dillard's bill there was a provision that stated if the child -- if it was an abuse or -- or a criminal act, that the proper reports would have to have been made -- or the police reports would have to have been made with the appropriate departments. Is the physician, upon receiving notice from the minor of the possibility of abuse or neglect on a family member, would he be then obligated to take the next step, and that is to notify the proper authorities of what he was being informed was a child abuse, sexual abuse or neglect case?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Senator, I believe the reporting requirements on that are the same in both of the parental notification bills. Staff informs me

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that you may be confusing that with the -- with the requirements under the Medicaid funding bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. As the sponsor knows, I have both affection and respect for her. I do have a question. When Senator O'Malley and Senator Petka have testified that their votes in committee to allow this to the Floor was conditional on the prior or simultaneous consideration of Senate Bill 836, let me ask this as gently as I possibly can: Can you share your thoughts and reason why you would not draw it out of the record?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Well, first of all, neither Senator O'Malley nor Senator Petka asked me to take it out of the record. That just -- did Senator Petka say that? I'm sorry, Senator Petka. I didn't -- didn't hear you say that until Senator Molaro did. Let me clear up what happened in committee. I've been in this General Assembly for sixteen years. One of the first things I learned when I came here was that your word is your bond. I don't think I have ever been accused of not keeping my word. In committee, it was asked that I not call the bill until Senate Bill 836 was called in the House. I said I would not call the bill until Senate Bill 836 was called in the House unless we got to the end of Session and it still was not called, and then I didn't know what I could possibly do, because I cannot control the House and its agenda and its time table. I have taken this bill out of the record. I've passed it over on 2nd Reading four times. I finally moved it to 3rd, when I got the okay to do so. I have passed it over six times on 3rd Reading. I have waited. I have waited. Tomorrow is the last day

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to hear bills. I was assured by my Leadership that it is going to be called -- 836 is going to be called in the House. We even have arrangements made for what we could possibly do if for some reason this bill passes and that one does not get called. We have a -- we have tried to cover all contingencies. I have tried to keep my word of what I said in committee, and I have tried, and I have talked to everybody involved many times and tried to get this process along.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. You know, I -- I very much appreciate that explanation, and as usual, you make a great deal of sense. And I can see the perspective of where you're coming from on that. Just one other thought, for the record, if I could just read a very brief letter from Grandparents Against 955 from May 15th of '95. It says: Dear Senator, Please vote No on House Bill 955. Don't put us in the middle. To us, this bill isn't about abortion; it's about families. And much as we want -- and much as we want what is best for our grandchildren, we don't want the State law pitting us against our children in how they conduct their family life. If doctors should have to notify anyone before performing an abortion on a minor, it should be the parent and only the parents. Please realize what a terrible situation House Bill 955 would put us into. If we were notified that our granddaughter was seeking an abortion, what would we be expected to do with that information? If we call our granddaughter and talk with her, we'd be going behind her parents' backs. If we call her parents and tell them, we'd be interfering with our grandchild's own relationship with her parents. If we just keep quiet and then our grandchild suffers medical complications, we would live the rest of our lives in guilt. Please don't give us

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the responsibility in a situation where we have no authority. Don't put us in the middle. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I apologize for rising a second time, but I have been listening to the debate and I want you to think about this. There's one thing in there -- there is a joke, which I can't remember fortunately, but you cannot be partially pregnant. There is something inevitable about pregnancy. You either don't have the baby or you have the baby, so that everything around that has to be considered. Think about this bill. First of all, if an abortion is to be performed, then you are asking a physician to violate the confidentiality between patient and physician. If an abortion is to be performed, there has to be a report to the Department of Public Health. If an abortion is not to be performed, then a young person, a young woman, between whatever age and eighteen must go to a court for a judicial bypass. Now, let's say that the person chooses to have the baby but is indigent. This Body has already said no more welfare. Now, what do you intend for this young person to do with this baby? If the young person has the baby and is not indigent, then you are asking the grandparents and the parents, whom Senator Lauzen just spoke about, to take the financial responsibility for this new baby. The emphasis is on the wrong end. You are asking that the General Assembly legislate family relationships. That cannot be done. You don't want sex education in the schools. You don't want any of the counseling that is necessary. This is the wrong way to do it. We have no business interfering in this. Let it alone and vote No on this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

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SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator, there are two more speakers, so we will allow them to speak. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a grandparent doesn't have to take an active part in it. The crux of this whole thing is this: whether we are for parental consent. I am for parental consent. I'm not for abortion, except to save the life and health of the mother and in rape and incest cases. And as a prior assistant State's attorney, I handled rape and incest cases. Rape and incest from a child's own father, where the mother doesn't even want to admit it. Now, I think this has been a reasonable bill, and someone has objected that the penalties are too light for the doctors. Well, I'll tell you, when a doctor can lose his license or have it suspended if he violates this law -- this bill, that's more serious, I think, to his profession and to himself than having him guilty of a misdemeanor. I think we've got to use some common sense and balance and reason. We cannot get out of this Legislature if we don't have, I think, a decent bill on parental notice. The other bill may go on into the Governor, and he may not sign it. We know the Governor's been pro-choice. And by the way, there are two pro-life groups here. The Illinois Federation for Life is a group that wants this bill. The other pro-life is against it, which I think is a bunch of garbage. Why in the heck don't they get together, if they're really serious? Or they're trying to make a political football out of this whole matter. If you're really for parental consent, then vote for the bill, but don't give me the mishmash that we don't like the bill because we're one group. I have never heard such nonsense in my life. And I call tell you

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that people who are pro-life in my district have notified me to support 955. I think it's a decent bill. It's a reasonable bill, and as reasonable people, we should look at it with reason, instead of getting carried away with our particular philosophies. And I can tell you right now that I think -- I think it's wrong when we forget about it -- forget about the common sense of balance and the reason. I support this bill, and I urge all of you to support it.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think everybody who is a parent - everybody who is a parent - should vote Aye on 955. You know, I hear this, "Well, it's too strong; I can't vote for it." "It's too weak; I can't vote for it." I've heard more cop-outs than I've heard in a long time. Let me suggest this to you, and I have four children - three boys and a girl - that with my kids in high school, if they were going to give them an aspirin - an aspirin - they would call and ask permission. When you want your daughter's ears pierced, you have to have written permission. Now we're talking about an abortion. Life threatening. You mean to tell me that the doctor, the hospital or the clinic should not notify the parent, the guardian, the grandparent? Why don't we once in a while think of the kids? This thing ought to fly out of here with 57 votes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel, to close.

SENATOR KARPIEL:

Well, thank you, Mr. President. I think Senator Philip did a very good job of closing. But, first of all, let me answer a few of the -- or comment on a few of the comments that were made. Senator Dillard is concerned that notification might be given to a

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parent -- I mean, a grandparent who lives in the North Pole or in a nursing home and has Alzheimer's. The reason that grandparents are being put into this bill is because today, unfortunately, so many of the parents might as well be living on the North Pole or have Alzheimer's. They're either on drugs, alcohol; they're not in the home; they're abusive, perhaps. They're not caring for their children, and the grandmother or the grandfather is. So you can have as many incompetent parents as you can have incompetent grandparents. I don't think that that argument holds water. I've been in this General Assembly for sixteen years, and over those years, we have had many attempts at parental notification. And what Senator Philip said is true. All parents should be concerned that the system, not doctors - nameless, faceless doctors - but the system, the State, the government allows their children to have major surgery - major surgery - done on them without any investigation or any knowledge of their medical history, their family's medical history. We can't give medication in schools without having school nurses do it, but we are -- but the State allows major surgery done on our children. And for all these sixteen years, we've had bills and we've tried, and we knew when we started that we weren't going to get very close. And two years ago, we got close, and the same wrangling killed the bills - both of them - then. And now we're involved in it again. Over eighty-five percent of the residents and the constituents and the voters of this State believe in parental notification. They don't believe that the State should be able to do these things to their daughters without their knowledge. Please let's not fail again, like we did two years ago and for all these years. We're so close. Let's get a bill passed. All of our surrounding states have them: Wisconsin, Kentucky, Indiana, Iowa, Missouri, Minnesota. They all have a parental notification law of some kind. Everything in this world can't be perfect. I know that

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there are Members here who prefer Senate Bill 836. I do too, and I voted for it. But let's vote for this one too and see what we can get passed. Everything we do in Springfield is negotiation and compromise. No one gets absolutely everything they want, but let's get the kernel - the important part of this bill - passed: parental notification. Let's let our constituents and our parents know that we think highly enough of their children that we won't let this be done to them without their knowledge. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 955 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 18, 9 voting Present. House Bill 955, having failed to receive the constitutional majority, is declared lost.

PRESIDING OFFICER: (SENATOR DONAHUE)

On top of page 6 is House Bill 965. Senator Woodyard? Out of the record. Senator Cronin, do you wish to have House Bill 999? Senator Cronin seeks leave of the Body to return House Bill 999 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 999. Madam Secretary, there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin, on Amendment No. 1.

SENATOR CRONIN:

Thank you, Madam Speaker, Ladies and Gentlemen of the Senate. This amendment is purely technical in nature. It just merely adds an immediate effective date. Ask for your favorable

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consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin moves the adoption of Senate Amendment No. 1 to House Bill 999. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Raica, on House Bill 1108? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Raica.

SENATOR RAICA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. There was -- the underlying bill amends the Water Reclamation Act to prohibit that the -- any reservoir not greater than 10.2 <sic> (10.5) billion gallons not be put into the McCook area. Currently, most if not all the elected officials in that particular area would like it held at the 10.5-billion-gallon capacity versus the twenty-billion-gallon capacity that the MWRD wants to go to. So it limits it strictly to the McCook Reservoir. The second amendment that we put on yesterday with my good friend, Senator Viverito, would require an elected MWRD - and that was Floor Amendment No. 2 - and what it would mean is that it would require that the territory be divided into nine subdistricts and one trustee from each would be elected beginning in 1996. And, Madam President, with your permission, I would like to yield to

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Senator Viverito so that he can explain the second portion of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- are there -- is there any discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam President. And my good friend, Senator Raica, I will do my best to explain the -- what this does is to elect into subdistricts with a population of approximately five hundred thousand, and all the terms will end in 1996. There are -- three of the elected officials are up in 1996, and I think that this will be the proper time to have the district into the single-member district. I served for six years at the Water Reclamation District. I understand the district, and it's -- it's a very good -- from an engineering standpoint, it's a very good district. The particular changes that I think have to take place is that when the district was formed - it's over a hundred years old - all of the population was in the City of Chicago. Today, most of the population is out in the suburban area. All of the local sanitary districts outside of Cook -- outside of the City of Chicago are the responsibility of the local municipalities. There are probably almost a hundred and twenty-five municipalities outside of the City of Chicago that are being served right now. There are almost twenty-seven hundred employees, with an annual budget of well over five hundred and fifty million dollars. The only way possibly that a -- a Republican can get elected is by death, and our good friend, Senator Walsh, served on that district for a couple of years and did an excellent job. Well, I'm not trying to talk -- basically, I don't think it's a Republican or Democratic issue. I think it's a good government issue. I had tried to get this proposal out four years ago. Had worked diligently. I worked extremely hard in trying to convince the

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leaders at that time to go into the single-member district, but what happened was it -- it -- I don't know what happened, but they added another six or seven commissioners and it -- it just couldn't work out. I had worked very hard for six years at the Water Reclamation District, and during my election in 1986 -- for re-election, unfortunately I was probably fourth or fifth on the ballot. And it's becoming more of a popularity contest with nice-sounding names, rather than the substance of the individual who's seeking the office. Today I saw and worked with the president of the sanitary district who served there for fifteen years as the president, had a degree in chemistry from the University of Chicago. He was in the middle of the ballot and a young lady put her name up. She was number one on the ballot and knocked out an incumbent that had been there for almost twenty years with a -- with a fine record. I -- I feel very strongly that both Republicans and Democrats ought to give this bill consideration, because very honestly, I recall when they were changing the name of the sanitary district -- they changed the name to the Water Reclamation District. It used to be named the Water Reclamation District of Greater Chicago. The reason they changed the name, they told me, was that most people didn't know they were in the water reclamation; they thought they were in the garbage business. I said, but they were coming from all over the world - Germany, France, England - to view what the Water Reclamation District now is called, and they changed the name and that cost millions of dollars, and I voted against that. I guess I wasn't a team player. Thank you. I'll answer any questions I can.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Walsh.

SENATOR WALSH:

Thank you, Madam President and Members of the Senate. I stand

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in support of Senator Viverito's bill here, and I commend him on the hard work that he has put into this. And I also want to point a couple of things out, and I think that Senator Viverito did a nice job of doing it. One thing that he pointed out about the -- the district is the lack of suburban representation. And when the sanitary district started over a hundred years ago, it was mainly located in the City. Well now, as it has been built up over the years, it includes all of Cook County and even some portions that are outside of Cook County. But what we have inherited in the suburbs is all of the treatment plants of the Water Reclamation District, and there are seven of them located throughout -- throughout Cook County. Now, it's the old NIMBY policy and there are a lot of people in this Body that don't want anything such as a treatment plant located in their district; however, again, when you're living in an urban area, you're going to have something like that. But my feeling is, is that if you're going to have the water -- if you're going to have the treatment plant, you should also have some representation. And I believe that currently there is only one member of the Water Reclamation District out of nine that does live in the suburban area. And all this bill is going to go do is it's going to divide Cook County into nine districts, and each district is going to have a representative that is accountable. We just recently did this with the Cook County Board. I believe it was a good idea with the Cook County Board, and I think it's a good idea with the -- with the Water Reclamation District. And, Senator Viverito, I think Viverito is a great name, and maybe we'll see it there one more time, and I stand in full support of your bill here.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. I have some real grave

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reservations about this -- about this piece of legislation. Nine districts -- you're cutting districts that's going to be larger than basic -- a congressional district. And certainly I think this bill should be about fairness. For the last three -- two years, I've been trying to do what this bill is attempting to do here, and certainly, I think that the -- I think that the salaries should be reduced, and I think you should have possibly more districts, but there's enough. And having talked to the president last year and got the figures on it, under the plan that I'd introduced and I believe we passed it of this Body here, we could have saved somewhere in the neighborhood of three hundred thousand dollars under the bill that passed this Body last year with fifteen districts. And I think that's the only way to have good representation on -- at the district, and I think that's what should be done. Even though this is the only train seem to be on the track at the moment, I'm seriously considering this -- this bill, and probably I'll make up my mind in the next few minutes, when the debate is over. But I think that this should be a bipartisan effort, by both sides. That's the way it passed out of here last year. And I think it should be a bipartisan effort on the part of this Body this year. And I think we should come to some reasonable agreement on some bills should be drafted within reason where that you could have adequate representation on that, where that the people would really be in charge. But once you cut a district with over five hundred thousand people in it, one segment of that district might control the entire district. I think there should be something similar to the -- to the Senate districts or what we did, or this Body did, in the judicial map. I would rather see that, and I think that's the best way to go. And hopefully that some of the people who are dealing with this bill would rethink their position and look at the old map. And let's -- thank you, Madam President. Is that fast enough for you?

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Thank you very much. But take a real good look at this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jones.

SENATOR JONES:

Senator Raica, what's the fiscal impact of this bill to the Water Reclamation District? What is going to be the cost incurred by going to single-member districts?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Raica.

SENATOR RAICA:

Senator Jones, I don't know which fiscal note you want me to pull out. I mean, there's a lot of them floating around. But I -- I don't have one currently on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR JONES:

Well, pull out the authentic one.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Raica.

SENATOR RAICA:

I don't think there's any of those floating around either.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR JONES:

Well, since we don't know the fiscal -- fiscal impact, what about -- I heard during debate from our esteemed colleague, Senator Viverito, and one other Senator mentioned about where the members are elected. Is there any prohibition for a member, be

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they live in the suburbs, from running for office, be they Democrat or Republican? Is there any prohibition against that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Raica.

SENATOR RAICA:

No, there's not, Senator Jones.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR JONES:

So basically, that's not a valid argument. Now, I -- I recognize the problem that you may have in your respective area, the southwest side. One of the problems that really concerned me is that -- that current -- the current members are elected from a broad area throughout -- I mean, they run throughout the entire Cook County. If you go to single-member districts - you go to single-member districts - those persons elected will be concerned about their one geographical area basically. Take the McCook situation, for example. Then those other commissioners from other areas, if they wanted, they could go right ahead and do it. However, if they were elected as they currently are, each member would be concerned because -- because they would have to run in that area. So I -- I have a serious concern about going to single-member districts. You cannot -- I don't believe -- and I support the concept, but looking at it in depth, I don't believe you can equate the Metropolitan Water Reclamation District or the -- or the Water Reclamation District the same as the County Board, because you're talking about sewage, you're talking about waste, you're talking about treatment and that issue would transcend individual lines in one's district. It far transcends that, so -- be very frank with you, I think we'll be really doing the people a disservice. Even though they would be elected from a district, we'll be doing them a disservice, because if all commissioners

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have to run almost countywide, then those same commissioners will run in the McCook area, and they have a interest because they would be up. But I don't think it preclude neither Democrats nor Republicans from the suburbs. Anybody can run. The only difference is, they have to be able to influence the people to vote for them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. Will the sponsor of the amendment yield for a question. I think it's Senator Viverito.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator O'Malley.

SENATOR O'MALLEY:

Senator Viverito, your amendment, which was adopted by voice vote on May 21st, as I understand it, amends the Water Reclamation District Act to require the General Assembly to divide Cook County into nine subdistricts for the election of nine Water Reclamation District commissioners. The map is to be drawn at least thirty days before the required filing of petitions for the 1996 elections. That -- that would require that the map be finalized no later than November 11th, 1995. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito.

SENATOR VIVERITO:

That is correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Candidates for commissioner under your legislation, then, would have only thirty days to collect petition signatures to get their names on the ballot, not even knowing their district

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boundaries until thirty days prior to filing of petitions. Is that also correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito.

SENATOR VIVERITO:

I believe that is correct, but as you probably know, three of the commissioners terms are ending in 1996, as it is. And I have known candidates to go out there that desire to run for office that would be able to get the -- acquired <sic> signatures that are necessary.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Well, Senator Viverito, I am not trying to question whether or not you have candidates at all. That is not my intention. But I do want to clarify this so everybody understands what we're voting on here today. The language in your amendment will end the terms of all nine currently serving commissioners in December of 1996, including, obviously, those that are -- whose terms are about to expire. And they will continue to serve until their successors are sworn in. In 1996, only three of the nine commissioners is scheduled to be up for election in 1996. This will, in effect, disenfranchise those six commissioners who will be in midterm at that point. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam President. Yes, that is correct, and it does state that their terms will end in 1996. But may I clarify it, Senator O'Malley, where I said that the -- getting the required signatures. I meant that it would be a lot easier in the single-member districts for the people to go out and get the

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signatures done, because the people will know who the candidates are that are running. Right now, if you were to ask somebody if they knew anyone at the district, I doubt very much that anyone knew who the commissioners were after they were elected for fifteen and twenty years there.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Again, thank you, Senator Viverito, for clarifying that. Let me go on further and clarify further, if I could. For the 1996 election, five commissioners will be elected to terms of four years and two years, four commissioners will be elected to terms of two years and four years - and this has a lot to do with the fact that we're going to be having decennial redistricting come year 2002 - at which time the commissioners will be divided into three groups serving terms much like the Senate: four, four, two; four, two, four; or two, four, four. This will cause the term of office to -- to decrease from the current six-year term to either a two- or four-year term. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito.

SENATOR VIVERITO:

...(microphone cutoff)...Madam President. That's correct, Senator O'Malley, and I really appreciate the fact of how well you explained it. You do a lot better than I could. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Again -- again, thank you, Senator Viverito, for those comments. The bill will be effective immediately but may not be signed until as -- as late as September 1, 1995. That would give the General Assembly but two months to draw a map. Is that

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correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito.

SENATOR VIVERITO:

Thank you. That's true, but they could be working on that as quickly as we could get this passed, Senator O'Malley. And I would hope with your help that we might be able to do it, because I'm not quite sure about over here. I really need help over there. I've needed help on the Republican side for a long time on this bill, and I've done my best to make everybody aware of it on this side, as well as that side. Trust me. I worked there for six years. There are changes that are necessary.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley. All you have to do is put your light on, Pat.

SENATOR O'MALLEY:

Senator, again, thank you for those comments and -- and those clarifications. And as you know, I'm very interested in this issue, and I have legislation pending as well; although, my intent is somewhat different than yours, in the sense of how the commissioners will be selected in the future. The answer to the last question was yes, that -- that I was correct. Republicans will be hard pressed to draw a nine-member map which could be controlled by Republicans. So, picking up on your comments from earlier, why would Republicans want to support that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam President. Because I truly believe that this is a good government issue. I don't think it's a Republican or Democratic issue. And I know that the goodwill of all of the Senate is for good government. I can't believe that anybody who's

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elected to this office would not be for good government, and I truly believe it's in the hands of those who have a conscience and want to do what's proper. And I think the majority in this Chamber will vote the right way. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley, can you bring your questioning to a close.

SENATOR O'MALLEY:

Senator Viverito, I -- I very much appreciate that you -- you have those feelings. Those are feelings that I share, and maybe it's peculiar to those of us from the southwest suburbs that we've come here and feel so strongly in that regard. However, I want to get on to -- to the legislation that I have offered. The Republican Caucuses in both Chambers have discussed having a -- a board appointed by the Governor with the advise and consent of the Senate. This bill that we have before us today would preempt that idea and require the election of commissioners from single-member districts. And I would submit to you that on the surface, that that has a lot of appeal. But I would also submit to you the following: First, that what your bill does - and this has clearly been delineated in our conversation here today - that those commissioners who have been duly elected will be disenfranchised - at least their voters will be - and they will not be allowed to complete the remainder of their term. I have heard some of those commissioners describe the services performed by the Water Reclamation District as that of a utility. And therefore, I would submit to you that if -- if we're going to be having a utility serving the citizens of Cook County and -- and the other people that it serves, I wonder why they need to be elected, and -- and isn't it worthy of considering that they be appointed, or should we be electing the board members at Commonwealth Edison or Northern Illinois Gas. I agree with those commissioners when they say that basically the function that they're -- that the Water

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Reclamation District is performing is that as a -- a utility. I also want to get in the record that I believe there's two other compelling reasons why, perhaps, appointment by the Governor is an appropriate consideration at this point - appointment with the consent of the Senate. The water that goes into the Water Reclamation District system up in Cook County primarily comes from Lake Michigan, and it leaves Cook County primarily through the Illinois River system and ends up in the Mississippi River. So the Governor is the one elected official throughout the State of Illinois who has -- who represents every one of the persons who are one way or another affected in Illinois by where the water is coming from and where it's going. The last comment I would make for the record is this: A lot of people don't understand and appreciate this, but the Water Reclamation District serves less than all of the citizens of Cook County, and yet, it serves more than just citizens of Cook County. And I want to make sure that everybody appreciates that, because there have been suggestions that maybe Water Reclamation District should be absorbed into and become part of county government. It currently doesn't serve all of Cook County, and it also serves people outside our borders. I appreciate the Chamber's indulgence of -- of the time I've taken here, and I appreciate, Senator, that you have taken the time to answer these questions. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam President. I would move the previous question, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

I have one, two, three speakers. Further discussion? Senator Carroll.

SENATOR CARROLL:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. The most recent speaker identified a program that I think is the only one I, personally, think is worse than this one, and that is giving the Governor the appointment. The only good Governor's appointment to the Water Reclamation District was Tom Walsh. Other than that, I don't think that that's the appropriate authority. Let me just say for the record a few things. I think Senator O'Malley did raise very good point. We get ninety days from a remap in order to go out with petitions. Prior to ninety days they're invalid. There were petitions that were challenged even after the last map, where the districts had changed and people went out and were no longer in the correct district, and therefore, the petition was no longer valid. It might have had a wrong number or the wrong geography. I do not think thirty days is sufficient time to allow people to adequately get on the ballot. I personally have always liked districts. Thirty days, in fact, as committeeman of the 50th Ward, is a wonderful time frame. And no matter how the district was drawn, I know that our ward would have its more-than-fair-share impact on the results. However, we did just elect a group of commissioners, as ones were elected four years ago, and I personally believe -- and I had asked the sponsor of the amendment to phase in these appointments. I think a phase-in of the appointments would have been the appropriate way to go, because, as I believe, these people had been elected. I think that they would even be entitled to their pay, because they have a certification from the State Board that they have been selected to serve for six years, would be entitled to be paid for that six years, even if we were now to take away that right. I believe, however, it is wrong to take away the rights of those who had been elected, and I -- I strongly suggest that a correct way of doing it would be to phase this in as they become due, then have a new system. It can physically work. It

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can geographically work, and is much preferable to then throwing out of office people who the public had selected to serve for a period of time.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Under Senate Rule 7-4, sections 4 and 5, I call for a division of the question to separate Amendment No. 2 from this bill. This is a good bill, but Amendment No. 2 clearly is a bad amendment. Section 4 says: If a motion is divisible, any Member may call for a division of the question. Number 5: Any question under consideration may be withdrawn, postponed, tabled by unanimous consent or, if unanimous consent is denied, by a motion adopted by a majority. I move for a division of the question.

PRESIDING OFFICER: (SENATOR DONAHUE)

I will respond to your question very shortly, Senator Hendon. Senator Raica.

SENATOR RAICA:

Thank you for being so nice, Madam President. And I think that that motion is out of order. This -- we're on 3rd Reading, not 2nd Reading, and I would just like an opinion of the Chair.

PRESIDING OFFICER: (SENATOR DONAHUE)

As I indicated, we will respond very shortly. Senator Dudycz. SENATOR DUDYCZ:

Well, thank you, Madam President. I stand in opposition to House Bill 1108, and I'll tell you why. I have no problem with the underlying bill. It merely limits the capacity of the McCook Reservoir to ten and a half billion gallons. And I understand that the Water Reclamation District and the corps of engineers are even committed to that number. So I don't think that provision -- that part of the bill is a problem to the Body. The -- the part

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of the bill that really causes me some concern is Senate Floor Amendment No. 2, which cuts two-thirds of the Board's terms by at least in half or -- or two years. The existing Board members have been elected to six-year terms, which three expire in 1996, three expire in 1998, and three expire in the year 2000. What the Amendment No. 2 will do will terminate all the members in 1996. I believe, like Senator Carroll said, that -- that we should have a phasing in of these subdistricts as these terms expire. Ladies and Gentlemen, before you cast your vote, think about it. How would you like to be elected to a four-year term to the Illinois Senate and somewhere down the line somebody says that your term is going to be cut in half or -- or by three years? And this is what we're trying to do with this bill to the members of the -- of the Water Reclamation District. This is disenfranchising their voters. Rightly or wrongly they were elected to their terms, and I believe that they should at least serve to -- the full term, and then any changes that we -- we impose upon the Water Reclamation District should be after their current elections are -- current terms expire.

PRESIDING OFFICER: (SENATOR DONAHUE)

In response to Senator Hendon, we have one item before us, and that is House Bill 1108. On 2nd Reading, when we are discussing -- or, Concurrences and we are discussing accepting of amendments, it is at that point that you may divide the question. It's non-debatable, Senator Hendon. No, you don't. Senator Raica, to close.

SENATOR RAICA:

Thank you very much, Madam President, for your courtesy. Ladies and Gentlemen of the Senate, when I was asked by Senator Viverito to put the amendment on my bill, I knew the first portion of my bill was very important to myself and my district. But I also know that the issue which is before us now is not just my

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issue but that of Senator Viverito, a good friend even before I came to the General Assembly. He's always been courteous to myself and my family. He's always been a gentleman, and I saw no reason to put <sic> this amendment on my bill, because I did believe in what he was attempting to do, and I'm going to tell you why. The MWRD does not want this amendment for one specific reason, and I would have to say it was because of the Senate -- or, Minority Leader's reason, and that is, they're going to have to be responsible. And the reason they're going to have to be responsible is because they're going to be elected by the people that they represent. Senator Jones stated right now they're at -- or they get elected at wide, and actually they're not responsible to anyone. So Senator Viverito and I are not asking for anything that we would not want as Members of this General Assembly. We are responsible for the people we represent. When the issue of a ten-billion-dollar reservoir came before our district, the MWRD was ready to close 55th Street in my district and not allow that to happen. I'm going to ask you, if you would, to please cast an Aye vote on this. This is the only issue that's before us. It's either this or an appointed board by the Governor, and we would like at least this issue to get before the Governor. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The -- the question is, shall 1108 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 12 Nays, 2 voting Present. House Bill 1108, having received the required constitutional majority, is declared passed. We will be at ease for a few moments. We have a very special guest, and Senator Pate Philip will be introducing.

SENATOR PHILIP:

Thank you, Madam President. You know, we have three

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distinguished guests here with us today. We have the -- Judy Baar Topinka, the State Treasurer. And we have also the outstanding Republican Secretary of State, one of the greatest Secretary of State's Illinois has even known, the Honorable George W. Ryan, who -- who -- H. I'm sorry. George H. -- easy now. Easy now. And obviously one of the most popular Secretary of State's with the Members of the General Assembly we have ever had, and we all know why. So without further ado, George would like to make a special introduction. George.

SECRETARY OF STATE RYAN:

Thanks very much, Mr. President. Just as a matter of note, thanks for the warm reception. My personnel clerk will be sitting outside the door, for those of you that may be in need. A special birthday greeting to Senator Stan Weaver. Happy birthday, Stan. I -- we are on short time, and we know that you're very busy. You all know who Senator Graham is. He's a professor of economics. He knew you were having trouble balancing the budget here today, working out your budget problems. He's here today to give you some insight on how to do that. Senator Phil Gramm, candidate for President.

U.S. SENATOR PHIL GRAMM:

As George mentioned, I taught economics for twelve years at Texas A & M. I have tried to teach the same subject in Congress for the last fifteen years. You will not be surprised to hear me say my students at Texas A & M were a lot smarter than these people I'm now working with in Congress. Now, only in politics would you bring a guy from Washington, a city where we're looking a three-hundred-and-twenty-five-billion-dollar deficit in the face, into a State Capitol of a State that has a mandate to balance the budget so that I could tell you how to do it. I would say, in writing our budget, every year I try to ask three questions. Number one: What are we doing that government

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shouldn't do? And my test is, look at every program of the federal government, look at somebody who gets his hands dirty working for a living, and ask a simple question: Are the benefits we're getting from this program worth taking the money away from that hardworking person to pay for it? Needless to say that a lot of programs won't meet that test. The second test is: What are we doing that government should be doing or that should be done but which could be done better by the states, by the counties, by the cities, by the local school boards? And finally: What are we doing that should be done but which working people, if we let them keep the money and spend it themselves, could do better? Those, I think, are the three tests. I commend you to your task. Pate, I'm very proud to be here today. It is a great privilege for me to come to Illinois. I came here today looking for a job. I'm going to run in every county in your State like I was running for sheriff. I believe I'm going to get that job, and I'm not going to forget Illinois when I do. Thank you very much and God bless you.

PRESIDING OFFICER: (SENATOR DONAHUE)

We will resume on 3rd Readings, and Senator Karpziel, with House Bill 1246. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1246.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. This one's a little bit easier, less controversial. It does two things now that it's amended. It expands the prima facie provision of theft by a lessee to cover situations where the lessor has been given a fictitious name,

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address or telephone number. It also shortens the period of time that a lessee has to return the property once a written demand has been made for its return from thirty days to ten days. That's a provision for a rental company in my district that has a problem sometimes getting their -- their property back. It also raises the penalty for criminal trespass to real property from a Class C misdemeanor to a Class B misdemeanor. And the whole part about the criminal trespass about invitees of tenants has been removed from the bill by the amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1246 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1246, having received the required constitutional majority, is declared passed. Senator Hawkinson, do you seek leave? Senator Hawkinson seeks leave of the Body to return House Bill 1248 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1248. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson, on Amendment No. 1.

SENATOR HAWKINSON:

Thank you, Madam President. Amendment No. 1 adds the provisions of the following Senate bills, as an amendment, all of which passed overwhelmingly in the Senate. These were bills suggested by both Democratic and Republican staff because of the difficulties we've had getting these bills heard completely in the

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House. They're Senate Bills 332, 344, 580, 600, 721, 747, 812, 838, 1025 and 1173, all of which passed the Senate overwhelmingly, and we'll hope that the House will concur this time. I would ask for the adoption of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Hawkinson moves the adoption of Senate Floor Amendment No. 1 to House Bill 1248. All those in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Are there any other Floor -- further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson, on House Bill 1268? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1268.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. House Bill 1268 is identical to

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Senate Bill 599, which passed this Body by a vote of 54 to nothing, before it was amended on the Floor. It increases the penalties for large amounts of cannabis possession and trafficking. State's attorneys in Bureau County and Henry County, along Interstate 80, have been having great difficulties with that corridor being a drug corridor and have found that when they made arrests involving huge amounts of cannabis, that the penalties simply were not large enough to deter that kind of -- that kind of activity. We passed it over in Senate Bill 599, which is tied up in some other large bills, and this is the House version of that. Senator Cullerton has placed a couple of amendments on this bill, which I have earlier explained. One amends the Juvenile Court Act to extend the thirty-six-hour limit on keeping a minor in custody on an automatic transfer offense, where the minor has lied about his -- his or her age to law enforcement. We had a case where that happened, and the conviction was overturned because of that thirty-six-hour rule, when law enforcement had no way to know that they were dealing with a minor. The second part of that -- of that Amendment No. 3 required a bona fide doubt as to a defendant's fitness to stand trial because of prescribed medication before a fitness hearing is required. Senate Floor Amendment No. 4 is supported by the State Police, Winchester and the Illinois State and National Rifle Associations. It defines armor piercing bullet to conform it to federal law. It's an agreed-upon amendment. And Senate Amendment No. 5 was a technical amendment which removed a comma. I'd be happy to answer any questions, otherwise ask for your favorable support for House Bill 1268, as amended.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1268 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1268, having received the required constitutional majority, is declared passed. Can we have leave to return to House Bill 1279? Leave is granted. House Bill 1437. Senator Petka. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1437.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Well, thank you, Madam President, Members of the Senate. Senate <sic> (House) Bill 1437 is the Illinois Streetgang Racketeering Law. The amendment which was placed on the bill basically took out a lot of the provisions which, in the opinion of a majority of the Members of the Committee, did not have any relevance or pertinence to streetgangs. The legislation sets up a racketeering influenced corrupt organization lawsuit or remedy for streetgang activity. It's a fairly comprehensive piece of legislation. The -- the last time that we ran this legislation, it had fifty-six affirmative votes and, Madam President and Members of the Senate, I would once again urge its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1437 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1437, having received the required constitutional majority, is declared passed. Senator Mahar, on

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House Bill 1461. Senator Parker, on House Bill 1462? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1462.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 1462 has been amended by the Senate Transportation Committee to include changes in the Illinois Commercial Transportation Law. This legislation is the result of many months of legislative hearings and meetings involving representatives of the trucking industry, household goods mover, Illinois Commerce Commission, and Members of the General Assembly. It is an agreed bill. The agreed provisions of this bill set forth the operations of the Transportation Division of the Illinois Commerce Commission in the wake of deregulation. The second amendment added onto it has the bill which passed out of here without any opposition, which includes the -- the counties can have flexibility in the use of their motor fuel vehicle tax. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Madam President. I wonder if the sponsor will yield to a couple questions, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you. Senator Parker, part of the amendment you added, I

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want to read what our analysis says. Would you tell me if this is correct? The amendment also allows the Commerce Commission to direct local phone companies to disconnect the phone number listed in a commercial directory of any unlicensed household goods carrier. Is that in the -- in the bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Yes, that is, that they can request disconnection for anybody who would be not regulated, because it would be illegal not to be regulated. And let me remind you, this was an agreed bill with everybody.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR R. DUNN:

Thank you. Senator Parker, I know it was agreed by somebody, but I think that's one of the silliest parts of a bill I've heard up here this year, that if you are not regulated or if you're not a member of the Illinois Commerce Commission, if you're not -- if you're an unlicensed household goods carrier, they can disconnect your telephone. Isn't that a poor way to get at it? We have laws. We have -- I think it may be against the law. You might arrest someone if they were unlicensed, but surely you wouldn't unhook their telephone. I know I talked to you earlier, and I've talked to staff about it, and I guess this is one solution. It reminds me a little bit of if you don't pay your -- if you don't pay your child support, they take your driver's license away. What'll be next, do you suppose, that we'll have if we continue along this line? If an attorney license isn't renewed, why maybe the Attorney General will disconnect his telephone until he gets licensed again. I -- I think this is a ridiculous part of the vote -- part of the bill, and I'd certainly urge a No vote.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. This has been a bill that has been worked on for almost six or seven months by the various people who are -- are concerned about the deregulation of the trucking industry. As you know, the feds have come in and they have not only deregulated interstate, but they have deregulated intrastate. The only two now that are going to be regulated are moving companies, and in three counties - Cook, DuPage, and I believe it's Lake - they have -- they are -- we have our -- our tow truck drivers also regulated under this bill. It has been a difficult bill to come to an agreement on, and I commend the -- the sponsor of this bill for bringing this forth. If we don't regulate the movers, we may run into the same problem they ran down into in -- in Miami, and in Florida in general, where they deregulated the movers, and it turned out that a large number of the movers were not delivering the -- the furniture as they had agreed to, and people were without -- literally without their furniture. I think it's a good bill. If indeed we find as we go along that there may be some fine-tuning necessary, I'm sure we can do that. But for right now, we have to do what is needed, and I would solicit an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Syverson.

SENATOR SYVERSON:

My concern is just following up on the comments made by Senator Dunn regarding the Commission directing phone companies to

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disconnect -- to disconnecting the phone service. If there was a mistake made by the Commerce Commission, and they turned off a phone of a -- a moving company for thirty days, or if it happened to be during the time when they're printing phone books, and that mistake caused that moving company not to make it into the phone book, what would -- what would happen to that moving company and what recourse would they have if that mistake was made?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

The Commerce Commission would not have the authority of disconnecting the phone unless the moving company were operating illegally. And so I couldn't tell you specifically what responsibility they would have if they had actually taken out a phone of somebody who were operating legally, but I would imagine that the law certainly would take care of that they would be responsible for disconnecting the wrong phone. We are only, in this bill, saying if it is an illegal mover, and that is the only responsibility that they are allowed to take at the Commerce Commission.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I would just stand in strong support of this bill. Senator Fawell is absolutely correct. There's a lot of work that went into it. It's not our idea in the first place; it's one that's forced on us by the federal government. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

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SENATOR PARKER:

Thank you. As I remind you, this is an agreed-to bill by the Illinois Commerce Commission, Mid-West Truckers, the Illinois Transportation Association, Illinois Movers' Association, and Members of the General Assembly on the committee. This amendment brings to Illinois Commercial Transportation Law. It brings that law into compliance with the federal law which preempts State regulation of interstate trucking. There may be fine-tuning that needs to be made, but right now we have nothing. I would urge a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 1462 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 6 Nays, 4 voting Present. House Bill 1462, having received the required constitutional majority, is declared passed. Senator O'Malley seeks leave of the Body to return 1465 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is 1465. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley, on Amendment No. 1.

SENATOR O'MALLEY:

Thank you, Madam President and Members of the Senate. Senate Floor Amendment 1 to House Bill 1465 deletes everything and becomes the bill. It addresses a property tax -- taxation reform in Cook County by addressing the following: First of all, it will abolish the current Board of Appeals effective January 1, 1996. Provide for an Interim Board and for election of members to it.

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Provides for the establishment of three election districts with boundaries to be drawn by the General Assembly not later than June 1, 1996. The three-member Board of Review that will result will be elected in November of 1998, the three members from the -- the election districts that are drawn not later than June 1, 1996. It also provides for the annual selection of a chairman by lot to -- from among those members with no member to serve for more than two consecutive years. Grants the Board of Review many of the same powers and -- and mandates as all other boards of review have throughout the State of Illinois. It also phases in the State's Property Tax Appeals Board beginning with six units and less residential for assessments made in 1996, and adding all other classes of property beginning with assessments made in the 1997 assessment year. It provides for a series of -- tax objection reforms that are recommended by the Civic Federation based on work they did with the Chicago Bar Association. That's a statewide initiative, as is the abolition of the doctrine of constructive fraud statewide, and establishes clear and convincing as the level of burden of proof for circuit courts in all counties of this State. Be happy to answer any questions you may have and would move for the adoption of Senate Floor Amendment 1 to House Bill 1465.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, could you describe the method by which the Interim Board would be elected?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator O'Malley.

SENATOR O'MALLEY:

The -- each of the Leaders will appoint two Members to a nominating commission. Are you referring, I believe, Senator, to the interim board? And that's what I want to answer and explain. Each of the four Leaders shall appoint two Members to a nominating commission by July 1, 1995. Members of the nominating commission must be residents of Cook County. They will be selected from among Members of the General Assembly. The nominating commission select -- shall select four candidates by October 1, 1995 to be considered by Members of the General Assembly representing Cook County in proportion to the number of voters that they -- they represent. Each of the nominees must have -- receive five votes from the nominating commission to be considered. The nominating commission shall set rules for the conduct of the election. The election shall be held prior to December 1, 1995. Weighted votes shall be cast by legislators representing Cook County. Each voting Member shall receive the number of votes cast for Governor in the last general election. The members of the interim board shall take office on January 1, '96 and remain in office until November 1998, when the -- when the -- the new Board will -- will be elected from election districts.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I don't think that -- I'm almost certain we -- we don't have anything like this now where the Members of the General Assembly in Cook County have the right to vote on an elected official -- on someone like this interim board person. I know that we've learned from Senator Petka that they have the right to appoint sanitary district members. But could you just describe for me one more time how -- do you take a legislative district?

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Do you get the -- the State Representatives and the State Senator each has a -- a weighted vote based on the number of people who voted in the Governor's general election? And then you cast your vote for -- from a list of names that are submitted by the nominating commission that has eight Members? I -- I apologize. I know you've said -- you've said this, but I'm just trying to visualize how this would work, since we have nothing like it now.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Cullerton, as an example, I have in front of me a list that's compiled of all the votes cast in the 1994 vote for Governor. It indicates that there are, in the Senate, five hundred and sixty thousand six hundred and sixty-five Republican votes and six hundred and fifty-eight thousand two hundred and seventy-nine Democrat votes. In the House, the numbers break out four hundred and eighty-three thousand six hundred and fifty-four Republican and seven hundred and thirty-five thousand two hundred ninety. In your case, the information that I have in front of me would indicate that of those total votes in the Senate, you are entitled to fifty -- or you represent fifty-three thousand four hundred and eighty-two of those votes. So your votes would be weighted against the total of all the votes in both the House and the Senate. And in the case of the House Members that serve with you, from the 11th District, twenty-nine thousand four hundred and eighty-nine, and from the 12th District, twenty-three thousand nine hundred and ninety-three. So those were the votes that would -- those were the votes that would be able to be cast, and of course, it would be done on a weighted basis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

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You've also indicated that the bill would allow for - at a certain point in time - for people who are protesting their property taxes to go to the Property Tax Appeal Board. Is that the name, at the State level? Is that the name of the State agency that they can go to?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

That is correct, Senator Cullerton.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

So now, in Cook County, you can't go to this Board. Under this bill, you would be. Do you have any idea how many people would be appealing to this Board, who now cannot, and what is the cost anticipated to be to the State?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Cullerton, it would be pure speculation on my part to estimate the total numbers. I think the -- the number of people who will actually take advantage of this appeals process will be dependent on the assessment process in Cook County. I am told, however, that - on good information and from a reliable source - that at least eighty percent of the appeals to PTAB statewide currently come from residential owners. I also requested that the staff provide me with a fiscal note, and I have not read it yet, but I will be happy to provide this to you. And it would indicate -- and I want to make sure that I get this correct, so bear with me for a moment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

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SENATOR O'MALLEY:

Senator Cullerton, the -- the number for Fiscal Year '97 would be one million six hundred ninety-nine thousand nine hundred and ninety-nine dollars.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Who is it that prepared that fiscal note? Is that the Department of...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

The -- the Department of Revenue.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Now, I also understand in the bill that there's something here that would allow for the board of -- of appeals - is that the name of the new board? - to -- or require them to -- if someone makes a complaint that someone's property is not assessed high enough, if it's -- if someone complains that someone's property is underassessed, that it would require this Board to look into that and to possibly increase someone's assessed valuation; whereas, now, there has to be a taxpayer come in and file a petition for that. Could you describe the change that this would bring about?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Cullerton, under the current rules of the Board of Tax Appeals, they act on -- on taxpayer complaints. That means that a taxpayer could come in and file a complaint of overassessment concerning any property in Cook County. So that -- that is

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already permitted, and we're not changing that. The Board of -- the Cook County Board of Review, both the Interim Board and -- and the Board that is elected in 1998, would have the ability to review assessments on its own initiative. I discussed that with members of -- of the Board of Tax Appeals, one member in particular, and solicited any suggestions they may have that -- and they provided us with language that is incorporated into the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, does that language mandate that they act on any complaint? So, let's say somebody writes a letter saying, you know, "I think my next-door neighbor's property is underassessed, because they're paying less than I am." Do they then have to, under the language that you have, make an investigation and decide whether or not they should, on their own, raise the assessment of the -- your next-door neighbor?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Cullerton, as I -- as I explained earlier, the current process would continue, in that there must be a formal complaint from -- from a taxpayer that would be filed with the Board of Review, just as is currently done under the Board of Tax Appeals. In addition, the language that was recommended that we incorporated is -- is substantially the following: Board of Review or Interim Board may also revise any assessment on its own initiative on written motion of one or more of its members. Now that means that they can either go up or down.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator O'Malley, to

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close.

SENATOR O'MALLEY:

Well, again, I think we'll be discussing this in more detail when I actually present the bill. I would just solicit your support to allow the amendment to go on, and if there are any further questions at the time we debate the bill, I'll be happy to answer those as well. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley moves the adoption of Senate Floor Amendment No. 1 to House Bill 1465. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Lauzen, on House Bill 1523? Out of the record. Senator Fawell, on House Bill 1587? Senator Fawell seeks leave of the Body to return House Bill 1587 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1587. Madam Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell, on Amendment No. 2.

SENATOR FAWELL:

Thank you very much. This is just a clean-up amendment offered by George Ryan. It just adds two more people to his merit committee so that he can get a quorum.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none,

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Senator Fawell moves the adoption of Floor 1 Amendment No. 2 to House Bill 1587. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on House Bill 1608. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1608.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 1608 is a request of the Corporate Fiduciaries Association, is supported by the Community Bankers, as well as the Illinois Bankers Association, and basically it contains three different provisions. The first provision permits executors and guardians to invest in mutual funds, including proprietary mutual funds of the corporate fiduciary. The second provision of this bill permits trustees, if they use reasonable care, skill and caution in selecting an agent, to rely upon the advice or recommendation of an agent, including attorneys and accountants. And the last provision of this bill provides for a statute of limitations where, as is the current practice, a beneficiary has received detailed and regular statements of receipts and disbursements detailing the trustee's administration of the trust. Again, it comes from the Corporate Fiduciaries Association, and is supported by both major banking groups in this State. I'd be

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happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1608 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, 1 voting No, no voting Present. House Bill 1608, having received the required constitutional majority, is declared passed. Senator Palmer, on House Bill 1730? Senator Palmer. Out of the record, please. Tom Walsh, on House Bill 1787? Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1787.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Senate Bill -- or, House Bill 1787 amends the Illinois Lottery Law, the Illinois Pull Tabs and Jars Game <sic> Act, and the Charitable Games Act. In the -- the Lottery changes, it clarifies that in determining whether a prize is less than six hundred dollars, that the amount of the wager shall be deducted. In the Pull Tabs and Jars Game Act, it strikes the limitation to one location, and this allows for a -- a group to get two licenses in a year. In the Charitable Games Act, I'm going to read it: Any changes to the list of workers submitted by the organization must contain a sworn statement by the presiding officer and secretary, attesting under penalties of perjury that the information is true and correct and complete. It removes the eight-events-per-year limit for the use of a premises provided by a municipality. And there is

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also -- it adds that a license may be suspended. And then finally, it amends the Pull -- Pull Tabs and Jars Game Act to increase the prize limits from two thousand two hundred and fifty to thirty-five hundred. And it amends the Charitable Games Act to allow a volunteer to work twelve nights a year, rather than four. It taxes the net proceeds defined as after payment of prizes, rather than gross receipts. And finally, it eliminates the requirement to -- to record date of birth, Social Security number, and signature on Volunteer Work Attendance Form that is submitted to the Department of Revenue. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I just rise to once again point out that this bill -- we're revisiting this bill. It was taken out of the record last week as we discussed this bill, and like to remind the Members of the Chamber, as Senator Sieben did last week, that, again, this is another expansion of gambling, and -- and certainly I would like to point that out so that you can be aware of that as you vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition, as I did last time it was up, and I do so for some very specific reasons - mainly that -- my concern that we are changing the law about requiring that we give the Social Security number and date of birth of people who will be working these games. That is currently the law. The law was put into effect in order to make sure that there were not people who were not volunteers. I know that's a double negative, but in effect

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what was happening is professional gaming people were coming in and working these various games and actually charging a significant amount of money so that the charities received a lot less than they should have. And -- and we passed a law to avoid that situation by having a tracking mechanism by using Social Security number and date of birth, so that we wouldn't have professional, paid volunteers working from game to game to game to game and in effect have what otherwise would have been illegal gambling taking place as if it were gambling. So that you couldn't have, for example, floating crap games of the same type of people working each game and getting paid for it. This legislation would take out that safety valve that allowed us to track and make sure that we did not have professionals pretending to be volunteers, when they were, in fact, compensated or working for other reasons in that game. I don't think we want to see that kind of story again that made us take the kind of corrective action that I think we appropriately took and would hope we would keep. The other thing is the definition of gross and net. A -- a very large charity, Cerebral Palsy, has had its gamble for years and years and years, and what they do is, you buy your chips, and then at the end of the night, if you have any chips left, you can go get a gift. They, because they are allowing you to get something other than cash back - and a lot of churches do this also; instead of getting cash, you can get a prize - they would be paying, as they now do, on the gross receipts. If someone next door sets up a cash gambling night, pays you back money in cash, there are very limited net receipts upon which the State would, in fact, impose a tax. There is not only a big difference to the State in the fiscal amount - it's probably about half of the tax revenues would be lost - it also puts those charities who have always done it as a fund-raiser, where they give out gifts so that people coming there are really not there to gamble, gamble, gamble but are

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really there to help the charity and maybe if they have some chips left, come home with a prize, those charities would be paying a full tax. If -- if somebody next door using one of these untraceable volunteers were giving back cash, they would be paying a much lesser tax and be in a competitive advantage. For those and other reasons, I think this is bad legislation and would urge opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let's straighten out the record. In the first place, it is not an increase in gambling, any stretch of the imagination. What it does, it says that we're going to tax you on the net, not the gross. Now, you know who you're doing this for? The VFW, the American Legion, the KC, the Moose. You know what it is totally statewide? A whopping three hundred thousand dollars. Well that's certainly going to lay us away. That'll break the budget, if anything ever would. Now, Howard, that's a great idea, to have these people who volunteer, who don't get a penny for it, but you want them to put down their Social Security. Next we'll have to fingerprint 'em. You know what? Maybe we ought to send it to the FBI. They're doing it for nothing. Zero. They get nothing for it. They're your next-door neighbors. They're good guys. We ought to do this. It makes sense.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Well, just -- just to remind you what I said yesterday on this amendment. All we're talking about are -- are four guys from -- from one American Legion post going over and helping four other guys in the town next door, and vice versa. These are -- these

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are groups that -- that help our community, that help our kids. You know, all we're trying to do is allow them to raise the money so that they can do the -- the charitable things that they're well known for. And I don't see anything wrong with the way this bill is, and we ought to all be voting Aye.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. I also rise in opposition to the legislation because of my position on gambling and the gambling expansion. And Senator Carroll very aptly described the way the process of the charitable games are conducted, and clearly this legislation, I think, would weaken the safeguards that were imposed by Public Act 88-669, certainly, and to tax the net proceeds is going to have a fiscal impact on the State. Senator Philip said three hundred thousand dollars. That's certainly a fiscal impact that we should be concerned about as we're trying to bring a budget together. But I think, more importantly, it defeats the original intent of the legislative intent of all the Charitable Games Statute, which was to allow for a limited amount of nonprofessionalized gaming by charities as a fund-raising mechanism. And I would urge all those that are concerned about gambling in this State to -- to vote no.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I wasn't going to speak on this, but I keep hearing all of this language about expansion. I don't see any expansion here. What I see is a clarification, and I think the clarification is well put. It's getting harder and harder, day in and day out, to -- to get enough volunteers in these organizations. I think this is a good

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bill, and I think we ought to vote Aye.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR WALSH:

Thank you, Mr. President. I'd just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1787 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 voting Yes, 20 voting No, 1 voting Present. House Bill 1787, having received the required constitutional majority, is declared passed. House Bill 1792. Senator Cronin? Senator Cronin on the Floor? Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1792.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill, as amended, adds Senate Bill 1038 to our Criminal Code clean-up bill that passed Judiciary 11 to nothing and passed this Senate 57 to nothing. It adds it onto this bill, 1792. There's a laundry list of items that I'd be happy to go through in response to questions. Suffice it to say we've debated this before, and it's passed unanimously. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1792 pass. All those in favor, vote

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Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 1792, having received the required constitutional majority, is declared passed. Senate <sic> Bill 1853. Senator Dillard? Senator Dillard on the Floor? Senator Dillard. Out of the record. House Bill 1900. Senator Philip? Out of the record. House Bill 2226. Senator Cronin? Senator Cronin seeks leave of the Body to return House Bill 2226 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2226. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. With leave of the Body, I seek to present this amendment on behalf of Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Leave is granted.

SENATOR CRONIN:

Thank you. This amendment was debated in committee today and moved out on a unanimous recommendation. It extends the date for the phase-in of the family preservation program to July 1st, year 2000. It deletes certain administration language that will now be more appropriately placed in the Budget Implementation Act. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is

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adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Parker seeks leave of the Body to return House Bill 2330 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2330. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Raica.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. The amendment amends the Illinois Health Facilities Authority by including for-profit hospitals within the jurisdiction of the Illinois Health Finance <sic> Authority Act. It also amends the Nursing Home Care Act by extending the current regulation and licensing survey process by the Joint Commission on Accreditation to December 31st, 1997 instead of 1995, and I'd just ask for a -- adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 4, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh, on Amendment No. 4.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Amendment No. 4 to House Bill 2330 is formerly Senate Bill 905, which passed

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the Senate 57 to -- to -- to nothing. And I would ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 2338. Senator Cronin. Out of the record. House Bill 2370. Senator Barkhausen? Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 2370.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President and Members. House Bill 2370 comes to us from the Commission on Savings and Residential Finance. It makes a number of technical changes in the Acts governing their operations. In general, it allows them, they feel, to concentrate their regulatory resources on the potential problem areas. I'd be glad to answer any questions and otherwise urge your support for this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 2370 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, 1 voting

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No, 3 voting Present. House Bill 2370, having received the required constitutional majority, is declared passed. House Bill 2403. Senator Rauschenberger? Out of the record. House Bill 2429. Senator Rauschenberger. Out of the record. We'd like to have leave to return to both House Bill 2403 and House Bill 2429. Leave is granted. We are going to proceed to page 9 of your Calendar. Page 9. Secretary's Desk Concurrence, Senate Bills. We will begin with Senate Bill 122, Senator Klemm, on a motion to concur. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 122.

Filed by Senator Klemm.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President, Members of the Senate. House Amendment No. 1 on Senate Bill 122 removed a provision that required the Secretary of State to verify some vehicle registration. Now the City of Chicago, with their electronic access to the records, can do that. And it also changes the requirement that when the City of Chicago sends a report of ten or more unpaid tickets to the Secretary, that they include in the report that the statement of the vehicle registration and the vehicle make are the same. I want to thank the City of Chicago working with us to try to work the bill out, and with the Secretary of State's Office, and I just ask for your concurrence on House Amendment 1 to Senate Bill 122.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, it's my understanding that Senate Bill

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122 was one of those thirty-six bills that came out of the House with a fiscal note that wasn't accurate, and I'm curious, as to the fact that the Speaker has admitted to thirty-six bills - this is one of them - whether or not there is a fiscal note filed to this and whether or not -- what is -- what is the disposition of those bills that the Speaker has indicated in the House that had these -- these notes. Are they holding their bills in the House, pending new fiscal notes, or not?

PRESIDING OFFICER: (SENATOR WATSON)

You're asking me what the House is doing? I have no clue, Senator. Senator Demuzio.

SENATOR DEMUZIO:

Yes, I knew that, Mr. President, and I should have said I'll -- I'll ask that -- I'll ask that question of the sponsor. I mean, are we, in fact, at liberty to proceed with these -- these bills, or what's -- what's -- is the Speaker going to hold them and have new fiscal notes requested? Or are we going to ask God how much these things cost, or -- just what are we doing?

PRESIDING OFFICER: (SENATOR WATSON)

Well, Senator, as you know, fiscal notes need to be filed before they leave 2nd Reading here in the Senate. The activity that's going on in the House in regards to this really has no bearing on our action here. Senator Demuzio.

SENATOR DEMUZIO:

You just told me you didn't know what was going on in the House. I was asking the sponsor to respond.

PRESIDING OFFICER: (SENATOR WATSON)

Well, I don't necessarily believe the sponsor needs to respond. Further discussion? Senator -- Senator Demuzio.

SENATOR DEMUZIO:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

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The sponsor indicates he will yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Klemm, you want to respond to the question I just asked?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Well, a fiscal note would be only responsible in the Chamber that it was asked for, in the first place. There was none posted in the Senate that I'm aware of, and I don't know of really any cost that's really involved in it, in the first place.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Following up with Senator Demuzio, I caused to be filed yesterday and again today a -- a bill -- an amendment to a House bill that would say that when a fiscal note has been filed in the House -- in either Chamber - but in this case, in the House - when the bill comes to the second Chamber, there should be a verification of the fiscal note so that we know, at least, in the second Chamber that there has been a writing from the appropriate agency or constitutional officer as to the fiscal impact. I find it curious that you're saying we don't know what the House does, and of course, we never do and never probably want to, but when I offered that amendment, Senator Dillard, as a Member of the Committee - it was his bill - said he would not entertain such a -- an amendment. I have it today again in front of the Rules Committee on a bill -- on House Bill 2251, and I think if we were going to be sincere in worrying about fiscal impact and not getting bogged down with what the House may or may not have done, we should require that if a fiscal note had been filed in the other Chamber, that we get a

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confirmation of it in this Chamber before we take action.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? Further discussion? Senator Klemm, to close.

SENATOR KLEMM:

Well, thank you, Mr. -- President. Again, I don't know what's happening over in the House any more than some of the others. We have our agenda filled here. This bill received support over in the House. I think we resolved all the questions that both the City of Chicago and the Secretary of State has. I know of no opposition, ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

This is final action, to remind the Membership of that. And the question is, shall Senate -- the Senate concur in House Amendments No. 1 to Senate Bill 122. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Yes, 1 voting No, 8 voting Present. Senate Bill 122, having received the required constitutional majority -- the Senate does concur in House Amendments No. 1 to Senate Bill 122, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 162, on page 10, on the Order of Concurrence. Senate Bill 162. Mr. Secretary, please read the bill.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 162.

Signed by Senator Klemm.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President and Members of the Senate. Senate

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Bill 162 was a clarification that I wanted to add to the Illinois Farm Bureau, who wanted some clarification on the words "political subdivisions". As you know, the underlying bill only relies -- or, only depends on the zoning of a municipality, and the Fire Marshal does the rest of the aboveground storage tanks. This would clarify that zoning requirements and regulations are the only ones that can be enforced. It's supposed -- it's supported by everyone and not opposed by anyone. So I do ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Woodyard.

SENATOR WOODYARD:

Yes. Thank you, Mr. President. I don't have a question for the sponsor, but as President today, would you mind coming over here and giving your underground storage tank speech again? Oh...

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 162. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- the Senate does concur on that -- in House Amendments 1 and 2 to Senate Bill 162, and the bill, having received the required constitutional majority, is declared passed. Senator Sieben, on the Order of Non-concurrence, on page 12 of the Calendar, Senate Bill 741. Mr. Secretary.

SECRETARY HARRY:

I move to non-concur with the House in the adoption of their Amendment No. 3 to Senate Bill 741.

Filed by Senator Sieben.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

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Thank you, Mr. President and Members of the Senate. I simply preferred what was in the underlying bill, and with the House amendments, they took out the original provisions. So I would move to non-concur and send it back over to the House and see if they won't recede.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben moves to non-concur in House Amendment No. 3 to Senate Bill 741. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary will so inform the House. Senator Berman, for what purpose do you rise?

SENATOR BERMAN:

Thank you, Mr. President. On the bottom of page -- I'm sorry -- bottom of page 13, I filed previously a motion to reconsider on House Bill 1940. I would ask for leave to withdraw that motion.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman asks leave to withdraw the motion on House Bill 1940. You've heard the motion. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion prevails. Mr. Secretary, have there been any other motions filed?

SECRETARY HARRY:

Yes, Mr. President. Senator DeAngelis has filed a motion with respect to House Bill 955.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Chair -- or, Mr. Secretary, the Chair requests that these motions be printed on the Calendar, and it's so ordered. It's the intention of the Chair to go to page 13. Page 13 on the Calendar. Consideration Postponed. We'll go right down the order there. I stand corrected. There are only two House bills to be considered. The others have passed the deadline - the Senate bills. So we will proceed with House Bill 989. Senator Weaver. Mr. Secretary, please read the bill. It's been read a third time. Senator Weaver, you may proceed.

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SENATOR WEAVER:

Thank you, Mr. President. House Bill 989 has to do with the adjustment of compensation for regional superintendents. The number of superintendents is being reduced from fifty-six to forty-five in August, and the savings in this reduction in the -- number would offset any increase in salary. So, we explained this bill last week, and fell a -- a vote short. But if anyone has any questions, I'll be happy to answer.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Would like to remind the Body that generally we just have the legislation explained and then one opponent would speak. Senator O'Daniel, do you rise as an opponent.

SENATOR O'DANIEL:

...rise as an opponent. I mean, I support it.

PRESIDING OFFICER: (SENATOR WATSON)

There seems to be no objection. So, the question is, shall House Bill 989 pass. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 voting Yes, 9 voting No, 0 voting Present. House Bill 989, having received the required constitutional majority, is declared passed. It's the intention of the Chair... We are on page 13. We're on page 13 of the Calendar, bottom of the page, Motions in Writing to Reconsider the Vote. Read the motion, Mr. Secretary.

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which House Bill 1850 failed.

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

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SENATOR HAWKINSON:

Thank you, Mr. President. Having voted on the prevailing side on this issue, which was the new money and the expansion of the Rural Bond Bank, I made about ten phone calls, including -- I had conversations with the Farm Bureau, the Township Officials, the United Counties Council, in addition to some mayors and county people back home. Found that the bill as written met with no objection from those groups, and therefore, I filed this motion to reconsider.

PRESIDING OFFICER: (SENATOR WATSON)

It takes thirty votes to reconsider. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 1 voting No. The motion carries. And now the question before the Senate... Senator Petka, on House Bill 1850. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. I -- first of all, I appreciate the opportunity to revisit this issue, and I thank Senator Hawkinson. This amendment was strongly debated the last time that it went down. Since that time, Lieutenant Governor Kustra has sent out a letter which more than adequately explains the reason why this bill and especially Amendment No. 1 are a good idea. This amendment will enable the Rural Bond Bank to provide low-cost capital to rural communities in the collar counties. By increasing the bond volume, it would lower the costs of borrowing. And also, we will increase the downstate access to the Rural Bond Bank by an -- an additional twenty-five million dollars. For those reasons, Mr. President, Members of the Senate, I urge adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the

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question is, shall House Bill 1850 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yes, 4 voting No, no voting Present. House Bill 1850, having received the required constitutional majority, is declared passed. We are in the process of distributing Supplemental Calendar No. 1. I believe the Calendar has been distributed, and we are in the Order of Motions in Writing to Reconsider the Vote. That motion will be made by Senator DeAngelis. Mr. President -- I beg your pardon. Mr. Secretary, please read the motion.

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which House Bill 955 failed.

Filed by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which House Bill 955 was passed <sic>.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor of the motion, say Aye. Actually, we need a recorded vote. We need a recorded vote, so you will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 30 voting Yes, 23 voting No, 5 voting Present. And the motion carries. The legislation has been read a third time and is now before us. And, Senator Jacobs, for what purpose do you rise? All you'd have to do, Senator, is push the button.

SENATOR JACOBS:

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It's on.

PRESIDING OFFICER: (SENATOR WATSON)

It's on now, but it hasn't been until this particular time.
Senator Jacobs.

SENATOR JACOBS:

Verification, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Verification of the affirmative vote. Senator Jacobs has requested a verification. Will all the Senators be in their seats. The Secretary will read the affirmative votes.

SECRETARY HARRY:

The following voted in the affirmative: Burzynski, Butler, Clayborne, Cronin, DeAngelis, Donahue, Dudycz, Fawell, Geo-Karis, Hasara, Hawkinson, Karpziel, Klemm, Madigan, Mahar, Maitland, O'Daniel, O'Malley, Parker, Peterson, Petka, Raica, Rauschenberger, Rea, Sieben, Walsh, Watson, Weaver, Woodyard, and Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger? As you know, Senator Jacobs, there is meetings outside this Floor going on. We would like to give the Senator an opportunity to -- Senator Rauschenberger? He's in the phone -- Senator Rauschenberger? Senator Rauschenberger on the Floor? Mr. President, for what purpose do you rise, Senator Philip?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Point of personal privilege. For, unfortunately, Senator Rauschenberger, one -- as you know, the Chairman of the

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Appropriations Committee. He has been down in the Governor's Office trying to get us out of here on time and is negotiating. He is on his way up here. And what do you know? Here he is.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger has returned. Senator Jacobs, do you...

SENATOR JACOBS:

Senator Rea.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rea? He's in the back of the Chamber here, on the Democrat side.

SENATOR JACOBS:

I think -- I saw Senator Hawkinson a minute ago, so I think he's here. Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones, for what purpose do you rise? Senator Maitland is in the Chamber. Senator Jacobs.

SENATOR JACOBS:

First of all, let me state, before I ask one more, because there's one more I do want to ask. It is strange that our Minority Spokesman on Appropriation was sitting here whenever the meetings were going on. Senator Raica?

PRESIDING OFFICER: (SENATOR WATSON)

Do you question the presence of Senator Raica?

SENATOR JACOBS:

He's here. Senator O'Malley?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley on the Floor? Senator O'Malley? Senator O'Malley. Senator O'Malley is present.

SENATOR JACOBS:

Senator Ralph Dunn.

PRESIDING OFFICER: (SENATOR WATSON)

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Ralph Dunn didn't vote.

SENATOR JACOBS:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

On a verified roll call, the Ayes are 30, the Nays are 23, 5 voting Present. The motion to reconsider is adopted. We are now on House Bill 955. Senator Karpziel, on House Bill 955. Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I'll just be happy to take the last roll call. I don't know that we need any more debate on this. I just move for passage of House Bill 955. In case -- I do want to say, however, in case any of you haven't heard, that the House did consider -- Senate Bill 836, and it did pass. So I think we can stop playing those kinds of games right now.

PRESIDING OFFICER: (SENATOR WATSON)

As you recall, we have one proponent, which we just heard from, the sponsor, and we'll have one opponent, and that will be Senator Palmer.

SENATOR PALMER:

I am not going to speak long either. But I would say to you who have daughters on this Floor that in this day and age, as we approach the twenty-first century, you ought to try in every conceivable way to leave as many doors open as you can for these young women and not to believe that you can legislate family relationships. If you believe that the government ought to stay out of people's bedrooms and out of their lives, then you ought to vote No on this bill.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 955 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, there are 31 voting Yes, 18 voting No, 9 voting Present. House Bill 955, having received the required constitutional majority, is declared passed. Leave was previously granted for Senator Rauschenberger and the Body to return to page 6, House Bill 1279. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1279.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a vehicle bill which we hope to need for budget implementation this week. It's been amended with an effective date. We'd like to send it to the House, with the support of the Body.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I just want to remind our Members that none of us know what's going to land in this bill, including suspension of prompt payment or anything else, and I would suggest either a No or -- or Present vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Senator Severns -- I could just say "ditto" to what she said. That was my words.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Further discussion? Senator

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Rauschenberger.

SENATOR RAUSCHENBERGER:

Just request a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1279 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Yes, 15 voting No, 9 voting Present. House Bill 1279, having received the required constitutional majority, is declared passed. Continue on to page 7. We ask leave of the Body -- at the particular time of the Body that we could return to page 7, House Bill 2403. Leave was granted. And, Senator Rauschenberger. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 2403.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. This, again, is a shell bill which we've amended an effective date in and would like to send over to the House so it's positioned for, hopefully, some compromises as we wind up the negotiations. I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I just wanted to say again, and I hope this side is listening. It's very clear that we've not been included in one meeting on -- on the budget negotiations or the MediPlan Plus negotiations. We don't know what's being

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negotiated, since we're not at the table. I would suggest a No vote or Present vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen. I merely want to caution the people that this is another vehicle bill and you don't know what's in it. So I would vote either Present or No. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I'd just like to close with, I can tell you precisely what's in it: nothing, except for an effective date. So if you're concerned that there's nothing in it, that's one thing. If you're concerned what might end up in it, that's another issue. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 2403 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 voting Yes, 14 voting No, 11 voting Present. House Bill 2403, having received the required constitutional majority, is declared passed. Senator Rauschenberger, do you seek leave of the Body to return House Bill 2429 to the Order of 2nd Reading for the purpose of an amendment? Leave is -- hearing no objection, leave is granted. On the Order of 2nd Reading is Senate <sic> Bill 2429. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 2429 incorporates the CDB procurement language that has been worked on and agreed to over the last three years. I had hoped over the last couple years, with cooperation of Senator Severns and others, to be able to do a complete rework of the Procurement Code, but we have not been able to pull that together through deficiencies and the fact I haven't spent enough time on it. This is merely the Section which deals with CDB procedures. CDB has been operating under these on a rules basis. This merely writes them into Statutes to make sure that there's no changes in the future. Allows for competitive bid -- bidding, publication of contracts, et cetera. I would urge the support of the Body.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President. For legislative intent...

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Do the -- do the provision of Senate Amendment 1 to House Bill 2429 in any way inhibit or affect minority, female or any persons with disabilities participation in regards to the State contracting -- construction contracts?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The Amendment No. 1 to House Bill 2429 in now way affects the preference Sections of the Procurement Code as currently written into law. CDB's opinion on what the effect of the amendment would

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be would -- that it would increase the number of projects where small contractors could effectively bid. So, in fact, it may be, you know, an improvement for both minority and disabled contractors, but it does not change, in no way affects or repeals, the preference Section of the Procurement Code as it exists in Statute.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Referred to the Committee on Commerce and Industry - Senate Amendment 3 to House Bill 32; referred to the Committee on Education - motions to concur with House Amendments 4, 5, 6 and 7 to Senate Bill 130, Amendment 1 to Senate Bill 141, and Amendment 4 to Senate Bill 150; to the Committee on Environment and Energy - Senate Amendment 2 to Senate Joint Resolution 21; to the Committee on Financial Institutions - a motion to concur with House Amendment 2 to Senate Bill 433; to the Committee on Judiciary - motions to concur with House Amendment 1 to Senate Bill 435, Amendment 1 to Senate Bill 447, Amendment 1 to Senate Bill 619, Amendment 6, 7, 8, 9, 10 and 15 to Senate Bill 721, Amendments 4, 5, 6, 7, 8, 9, 10 and 11 to Senate Bill 838; to the Committee on Revenue - Amendment 3 to House Bill 1523; to the Committee on Transportation - the motion to concur with House Amendments 1 and 2 to Senate Bill 509; and Be Approved for Consideration - motions

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to concur with House Amendment 1 to Senate Bill 46, Amendment 1 to Senate Bill 169, Amendments 1 and 2 to Senate Bill 231, Amendment 2 <sic> (1 and 2) to Senate Bill 443, and Amendment 1 to Senate Bill 566.

PRESIDING OFFICER: (SENATOR WATSON)

Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 75, offered by Senator Cronin.

It's substantive.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler, for what purpose do you rise?

SENATOR BUTLER:

For purposes of an announcement, please. The Commerce and Industry Committee will meet at 8:30 a.m - 8:30 a.m. - in Room 400.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar, for what purpose do you rise?

SENATOR MAHAR:

Announcement, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your...

SENATOR MAHAR:

The Senate Environment and Energy Committee will meet at 9:30 in Room 400 tomorrow morning.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

Purposes of an announcement, Mr. President. The Senate Judiciary Committee, tomorrow, will meet at 9 a.m. in Room 400.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Barkhausen, for what purpose do you rise, sir?

SENATOR BARKHAUSEN:

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Also, for purposes of an announcement. The Senate Financial Institutions Committee will meet at 9:30, tomorrow morning, in Room A-1.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel, for what purpose do you rise, ma'am?

SENATOR KARPIEL:

For purpose of an announcement.

PRESIDING OFFICER: (SENATOR WATSON)

Proceed.

SENATOR KARPIEL:

The Senate Education Committee will meet tomorrow in -- at 10 o'clock in A-1. 10 o'clock in A-1, Education.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell, for what purpose do you rise, ma'am?

SENATOR FAWELL:

For purposes of an announcement. The Transportation Committee will meet at 10 o'clock in Room 400. We have two motions to concur on.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further business to come before the Senate? Yes, Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

Yes, thank you, Mr. President. Just to remind the Members on this side of the aisle, the Republican Members, that our Staff Appreciation Picnic is this evening at 6 o'clock at the location that was given to you in the flyer. And appreciate all the staff on the Republican side and the Senators attending, and we expect some good weather and hope to have a good time. Dress accordingly.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson, for what purpose do you rise?

SENATOR PETERSON:

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For the purposes of an announcement, Mr. President. The Revenue Committee will meet at 8 -- pardon me, at 9:30 in Room 212 to consider Senate Amendment 3 to House Bill 1523.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

I listened -- I listened attentively to Senator Dudycz's announcement. I lost my memorandum, my flyer. Could -- could he remind us where -- where the barbecue is? I -- I lost my flyer.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCYZ:

Senator Demuzio, had you been invited, you would have received a flyer, but apparently you didn't lose it; you just didn't get one. This is the tenth annual one that we've had on this side of the aisle, and we appreciate our staff and our secretaries, and we want to show their -- our appreciation for them by having a little picnic.

PRESIDING OFFICER: (SENATOR WATSON)

Senator...

SENATOR DUDYCYZ:

But you can be invited -- I'll -- Senator Demuzio, you can come as my personal guest, and I'll -- I'll pour the cup of beer for you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio, to explain why the Senators on the Democrat side do not appreciate their staff.

SENATOR DEMUZIO:

We -- we just got our notice at 404 West Jackson. So, 6 o'clock, we'll all be there. Thanks.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further business to come before the Senate? If

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89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

May 22, 1995

not, Senator Demuzio moves that the Senate stand adjourned until
10:30, Tuesday, May 23rd.

MAY 22, 1995

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