18th Legislative Day

March 9, 1993

PRESIDENT PHILIP:

The hour of twelve having arrived, the Senate will please come to order. Will the Members and their guests in the gallery please rise. Our prayer today is by Pastor Vernon Lyons, Ashburn Baptist Church, Orland Park, Illinois. Pastor Lyons. PASTOR VERNON LYONS:

(Prayer by Pastor Vernon Lyons)

PRESIDENT PHILIP:

Thank you, Pastor Lyons. Reading of the Journal. Senator Butler.

SECRETARY HARRY:

Senate Journals of Tuesday, March 2nd, 1993, and Wednesday, March 3rd, 1993.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

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

PRESIDENT PHILIP:

Senator -- Senator Butler moves to approve the Journal as read. There being no objections, so ordered. Senator Butler, what purpose do you rise? SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Thursday, March 4th, in the year 1993, be postponed, pending

PRESIDENT PHILIP:

arrival of the printed material.

Senator Butler moves to postpone the reading and the approval of the Journal, pending arrival of the printed transcript. There being no objections, so ordered. Mr. Secretary, Committee Reports.

18th Legislative Day

March 9, 1993

# SECRETARY HARRY:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Agriculture and Conservation - Senate Bill 393; Appropriations - Senate Bill 388; Commerce and Industry - Senate Bills 346, 347, 376, 385 and 397; Committee on Education - Senate 332, 336, 353, 368, 370, 389 and 395; Committee on Bills Environment and Energy - Senate Bills 331, 338 and 339; the Committee on Executive - Senate Bills 337, 340, 359, 374, 382 and 392; Committee on Financial Institutions - Senate Bills 369 and Insurance, Pensions and Licensed Activities - Senate Bills 383; 324, 333, 335, 341, 342, 349, 363, 364, 365, 373, 379, 396, 398, 399 and 400; the Committee on Judiciary - Senate Bills 325, 326, 327, 328, 329, 330, 343 and 44, 351, 366, 372 and 390: the Committee on Local Government and Elections - Senate Bills 345, 348, 354, 355, 357, 358, 360, 371 and 402; Public Health and Welfare - Senate Bills 367, 377 and 378; the Committee on Revenue - Senate Bills 361, 375, 380, 381, 384, 386, 387, 391 and 401; State Government Operations and Executive Appointments - Senate Bills 323, 334, 350, 352, 362; and the Committee on Transportation - Senate Bills 356 and 394. Submitted by Senator Stanley B. Weaver, Chairman, Committee on

Rules.

Senator Watson, Chair, the Committee on Education, reports that the following bills have been reported: Senate Bill 87 Do Pass; and Senate Bill 51 Do Pass, as Amended.

Senator Hawkinson, Chair of the Committee on Judiciary, reports the following bills: Senate Bills numbered 6, 16 and 31 Do Pass; and Senate Bill 44 Do Pass, as Amended. PRESIDENT PHILIP:

Mr. Secretary, Introduction of Resolutions. SECRETARY HARRY:

## 18th Legislative Day

#### March 9, 1993

... (machine cutoff)... Resolution 136, offered by Senator Woodyard.

And Senate Resolution 137, offered by Senator Jacobs. They're both congratulatory, Mr. President. PRESIDENT PHILIP:

Consent Calendar, Mr. Secretary. Introduction of Bills.

Senate Bill 403, offered by Senator Hendon.

(Secretary reads title of bill)

Senate Bill 404, offered by Senator Fitzgerald.

(Secretary reads title of bill)

Senate Bill 405, offered by Senator Rea.

(Secretary reads title of bill)

Senate Bill 406, offered by Senator Rea.

(Secretary reads title of bill)

Senate Bill 407, offered by Senator Rea.

(Secretary reads title of bill)

Senate Bill 408, offered by Senator LaPaille. (Secretary reads title of bill)

Senate Bill 409, offered by Senator Cullerton. (Secretary reads title of bill)

Senate Bill 410, offered by Senator Cullerton. (Secretary reads title of bill)

Senate Bill 411, offered by Senator Garcia. (Secretary reads title of bill)

Senate Bill 412, offered by Senator Jones.

(Secretary reads title of bill)

- Senate Bill 413, offered by Senator Jones. (Secretary reads title of bill)
- Senate Bill 414, offered by Senator Jones. (Secretary reads title of bill)

Senate Bill 415, offered by Senator Palmer.

18th Legislative Day March 9, 1993 (Secretary reads title of bill) Senate Bill 416, offered by Senators Carroll, del Valle and Smith. (Secretary reads title of bill) Senate Bill 417, offered by Senator Stern. (Secretary reads title of bill) Senate Bill 418, offered by Senator Thomas Dunn. (Secretary reads title of bill) Senate Bill 419, offered by Senators Woodyard, O'Daniel and Maitland. (Secretary reads title of bill) Senate Bill 420, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 421, offered by Senator Carroll. (Secretary reads title of bill) Senate Bill 422, offered by Senator Cullerton. (Secretary reads title of bill) Senate Bill 423, offered by Senator Cullerton. (Secretary reads title of bill) Senate Bill 424, offered by Senator Raica. (Secretary reads title of bill) Senate Bill 425, offered by Senator Hasara. (Secretary reads title of bill) Senate Bill 426, offered by Senator Hasara. (Secretary reads title of bill) Senate Bill 427, offered by Senator Thomas Dunn. (Secretary reads title of bill) Senate Bill 428, offered by Senator Thomas Dunn. (Secretary reads title of bill) Senate Bill 429, offered by Senator Thomas Dunn. (Secretary reads title of bill) Senate Bill 430, offered by Senator Fawell.

18th Legislative Day March 9, 1993 (Secretary reads title of bill) Senate Bill 431, offered by Senator Fawell. (Secretary reads title of bill) Senate Bill 432, offered by Senator Hawkinson. (Secretary reads title of bill) Senate Bill 433, offered by Senator Hawkinson. (Secretary reads title of bill) Senate Bill 834 <sic> (434), offered by Senators Garcia, Smith, del Valle, Trotter, Cullerton and Vadalabene. (Secretary reads title of bill) Senate Bill 435, offered by Senator Garcia. (Secretary reads title of bill) Senate Bill 436, offered by Senators Hasara and Rea. (Secretary reads title of bill) Senate Bill 437, offered by Senator Demuzio. (Secretary reads title of bill) Senate Bill 438, offered by Senators Demuzio, Watson and Vadalabene. (Secretary reads title of bill) Senate Bill 439, offered by Senator Watson. (Secretary reads title of bill) Senate Bill 440, offered by Senator Watson. (Secretary reads title of bill) Senate Bill 441, offered by Senator Fawell. (Secretary reads title of bill) Senate Bill 442, offered by Senator Cullerton. (Secretary reads title of bill) Senate Bill 443, offered by Senator Klemm. (Secretary reads title of bill) Senate Bill 444, offered by Senator Klemm. (Secretary reads title of bill) Senate Bill 445, offered by Senator Klemm.

18th Legislative Day (Secretary reads title of bill) Senate Bill 446, offered by Senator Topinka. (Secretary reads title of bill) Senate Bill 447, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 448, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 449, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 450, offered by Senator Demuzio. (Secretary reads title of bill) Senate Bill 451, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 452, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 453, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 454, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 455, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 456, offered by Senator Rea. (Secretary reads title of bill) Senate Bill 457, offered by Senator Watson. (Secretary reads title of bill) Senate Bill 458, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 459, offered by Senator Barkhausen. (Secretary reads title of bill) Senate Bill 460, offered by Senator Topinka. (Secretary reads title of bill) Senate Bill 461, offered by Senator Petka.

### March 9, 1993

18th Legislative Day

March 9, 1993

(Secretary reads title of bill) Senate Bill 462, offered by Senator Topinka. (Secretary reads title of bill) Senate Bill 463, offered by Senator Topinka. (Secretary reads title of bill) Senate Bill 464, offered by Senator Thomas Dunn. (Secretary reads title of bill) Senate Bill 465, offered by Senator Thomas Dunn. (Secretary reads title of bill) Senate Bill 466, offered by Senator Mahar. (Secretary reads title of bill) Senate Bill 467, offered by Senator O'Malley. (Secretary reads title of bill) Senate Bill 468, offered by Senators Peterson, Geo-Karis, Barkhausen and Stern. (Secretary reads title of bill) Senate Bill 469, offered by Senators Peterson, Geo-Karis, Stern and Barkhausen. (Secretary reads title of bill) Senate Bill 470, offered by Senator Berman. (Secretary reads title of bill) Senate Bill 471, offered by Senator Berman. (Secretary reads title of bill) Senate Bill 472, offered by Senator Berman. (Secretary reads title of bill) Senate Bill 473, offered by Senators Berman and Fitzgerald. (Secretary reads title of bill) Senate Bill 474, offered by Senator Syverson. (Secretary reads title of bill) Senate Bill 475, offered by Senator Trotter. (Secretary reads title of bill) Senate Bill 476, offered by Senator Trotter.

18th Legislative Day March 9, 1993 (Secretary reads title of bill) Senate Bill 477, offered by Senator Palmer. (Secretary reads title of bill) Senate Bill 478, offered by Senator Thomas Dunn. (Secretary reads title of bill) Senate Bill 479, offered by Senators Fawell and Cullerton. (Secretary reads title of bill) Senate Bill 480, offered by Senator Fawell. (Secretary reads title of bill) Senate Bill 481, offered by Senator Butler. (Secretary reads title of bill) Senate Bill 482, offered by Senator Fitzgerald. (Secretary reads title of bill) Senate Bill 483, offered by Senator Hawkinson. (Secretary reads title of bill) Senate Bill 484, offered by Senator Berman. (Secretary reads title of bill) Senate Bill 485, offered by Senators Weaver, Rea, DeAngelis and Jacobs. (Secretary reads title of bill) Senate Bill 486, offered by Senator McCracken. (Secretary reads title of bill) Senate Bill 487, offered by Senator Petka. (Secretary reads title of bill) Senate Bill 488, offered by Senator Woodyard. (Secretary reads title of bill) Senate Bill 489, offered by Senator Molaro. (Secretary reads title of bill) Senate Bill 490, offered by Senator Molaro. (Secretary reads title of bill) Senate Bill 491, offered by Senator Molaro. (Secretary reads title of bill)

18th Legislative Day March 9, 1993 Senate Bill 492, offered by Senator Hawkinson. (Secretary reads title of bill) Senate Bill 493, offered by Senators Demuzio and Weaver. (Secretary reads title of bill) Senate Bill 494, offered by Senator Ralph Dunn. (Secretary reads title of bill) Senate Bill 495, offered by Senator Ralph Dunn. (Secretary reads title of bill) Senate Bill -- pardon me, 496, offered by Senator Madigan. (Secretary reads title of bill) Senate Bill 497, offered by Senator Donahue. (Secretary reads title of bill) Senate Bill 498, offered by Senators Butler and Klemm. (Secretary reads title of bill) Senate Bill 499, offered by Senators Butler and Klemm. (Secretary reads title of bill) Senate Bill 500, offered by Senator Madigan. (Secretary reads title of bill) Senate Bill 501, offered by Senator Mahar. (Secretary reads title of bill) Senate Bill 502, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 503, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 504, offered by Senator Watson. (Secretary reads title of bill) Senate Bill 505, offered by Senator Watson. (Secretary reads title of bill) Senate Bill 506, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 507, offered by Senator Fawell. (Secretary reads title of bill)

18th Legislative Day March 9, 1993 Senate Bill 508, offered by Senators Weaver, Peterson and Philip. (Secretary reads title of bill) Senate Bill 509, offered by Senator Donahue. (Secretary reads title of bill) Senate Bill 510, offered by Senator Fawell. (Secretary reads title of bill) Senate Bill 571 -- excuse me, 511, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 512, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 413 -- pardon me, 513, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 514, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 515, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 516, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 517, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 518, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 519, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 520, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 521, offered by Senators Maitland and Donahue. (Secretary reads title of bill) Senate Bill 522, offered by Senator Philip.

18th Legislative Day

March 9, 1993

(Secretary reads title of bill)

Senate Bill 523, offered by Senator Philip.

(Secretary reads title of bill)

Senate Bill 524, offered by Senators Donahue, Burzynski, Carroll, DeAngelis and others.

(Secretary reads title of bill)

Senate Bill 525, offered by Senators Weaver, Burzynski, Carroll, DeAngelis and others.

(Secretary reads title of bill)

Senate Bill 526, offered by Senators Philip and Maitland.

(Secretary reads title of bill)

Senate Bill 527, offered by Senators Donahue, Burzynski, Carroll, DeAngelis and others.

(Secretary reads title of bill)

Senate Bill 528, offered by Senators Woodyard, Burzynski, Carroll, DeAngelis and others.

(Secretary reads title of bill)

Senate Bill 529, offered by Senators Weaver, Burzynski, Carroll, DeAngelis and others.

(Secretary reads title of bill)

Senate Bill 530, offered by Senator Mahar.

(Secretary reads title of bill)

Senate Bill 531, offered by Senators Mahar and Klemm. (Secretary reads title of bill)

Senate Bill 532, offered by Senators Ralph Dunn, Watson -pardon me, Ralph Dunn, Vadalabene, Watson, Carroll and others.

(Secretary reads title of bill)

Senate Bill 533, offered by Senator Madigan.

(Secretary reads title of bill)

Senate Bill 534, offered by Senator Mahar.

(Secretary reads title of bill)

Senate Bill 535, offered by Senator Madigan.

18th Legislative Day March 9, 1993 (Secretary reads title of bill) Senate Bill 536, offered by Senators Geo-Karis, Peterson, Stern and Barkhausen. (Secretary reads title of bill) Senate Bill 537, offered by Senator Demuzio. (Secretary reads title of bill) Senate Bill 538, offered by Senator Karpiel. (Secretary reads title of bill) Senate Bill 539, offered by Senator Smith. (Secretary reads title of bill) Senate Bill 540, offered by Senator O'Malley. (Secretary reads title of bill) Senate Bill 541, offered by Senator O'Malley. (Secretary reads title of bill) Senate Bill 542, offered by Senators Farley and Philip. (Secretary reads title of bill) Senate Bill 543, offered by Senators Burzynski and Madigan. (Secretary reads title of bill) Senate Bill 544, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 545, offered by Senator Burzynski. (Secretary reads title of bill) Senate Bill 546 -- Senate Bill 546, offered by Senator Topinka. (Secretary reads title of bill) Senate Bill 547, offered by Senator Madigan. (Secretary reads title of bill) Senate Bill 548, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 549, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 550, offered by Senator DeAngelis.

March 9, 1993 18th Legislative Day (Secretary reads title of bill) Senate Bill 551, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 552, offered by Senator Ralph Dunn. (Secretary reads title of bill) Senate Bill 553, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 554, offered by Senator Klemm. (Secretary reads title of bill) Senate Bill 555, offered by Senator Dudycz. (Secretary reads title of bill) Senate Bill 556, offered by Senator Dudycz. (Secretary reads title of bill) Senate Bill 557, offered by Senator Dudycz. (Secretary reads title of bill) Senate Bill -- Senate Bill 558, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 559, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 560, offered by Senator Welch. (Secretary reads title of bill) Senate Bill 561, offered by Senator Geo-Karis. (Secretary reads title of bill) Senate Bill 562, offered by Senator Geo-Karis. (Secretary reads title of bill) Senate Bill 562 <sic> (563), offered by Senator -- offered by Senator Dunn. (Secretary reads title of bill) Senate Bill 564, offered by Senator Demuzio. (Secretary reads title of bill) Senate Bill 565 -- Senate Bill 565, offered by Senator

DeAngelis.

18th Legislative Day

## March 9, 1993

(Secretary reads title of bill) Senate Bill 566, offered by Senator Jacobs. (Secretary reads title of bill) Senate Bill 567, offered by Senator Klemm. (Secretary reads title of bill) Senate Bill 568, offered by Senator Ralph Dunn. (Secretary reads title of bill) Senate Bill 569, offered by Senator DeAngelis. (Secretary reads title of bill) Senate Bill 570, offered by Senator Donahue. (Secretary reads title of bill) Senate Bill 571, offered by Senator Butler. (Secretary reads title of bill) Senate Bill 572, offered by Senator Hasara. (Secretary reads title of bill) Senate Bill 573, offered by Senator Hasara. (Secretary reads title of bill) Senate Bill 574, offered by Senator Sieben. (Secretary reads title of bill) 1st Reading of the bills.

PRESIDENT PHILIP:

...(machine cutoff)...top of page 2, 2nd Readings. Senate Bill 85. Senator Woodyard. Senator Woodyard, do you wish the bill to be read? Senator Klemm. Senate Bill 90. Do you wish the bill read? The bottom of page 2, Resolutions. Senator Palmer, for what purpose do you arise? SENATOR PALMER:

A question of parliamentary procedure, Mr. President. I wanted to know what the procedure is for Floor amendments. Could you expound on that a little bit? PRESIDENT PHILIP:

Thank you, Senator Palmer. As you know, Floor amendments will

## 18th Legislative Day

March 9, 1993

go to Rules Committee. I'm assuming, if it is just a technical amendment, the Rules Committee will probably put it back on to the Floor on 2nd Reading. If it is a detailed, controversial amendment, it'll probably go back to the committee where it was -where it should have been in the first place - where the bill originated from. Senator Palmer, for what reason do you rise? SENATOR PALMER:

Another question, please, on parliamentary procedure. I'd like to know what happens to the bill in that time. I'm concerned about the question of tracking between the amendment and the bill.

## PRESIDENT PHILIP:

The bill stays on the Order that it was on the Floor. The bill stays on the same Order that it was on the Floor. Senator Palmer, let me try to explain that. I think maybe I can answer your question. For some reason, Senator Barkhausen is not here today. We -- we -- we have always made it a -- a habit in the past that we don't call somebody's bill if the sponsor's not here. Now I'm assuming he's going to be here sometime this week. When he was here we certainly will -- will -- will allow you to put forth your -- your amendment. Senator Palmer, for what reason? SENATOR PALMER:

Thank you, Mr. President. I appreciate that. My question, though, is in general. I see that Senator Barkhausen isn't here right now. But will the amendment -- will the -- the bill move without the amendment, in general, or will it remain in place in order for the amendment to catch up with it? PRESIDENT PHILIP:

Senator, if you would look at the rule book, page 12, Section 3.8 <sic> (3-8), and remind you that the sponsor of the bill traditionally has control of their bill. So if the sponsor does not want to call their bill, of course, that's up to the sponsor.

#### 18th Legislative Day

March 9, 1993

Senator Demuzio, for what purpose do you arise? SENATOR DEMUZIO:

As -- again, on this same parliamentary procedure. If -- if a Member files a amendment to a bill that is on 2nd Reading, that amendment, you claim, will then be referred to the Rules Committee. Does that bill then stay on the posture of 2nd Reading at such time as the final distribution has been made by the Rules Committee?

#### PRESIDENT PHILIP:

If you'll remember, the sponsor controls the bill. The sponsor controls the bill. And whatever the sponsor wishes, we -we normally have agreed. Senator Demuzio.

## SENATOR DEMUZIO:

So, in other words, that if a amendment is filed to a bill today, the Chair rules that that amendment must go to the Rules Committee, then -- then that sponsor can, in fact, move that bill to the Order of 3rd Reading without hesitation, without any parliamentary procedure of having to be -- the bill to be brought back to the Order of 2nd Reading, once it goes on 3rd, for the purpose of an amendment?

## PRESIDENT PHILIP:

Senator Demuzio, I would once again suggest you look at page 12, 3-8, and -- and remind you that normally in the past around here we allowed the sponsor and the person who has the amendment to work out those little problems. And, you know, if the sponsor does not want to consider that bill -- that amendment and move the bill without waiting for the person, well, there's not much I can do about that. Now normally we have extended those courtesies. Senator Demuzio.

#### SENATOR DEMUZIO:

Well then, under your rules, any time a -- a bill comes to the Floor from committee, read into the record, appears on the

## 18th Legislative Day

March 9, 1993

Calendar, Member files an amendment, the Presiding Officer then rules that amendment has to go to the Rules Committee, and the sponsor can, in fact, move the bill to the Order of 3rd Reading; there's never an opportunity to amend a bill here. PRESIDENT PHILIP:

As you know that Rule 3-8 makes it automatic. It's automatically referred; it's not a ruling of the Chair. Senator Demuzio.

### SENATOR DEMUZIO:

I understand that. But what my point is, is that once a bill is reported out of committee to the Floor of the Senate, it -- it is printed on the Calendar; any Member that wishes to file an amendment may, in fact, do so; however, those amendments then are automatically referred to the Rules Committee. The sponsor can, in fact, then move his bill from 2nd to 3rd without an amendment and never bring it back, and therefore, there would never be an opportunity for any Member to offer an amendment here. PRESIDENT PHILIP:

Senator McCracken, for what purpose do you arise? SENATOR McCRACKEN:

Mr. President, I wanted to address the Gentleman's question. PRESIDENT PHILIP:

Go right ahead.

The practice is unchanged of a sponsor controlling the bill. If, in the past -- if, in the past, a person's amendment was not ready and the sponsor wanted to move the bill to 3rd Reading, he had the right to do so. Under the current rules, that right is retained.

PRESIDENT PHILIP:

Senator Jones, for what purpose do you arise? SENATOR JONES:

18th Legislative Day

March 9, 1993

Thank you, Mr. President. I believe what the Members on this side of the aisle were attempting to get clarification on, which is something that is very basic, and that is simply this, Senator If an amendment is filed on a bill - I know our rules McCracken: require that amendment to go to the Rules Committee - but if the amendment is filed, until the Rules Committee act, then that bill should remain on 2nd Reading. Now that is the question that is before us at this particular time, not whether the sponsor wants to go ahead and move the bill. It is -- once that amendment is filed and it goes to the Rules Committee, what you're trying to tell us - I want clarification on this point - that the -that the bill can go ahead and move to 3rd Reading without action of the Rule Committee. Is that what you're trying to say? PRESIDENT PHILIP:

Senator McCracken.

## SENATOR McCRACKEN:

All I'm saying is that the sponsor continues to control the bill, as has been the practice in both Chambers. That is unchanged. Mr. President, I suggest we get off the order of dialogue and move on to the Senate's business. I do not believe the Chair is required to engage in this. The question has been answered; let us move forward.

## PRESIDENT PHILIP:

Senator McCracken, your point is well taken. Is there any parliamentary inquiry that the... Senator Jones. SENATOR JONES:

Thank you, Mr. President. I'm surprised that the freshman Senator from the House knows so -- much about the old practice in the Senate. It has been the practice in the Senate, Senator McCracken, that once an amendment is filed on a bill, that that bill automatically remains on 2nd Reading. That has been the practice. Now what you are saying to us, that if the amendment is

### 18th Legislative Day

#### March 9, 1993

filed, and according to the Rules, it goes to the Rules Committee, then the sponsor can go ahead and move the bill in spite of the fact that the amendment has already been filed. That has not been the practice, Senator McCracken. And so, therefore, we're trying to get a clarification from you, Mr. President, that -- other words then, if the sponsor does not want to hold the bill, regardless of whether that bill <sic> is filed and going to the Rules Committee, then -- then that bill can go ahead and move without the -- the action by the Rules Committee? PRESIDENT PHILIP:

Senator Jones, in the past - and you -- you ought to remember this - that if a person had a amendment and the sponsor did not like the amendment, the sponsor moved the bill. If the amendment wasn't ready -- oh. That -- that -- well, that's untrue. Senator Jones.

### SENATOR JONES:

Thank you, Mr. President. I see the Parliamentarian -- I don't know which one is giving you advice, but the one that I've known for a number of years knows that has not been the practice. And so, therefore -- only thing I'm saying to you, Mr. President, I think the Members on this side of the aisle and I believe the Members on your side of the aisle - those who want to be enlightened to this issue - what you're saying then, that the Body - itself - the Body cannot exercise its right to amend a bill. Other words, the individual Senator's right supersedes that of the And so what I'm saying, Mr. President, is that -- can you Body. make it clear to this Body - not only this side of the aisle, but your Members on the other side of the aisle, equally as well that a bill who has an amendment filed to it on 2nd Reading, that the Rules Committee act, that bill should remain on 2nd until Reading until such time as the Rules Committee act because the amendment would have been filed.

18th Legislative Day

March 9, 1993

## PRESIDENT PHILIP:

Senator Jones, once -- once again - I've been around here as long as you have - we have in the past -- when we got to 2nd Readings, somebody had an amendment at the last minute that was not ready and the sponsor wanted to move that bill, they moved that bill. Now you know that, and I know that. You know what? We're just going to go...(machine cutoff)...we're just going to go right ahead to Resolutions. Mr. Secretary, Resolutions. Bottom of page 2. Senator Topinka. Senate Resolution 78. SENATOR TOPINKA:

Yes. Mr. President, just a point of -- of parliamentary inquiry. I am the joint sponsor on this resolution, and in lieu of Senator Raica's surgery and convalescence, I would like to move that. Is that within the boundaries of the Rules, and am I able to do so?

## PRESIDENT PHILIP:

Normally the main sponsor controls that bill. I would suggest that -- that we wait till tomorrow. All right? Senator Topinka, are you -- what are you going to do with 78? SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, Ves. Senate Resolution 78 urges the Emergency Management Agency to convene an Emergency Management Advisory Committee of the Illinois -- well, to study the Emergency Operations Plan in the State here and any changes which should be undertaken to facilitate additional coordination between the Emergency Management Agency and local governments and other entities, which would include a promotion of a greater understanding of the responsibilities of This is an attempt to get all of the various agencies, each. municipalities, counties, jurisdictions - any one who has anything to do with emergency operations in this State - to come up with a coordinated plan. I know of no opposition. We've worked with the

#### 18th Legislative Day

Emergency Management Department -- Agency, and everyone seems to be signed off on this.

PRESIDENT PHILIP:

Any discussion? Senator Fawell. SENATOR FAWELL:

Thank you very much. Will the sponsor yield for a question? Senator Topinka, I've been approached by some people in DuPage County who have some problems with the Springfield Office on how emergencies are to be handled and managed, and there is a question of -- of the authority and -- and the use of volunteers. Will this also be addressed in your -- in your commission? PRESIDENT PHILIP:

Senator Topinka. SENATOR TOPINKA:

Yes. Senator Fawell, it is not precluded. This is wide open in terms of coming up with the best and most coordinated emergency and disaster plan for the State of Illinois. So I don't see any problem with what you're suggesting.

## PRESIDENT PHILIP:

Any further discussion? Senator Topinka, to close. SENATOR TOPINKA:

I would just seek a favorable roll call. PRESIDENT PHILIP:

Thank you. Senator Topinka moves the adoption of Senate Resolution 78. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. Resolution is adopted. Senate Resolution 79. Senator Watson. Senator Watson. Oh -- excuse me. Read the resolution, Mr. Secretary.

#### SECRETARY HARRY:

Senate Resolution 79, offered by Senator Watson. PRESIDENT PHILIP:

Senator Watson, on your resolution.

18th Legislative Day

March 9, 1993

## SENATOR WATSON:

Thank you, Mr. President. This particular resolution has been adopted in this Body before, and due to reporting dates, was unable to be heard and complied with. But this particular resolution, what it will do is -- the nursing home industry is inundated with inspections from various State agencies - the Fire Marshal, the Department of Transportation, the Department of Public Aid, the Department of Mental Health, the Department of Public Health - constantly coming into these nursing homes and it asking them to comply with the regulations of the State. -- and What we're trying to do here is give the nursing homes a little relief in saying that maybe we just ought to have one agency come in and do an annual inspection so that they could comply with the regulations of both the State, and possibly even the federal government. What's happing is sometimes ... PRESIDENT PHILIP:

May we have a little order, please? SENATOR WATSON:

What's happening out there in the nursing homes is, a State agency will come in one day and tell them they have to do one particular requirement, and the next day, or two weeks later, another agency will come in and do an inspection and ask them to redo what one agency has already done. This is actually happening. We need some consistency; we need some continuity. And we're asking that these people from the various agencies get together and come up with a plan in which possibly just one inspection would be done. Be glad to answer any questions; otherwise, Mr. President, I appreciate your favorable support. PRESIDENT PHILIP:

Any discussion? Senator Welch. On the resolution, that is. Senator Welch. Senator Welch hiding somewhere? He has got his light on. Any questions on this resolution?

18th Legislative Day

March 9, 1993

SENATOR WELCH:

Yes.

PRESIDENT PHILIP:

Thank you, Senator Welch. Go right ahead.

SENATOR WELCH:

Pardon me. We've got a lot to talk on. Senator Watson, I had a question. Who is going to be on this committee? How many members is it going to be? Is it going to be legislators? Are they going to be paid? Is this going to be a new commission? What's this going to be?

PRESIDENT PHILIP:

Senator Watson. SENATOR WATSON:

Yes. Thank you, Senator Welch. They will -- the committee will consist of ten members. The President and Minority Leader of the Senate would appoint two Members of the General Assembly. The Governor would appoint a representative of the Department of Mental Health, the Department of Public Aid, Department of Aging, the Department of Public Health, Department of Transportation, and the Fire Marshal's Office.

PRESIDENT PHILIP:

Senator Welch. Any other discussion on Senate Resolution 79? On the resolution, Senator? On the resolution? Senator Demuzio. SENATOR DEMUZIO:

Yes. I'd like to ask the sponsor a question, if I might. PRESIDENT PHILIP:

Senator Watson says he will yield. SENATOR DEMUZIO:

Does this require the expenditure of money? It says in the resolution that members of the committee shall serve without compensation. That is pretty explicit, but there is money involved, and therefore -- at least in my judgement. Does this

### 18th Legislative Day

March 9, 1993

require the expenditure of State money for this new committee of ten members?

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

Well, as you mentioned, the -- it's explicit, and it says that they will serve without compensation; the idea being that we'll possibly save money.

PRESIDENT PHILIP:

Senator Demuzio.

### SENATOR DEMUZIO:

Well, thank you very much for my explanation. The problem is, is that, does it require the expenditure of money? I assume that telephone calls, posting notice, postage, things of that nature, that it does require travel, that it does require the -- the printing and -- and expenditure of dollars. And so the answer is -- is yes. Is that correct?

PRESIDENT PHILIP:

Senator Watson. SENATOR WATSON:

Well, thank you. I would guess, as anything that we do here, the normal expenditures of -- of our actions would require some cost.

## PRESIDENT PHILIP:

Senator Demuzio. SENATOR DEMUZIO:

Well, then, I'd like to point out that the last resolution that we just passed had the same language in it, and we were not afforded the opportunity of a roll call. So I question the legality of any expenditures with that last resolution. And I'm surprised that the Parliamentarian hasn't advised the -- the Presiding Officer that any time that you do have an expenditure of

## 18th Legislative Day

March 9, 1993

dollars, it requires a roll call of the Members elected. And so that -- that resolution and this resolution, in my judgement, therefore, both require roll calls.

## PRESIDENT PHILIP:

If you want a roll call, Senator, we'll give you a roll call. Any further discussion? There was not a request for a roll call for the last resolution. Senator Demuzio. SENATOR DEMUZIO:

I don't think it's -- it's a prerogative of me to -- or a Member to ask for a roll call. It does require the expenditure of -- of dollars of State money. And therefore, it seems to me, that as a matter of your rules, before you can spend any dollars with respect to any of the -- these commission or committees that are being established, it is absolutely necessary for a roll call. So I would ask for a ruling of the Chair as to whether or not this resolution and the resolution preceding, requiring the expenditure of money, or any resolution to be considered during this -- during this Session -- does it in fact require a roll call if you are spending State dollars?

## PRESIDENT PHILIP:

On the guestion of Senate Resolution 79, the -- the -the roll call is in order. The question is, shall Senate Resolution 79 be adopted. Those in favor will signify by voting Aye. Those The voting is open. The voting is open. The opposed, Nay. voting is open. Take the record. On that question, the Ayes are 38, the Nays are 1, 11 voting Present. Senate Joint <sic> Resolution 79, having received the required constitutional majority, is now declared passed. ... (machine cutoff)... Joint <sic> Resolution 80. Senator Topinka.

## SENATOR TOPINKA:

Yes. If I may ask a question, to begin with. In light of the fact that Senator Demuzio has, at least, suggested that a roll

## 18th Legislative Day

March 9, 1993

call might be in order on Senate Resolution 27 <sic> (78), which we earlier passed by a voice vote, would I be within -- would I be proper in asking that we hold a roll call on Senate Resolution 27 to -- or, I'm sorry -- 78, to make sure that indeed it is proper and in keeping with what's going on here? If I may, Mr. President, I'd like to ask to reconsider Senate Resolution 78, which was adopted by an oral roll call, so that I could request that a -- a regular roll call be taken. PRESIDENT PHILIP:

Having voted on the prevailing side, Senator Topinka moves to reconsider Senate Joint Resolution -- Senate Resolution 78. Roll call is in order. All those in favor -- the -- the question is, shall Senate Resolution 78 be adopted <sic>. Those in favor, signify by voting Aye. Those opposed, Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There are -- there are 30 Ayes, 2 Nays, ll voting Present. Senate Resolution 78, having received the constitutional majority, is declared passed <sic>. Now the Chair recognizes the Minority Leader, Senator Jones. For what purpose do you arise? SENATOR JONES:

Thank you -- thank you, Mr. President. And I -- I don't like standing on this Floor shouting, trying to get you to recognize And -- and let me make one thing crystal clear, Mr. me. President: As the Leader on this side of the aisle, I'm saying it publicly, that if my light is on on a given matter, you owe me the the respect to recognize me as such. I was trying to courtesy, get your attention. I know your -- your side of the aisle is new at this, and when you attempted to pass a resolution that required the expenditure of dollars, it requires a roll call vote. It is not whether or not one Member on this side of the aisle, if they so wish to have a roll call vote. Any time we are expending State dollars, it requires a roll call vote. But I don't like having to

### 18th Legislative Day

March 9, 1993

come to the Chair, nor do I like for you to willy-nilly, at your discretion, decide on whether or not you want to recognize me. It is your duty to do such, and I respectfully request that in the future, if my light is on, don't force me to come to the Chair to request that you recognize me. Give me the same courtesy and respect that I would give you on any given matter. Now the motion on what you're talking about right now, it was a motion to reconsider. I wanted recognition to have a verified -- have that roll call verified. But you cannot arbitrarily hit the gavel and not recognize Members on this side of the aisle. So. Mr. President, I respectfully, since you have already erased -- I want verification on the motion to reconsider.

PRESIDENT PHILIP:

Senator Jones, your -- your comments will be noted. Now the -- the motion was to reconsider, which has been, as you know, passed. Now we are going to consider her -- her Resolution 78 once again. Senator Jones, for what purpose do you arise? SENATOR JONES:

I request a verification on the motion to reconsider, a verification of the affirmative roll call. PRESIDENT PHILIP:

That -- that request will be in order. The Members will be in their seats. The Secretary will read the affirmative vote. Mr. Secretary.

## SECRETARY HARRY:

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

18th Legislative Day March 9, 1993 Senator Jones, do you question the presence of any Member? SENATOR JONES: Is -- Senator Donahue? PRESIDENT PHILIP: Senator Donahue, I believe, is in her chair. SENATOR JONES: Senator Cronin? PRESIDENT PHILIP: Senator Cronin's sitting right in his chair. SENATOR JONES: Senator Maitland? PRESIDENT PHILIP: Senator Maitland is standing at his chair. He's giving you a salute, Senator. SENATOR JONES: Is -- Senator Ralph Dunn? PRESIDENT PHILIP: Senator Ralph Dunn is sitting in his chair, as always. SENATOR JONES: Senator Klemm? PRESIDENT PHILIP: Senator Klemm is our biggest Member; he certainly is there. SENATOR JONES: No further questions. PRESIDENT PHILIP: On that question, there are 30 Ayes, 2 Nays, 11 Thank you. Earlier I had talked to the Present. The motion carries.

Minority Leader about going in recess till 4 o'clock, to allow the -- the Secretary to -- Introduction of Bills - just reading them in the record. I intend on doing that. And it is the intention of the Chair to recess the Senate until 4 o'clock today for the purpose of the Secretary an opportunity to read in the newly

18th Legislative Day

March 9, 1993

introduced bills. As you know, tomorrow is the last day. There -- there will be no substantive work done. And if the Members would return at 4 o'clock. And I might remind everybody, tomorrow is the last day. So without that, further, the Senate will stand in recess till 4 o'clock this afternoon.

#### (SENATE STANDS IN RECESS)

## (SENATE RECONVENES)

#### PRESIDENT PHILIP:

The hour of 4 o'clock having arrived, the Senate will please convene. Committee Reports.

SECRETARY HARRY:

Senator Ralph Dunn, Chair of the Committee on State Government Operations and Executive Appointments, reports Senate Bill 224 Do Pass, as Amended.

Senator Fawell, Chairperson of the Committee on Transportation, reports Senate Bill 157 Do Pass, as Amended <sic>.

## PRESIDENT PHILIP:

Messages from the House. SECRETARY HARRY:

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

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

House Bills 153 and 157.

Passed the House, March 9, 1993. Anthony D. Rossi, Clerk of the

March 9, 1993 18th Legislative Day House. PRESIDENT PHILIP: Resolutions, Mr. Secretary. SECRETARY HARRY: Senate Resolution 138, offered by Senator Dudycz. Senate Resolution 139, offered by Senators Klemm, Philip, DeAngelis and Watson. And Senate Joint Resolution, Constitutional Amendment, 26, offered by Senator Palmer. They're all substantive, Mr. President. PRESIDENT PHILIP: Introduction of Bills. SECRETARY HARRY: Senate Bill 575, by Senator Hasara. (Secretary reads title of bill) Senate Bill 576, by Senator Cronin. (Secretary reads title of bill) Senate Bill 577, by Senators Karpiel and Philip. (Secretary reads title of bill) Senate Bill 578, offered by Senators Mahar, Philip and Fawell. (Secretary reads title of bill) Senate Bill 579, by Senator Watson. (Secretary reads title of bill) Senate Bill 580 is offered by Senator Madigan. (Secretary reads title of bill) Senate Bill 581, by Senator Madigan. (Secretary reads title of bill) Senate Bill 582 is offered by Senator Madigan. (Secretary reads title of bill) Senate Bill 583 is offered by Senator Burzynski. (Secretary reads title of bill) Senate Bill 584, by Senator Woodyard.

18th Legislative Day March 9, 1993 (Secretary reads title of bill) Senator Woodyard offers Senate Bill 585. (Secretary reads title of bill) Senate Bill 586 is by Senator Woodyard. (Secretary reads title of bill) Senate Bill 587, by Senator Welch. (Secretary reads title of bill) Senate Bill 588 is offered by Senator Demuzio. (Secretary reads title of bill) Senate Bill 589, offered by Senator Burzynski. (Secretary reads title of bill) Senate Bill 590 is offered by Senator DeAngelis. (Secretary reads title of bill) Senator Fitzgerald offers Senate Bill 591. (Secretary reads title of bill) Senate Bill 592 is offered by Senators Cronin and Dudycz. (Secretary reads title of bill) Senator Karpiel offers Senate Bill 593. (Secretary reads title of bill) Senate Bill 594 - Senator Sieben, the sponsor. (Secretary reads title of bill) Senate Bill 595, by Senator Trotter. (Secretary reads title of bill) Senate Bill 596 is offered by Senator Woodyard. (Secretary reads title of bill) Senate Bill 597, by Senator Mahar. (Secretary reads title of bill) Senate Bill 598 is offered by Senators Barkhausen, DeLeo, Butler and Shaw. (Secretary reads title of bill) Senate Bill 599 is offered by Senator Peterson.

(Secretary reads title of bill)

18th Legislative Day March 9, 1993 Senate Bill 600, offered by Senators Carroll, Jacobs, LaPaille and Vadalabene. (Secretary reads title of bill) Senate Bill 601 is offered by Senator Fitzgerald. (Secretary reads title of bill) Senate Bill 602, by Senator Fitzgerald. (Secretary reads title of bill) Senator Fitzgerald offers Senate Bill 603. (Secretary reads title of bill) Senate Bill 604, sponsored by Senator Klemm. (Secretary reads title of bill) Senate Bill 605, Senator Madigan. (Secretary reads title of bill) Senator Syverson offers Senate Bill 606. (Secretary reads title of bill) Senator Rea offers Senate Bill 607. (Secretary reads title of bill) Senate Bill 608, by Senator Rea. (Secretary reads title of bill) Senate Bill 609, by Senator Maitland. (Secretary reads title of bill) Senators Hasara and Mahar offer Senate Bill 610. (Secretary reads title of bill) Senate Bill 611, by Senator Cronin. (Secretary reads title of bill) Senate Bill 612, by Senator Cronin. (Secretary reads title of bill) Senator Farley offers Senate Bill 613. (Secretary reads title of bill) Senate Bill 614, offered by Senator O'Malley. (Secretary reads title of bill) Senate Bill 615, offered by Senators Cronin and Tom Dunn.

18th Legislative Day March 9, 1993 (Secretary reads title of bill) Senate Bill 616, by Senator Woodyard. (Secretary reads title of bill) Senate Bill 617, by Senators Barkhausen and Berman. (Secretary reads title of bill) Senator Donahue offers Senate Bill 618. (Secretary reads title of bill) Senate Bill 619, by Senator Hawkinson. (Secretary reads title of bill) Senate Bill 620, Senator Collins. (Secretary reads title of bill) Senator Collins offers Senate Bill 621. (Secretary reads title of bill) Senate Bill 622 is offered by Senator McCracken. (Secretary reads title of bill) Senator McCracken offers Senate Bill 623. (Secretary reads title of bill) Senate Bill 624, offered by Senator Rea. (Secretary reads title of bill) Senate Bill 625, Senator Karpiel. (Secretary reads title of bill) Senate Bill 626, by Senator Karpiel. (Secretary reads title of bill) Senate Bill 627, Senator Donahue. (Secretary reads title of bill) Senator Topinka offers Senate Bill 628. (Secretary reads title of bill) Senate Bill 629, Senator Karpiel. (Secretary reads title of bill) Senator Karpiel offers Senate Bill 630. (Secretary reads title of bill) Senate Bill 631 is offered by Senator Rauschenberger.

18th Legislative Day March 9, 1993 (Secretary reads title of bill) Senator Rauschenberger offers Senate Bill 632. (Secretary reads title of bill) Senate Bill 633, offered by Senator Peterson. (Secretary reads title of bill) Senate Bill 634, Senator Demuzio. (Secretary reads title of bill) Senate Bill 635, offered by Senators Demuzio and Vadalabene. (Secretary reads title of bill) Senate Bill 636, offered by Senator LaPaille. (Secretary reads title of bill) Senator Cullerton offers Senate Bill 637. (Secretary reads title of bill) Senate Bill 638, by Senator Cullerton. (Secretary reads title of bill) Senate Bill 639, by Senator Cullerton. (Secretary reads title of bill) ... (machine cutoff)... Bill 640, offered by Senator Cullerton. (Secretary reads title of bill) Senate Bill 641, by Senator Cullerton. (Secretary reads title of bill) Senate Bill 642, by Senator Cullerton. (Secretary reads title of bill) Senator Cullerton offers Senate Bill 643. (Secretary reads title of bill) Senate Bill 644, by Senator Cullerton. (Secretary reads title of bill) Senate Bill 645, by Senator Carroll. (Secretary reads title of bill) Senate Bill 646, by Senator Carroll. (Secretary reads title of bill) Senate Bill 647, by Senator Carroll.

18th Legislative Day

March 9, 1993

(Secretary reads title of bill)

Senate Bill 648, by Senator Carroll.

(Secretary reads title of bill)

Senator Carroll offers Senate Bill 649.

(Secretary reads title of bill)

Senate Bill 650, offered by Senators Barkhausen and Cullerton. (Secretary reads title of bill)

Senate Bill 651, offered by Senator Barkhausen.

(Secretary reads title of bill)

Senate Bill 652, by Senator Barkhausen.

(Secretary reads title of bill)

Senate Bills -- or Senate Bill 653 is by Senator Barkhausen and Senator Luft.

(Secretary reads title of bill)

Senate Bill 654, offered by Senators Garcia, del Valle and Vadalabene.

(Secretary reads title of bill)

Senate Bill 655, offered by Senators Garcia, Vadalabene, Smith, Trotter and del Valle.

(Secretary reads title of bill)

Senate Bill 656, offered by Senators Garcia, Vadalabene and others.

(Secretary reads title of bill)

Senate Bill 657, offered by Senators Garcia, Smith and others. (Secretary reads title of bill)

- Senate Bill 658, offered by Senators Garcia, Smith and others. (Secretary reads title of bill)
- Senate Bill 659, offered by Senators Garcia, Smith and others. (Secretary reads title of bill)

Senate Bill 660, offered by Senator Berman.

(Secretary reads title of bill)

Senate Bill 661 is offered by Senator Butler.

18th Legislative Day

(Secretary reads title of bill) Senate Bill 662, by Senator Butler. (Secretary reads title of bill) Senate Bill 663, by Senator Butler. (Secretary reads title of bill) Senate Bill 664, by Senator Butler. (Secretary reads title of bill) Senator Butler offers Senate Bill 665. (Secretary reads title of bill) Senate Bill 666 is offered by Senator Topinka. (Secretary reads title of bill) Senate Bill 667, Senators Topinka and Watson. (Secretary reads title of bill) Senate Bill 668, Senator DeAngelis. (Secretary reads title of bill) Senate Bill 669, by Senator Burzynski. (Secretary reads title of bill) Senate Bill 670, by Senator Burzynski. (Secretary reads title of bill) Senate Bill 671 is offered by Senator Maitland. (Secretary reads title of bill) Senate Bill 672, by Senator Maitland. (Secretary reads title of bill) Senate Bill 673, by Senator Watson. (Secretary reads title of bill) Senate Bill 674, offered by Senator Cullerton. (Secretary reads title of bill) Senate Bill 675, by Senator Cullerton. (Secretary reads title of bill) And Senate Bill 676, offered by Senator Luft. (Secretary reads title of bill) 1st Reading of the bills.

## 18th Legislative Day

March 9, 1993

... (machine cutoff)... Bill 677, offered by Senator Maitland.

(Secretary reads title of bill)

1st Reading of the bill, Mr. President.

PRESIDENT PHILIP:

Senator McCracken, for what purpose do you arise? SENATOR McCRACKEN:

Thank you, Mr. President. I rise to announce a Rules Committee meeting to be held at 9:45 tomorrow morning, in Room 329B - Senator Weaver's Office. Tomorrow morning, 9:45. PRESIDENT PHILIP:

Thank you, Senator. Mr. Secretary, would you also indicate in the record that Senator Raica is absent because he is recovering from surgery. Further business to come before the Senate? If not, we will stand adjourned until... Oh, yeah. Yeah. Thank Senator Carroll indicates that Senator Vadalabene is you. convalescing at home, and is absent for health reasons. Thank you, Senator. Yeah. The Introduction of Bills having been concluded, business is finished today. We'll stand adjourned till tomorrow at - What? Noon? - noon. Thank you very much. We're...(microphone cutoff)...

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## STATE OF ILLINOIS 88TH GENERAL ASSEMBLY SENATE DAILY TRANSCRIPTION OF DEBATE INDEX

SB-0403	FIRST	READING	PAGE	3
SB-0404	FIRST	READING	PAGE	2
				2
SB-0405	FIRST	READING	PAGE	3
SB-0406	FIRST	READING	PAGE	3
SB-0407	FIRST	READING	PAGE	2
				5
SB-0408	FIRST	READING	PAGE	3
SB-0409	FIRST	READING	PAGE	3
SB-0410	FIRST	READING	PAGE	2
				2
SB-0411	FIRST	READING	PAGE	3
SB-0412	FIRST	READING	PAGE	3
SB-0413	FIRST	READING	PAGE	2
				2
SB-0414	FIRST	READING	PAGE	3
SB-0415	FIRST	READING	PAGE	3 3 3 3 3 3 3 3 3 3 3 3 3 3 4
SB-0416	FIRST	READING	PAGE	Ц Ц
				4
SB-0417	FIRST	READING	PAGE	
SB-0418	FIRST	READING	PAGE	4
SB-0419	FIRST	READING	PAGE	4
				4
SB-0420	FIRST	READING	PAGE	
SB-0421	FIRST	READING	PAGE	4
SB-0422	FIRST	READING	PAGE	4
			PAGE	4
SB-0423	FIRST	READING		
SB-0424	FIRST	READING	PAGE	4
SB-0425	FIRST	READING	PAGE	4
SB-0426	FIRST	READING	PAGE	4
SB-0427	FIRST	READING	PAGE	4
SB-0428	FIRST	READING	PAGE	4
SB-0429	FIRST	READING	PAGE	4
SB-0430	FIRST	READING	PAGE	4
SB-0431	FIRST	READING	PAGE	5
SB-0432	FIRST	READING	PAGE	5
SB-0433	FIRST	READING	PAGE	Ē
				2
SB-0434	FIRST	READING	PAGE	555555555555556
SB-0435	FIRST	READING	PAGE	5
SB-0436	FIRST	READING	PAGE	5
			PAGE	É
SB-0437	FIRST	READING		2
SB-0438	FIRST	READING	PAGE	5
SB-0439	FIRST	READING	PAGE	5
SB-0440	FIRST	READING	PAGE	5
				2
SB-0441	FIRST	READING	PAGE	2
SB-0442	FIRST	READING	PAGE	5
SB-0443	FIRST	READING	PAGE	5
SB-0444	FIRST	READING	PAGE	ŝ
				2
SB-0445	FIRST	READING	PAGE	5
SB-0446	FIRST	READING	PAGE	6
SB-0447	FIRST	READING	PAGE	6
			PAGE	6
SB-0448	FIRST	READING		0
SB-0449	FIRST	READING	PAGE	6
SB-0450	FIRST	READING	PAGE	6
SB-0451	FIRST	READING	PAGE	6
SB-0452	FIRST	READING	PAGE	6
SB-0453	FIRST	READING	PAGE	6
SB-0454	FIRST	READING	PAGE	6
		READING	PAGE	Ğ
SB-0455	FIRST			
SB-0456	FIRST	READING	PAGE	6
SB-0457	FIRST	READING	PAGE	6
SB-0458	FIRST	READING	PAGE	6
				ő
SB-0459	FIRST	READING	PAGE	
SB-0460	FIRST	READING	PAGE	6
SB-0461	FIRST	READING	PAGE	6
SB-0462	FIRST	READING	PAGE	7
				7
SB-0463	FIRST	READING	PAGE	1
SB-0464	FIRST	READING	PAGE	7
SB-0465	ETDOW	READING	PAGE	7
	LIUDI	ILL'AD ING		
SB-0466	FIRST	READING	PAGE	7

· .

## STATE OF ILLINOIS 88TH GENERAL ASSEMBLY SENATE DAILY TRANSCRIPTION OF DEBATE INDEX

SB-0467 F	IRST	READING	PAGE	7
				7
	IRST	READING	PAGE	1
	IRST	READING	PAGE	7
	IRST	READING	PAGE	7
	IRST	READING	PAGE	7
SB-0472 F	IRST	READING	PAGE	7
SB-0473 F	IRST	READING	PAGE	7
SB-0474 F	IRST	READING	PAGE	7
SB-0475 F	IRST	READING	PAGE	7
	IRST	READING	PAGE	7
	IRST	READING	PAGE	8
	IRST	READING	PAGE	8
	IRST	READING	PAGE	8
				8
	IRST	READING	PAGE	
	IRST	READING	PAGE	8
	IRST	READING	PAGE	8
	IRST	READING	PAGE	8
	IRST	READING	PAGE	8
SB-0485 F	IRST	READING	PAGE	8
SB-0486 F	IRST	READING	PAGE	8
SB-0487 F	IRST	READING	PAGE	8
SB-0488 F	IRST	READING	PAGE	8
	IRST	READING	PAGE	8
	IRST	READING	PAGE	8
	IRST	READING	PAGE	8
	IRST	READING	PAGE	9
	IRST	READING	PAGE	9
	IRST	READING	PAGE	9
	IRST	READING	PAGE	9
	IRST	READING	PAGE	9
	IRST	READING	PAGE	9
	IRST	READING	PAGE	9
	IRST	READING	PAGE	9
SB-0500 F	IRST	READING	PAGE	9
SB-0501 F	IRST	READING	PAGE	9
SB-0502 F	IRST	READING	PAGE	9
SB-0503 F	IRST	READING	PAGE	9
SB-0504 F	IRST	READING	PAGE	9
SB-0505 F	IRST	READING	PAGE	9
	IRST	READING	PAGE	9
	IRST	READING	PAGE	ģ
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
SB-0518 F	IRST	READING	PAGE	10
SB-0519 F	IRST	READING	PAGE	10
SB-0520 F	IRST	READING	PAGE	10
SB-0521 F	IRST	READING	PAGE	10
	IRST	READING	PAGE	10
-	IRST	READING	PAGE	11
	IRST	READING	PAGE	11
	IRST	READING	PAGE	11
	IRST	READING	PAGE	11
	IRST	READING	PAGE	11
	IRST	READING	PAGE	11
	IRST	READING	PAGE	11
	IRST	READING	PAGE	11
55-0330 F	1101	NERDING		

· .

## STATE OF ILLINOIS 88TH GENERAL ASSEMBLY SENATE DAILY TRANSCRIPTION OF DEBATE INDEX

SB-0531 FIRST	READING	PAGE	11
			11
SB-0532 FIRST	READING	PAGE	
SB-0533 FIRST	READING	PAGE	11
SB-0534 FIRST	READING	PAGE	11
SB-0535 FIRST	READING	PAGE	11
SB-0536 FIRST	READING	PAGE	12
. –			
SB-0537 FIRST	READING	PAGE	12
SB-0538 FIRST	READING	PAGE	12
SB-0539 FIRST	READING	PAGE	12
SB-0540 FIRST	READING	PAGE	12
SB-0541 FIRST	READING	PAGE	12
SB-0542 FIRST	READING	PAGE	12
SB-0543 FIRST	READING	PAGE	12
SB-0544 FIRST	READING	PAGE	12
SB-0545 FIRST	READING	PAGE	12
SB-0546 FIRST	READING	PAGE	12
SB-0547 FIRST	READING	PAGE	12
SB-0548 FIRST	READING	PAGE	12
SB-0549 FIRST	READING	PAGE	12
SB-0550 FIRST	READING	PAGE	12
SB-0551 FIRST	READING	PAGE	13
SB-0552 FIRST	READING	PAGE	13
SB-0553 FIRST	READING	PAGE	13
SB-0554 FIRST	READING	PAGE	13
	READING	PAGE	13
SB-0555 FIRST			
SB-0556 FIRST	READING	PAGE	13
SB-0557 FIRST	READING	PAGE	13
SB-0558 FIRST	READING	PAGE	13
SB-0559 FIRST	READING	PAGE	13
SB-0560 FIRST	READING	PAGE	13
			13
SB-0561 FIRST	READING	PAGE	
SB-0562 FIRST	READING	PAGE	13
SB-0563 FIRST	READING	PAGE	13
SB-0564 FIRST	READING	PAGE	13
SB-0565 FIRST	READING	PAGE	13
SB-0566 FIRST	READING	PAGE	14
SB-0567 FIRST	READING	PAGE	14
SB-0568 FIRST	READING	PAGE	14
SB-0569 FIRST	READING	PAGE	14
SB-0570 FIRST	READING	PAGE	14
SB-0571 FIRST	READING	PAGE	14
SB-0572 FIRST	READING	PAGE	14
			14
SB-0573 FIRST	READING	PAGE	
SB-0574 FIRST	READING	PAGE	14
SB-0575 FIRST	READING	PAGE	30
SB-0576 FIRST	READING	PAGE	30
SB-0577 FIRST	READING	PAGE	30
SB-0578 FIRST	READING	PAGE	30
		PAGE	
SB-0579 FIRST	READING		30
SB-0580 FIRST	READING	PAGE	30
SB-0581 FIRST	READING	PAGE	30
SB-0582 FIRST	READING	PAGE	30
SB-0583 FIRST	READING	PAGE	30
SB-0584 FIRST	READING	PAGE	30
SB-0585 FIRST	READING	PAGE	31
SB-0586 FIRST	READING	PAGE	31
SB-0587 FIRST	READING	PAGE	31
SB-0588 FIRST	READING	PAGE	31
SB-0589 FIRST	READING	PAGE	31
SB-0590 FIRST	READING	PAGE	31 31
			31
SB-0591 FIRST	READING	PAGE	31
SB-0592 FIRST	READING	PAGE	31
SB-0593 FIRST	READING	PAGE	31
SB-0594 FIRST	READING	PAGE	31

• •

SB-0595 FIRST SB-0596 FIRST			
	READING	PAGE	31
	READING	PAGE	31
SB-0597 FIRST	READING	PAGE	31
SB-0598 FIRST	READING	PAGE	31
SB-0599 FIRST	READING	PAGE	31
SB-0600 FIRST	READING	PAGE	32
SB-0601 FIRST	READING	PAGE	32
SB-0602 FIRST	READING	PAGE	32
SB-0603 FIRST	READING	PAGE	32
SB-0604 FIRST	READING	PAGE	32
SB-0605 FIRST	READING	PAGE	32
SB-0606 FIRST	READING	PAGE	32
			-
SB-0607 FIRST	READING	PAGE	32
SB-0608 FIRST	READING	PAGE	32
SB-0609 FIRST	READING	PAGE	32
SB-0610 FIRST	READING	PAGE	32
SB-0611 FIRST	READING	PAGE	32
SB-0612 FIRST	READING	PAGE	32
SB-0613 FIRST	READING	PAGE	32
SB-0614 FIRST	READING	PAGE	32
SB-0615 FIRST	READING	PAGE	32
SB-0616 FIRST	READING	PAGE	33
SB-0617 FIRST	READING	PAGE	33
SB-0618 FIRST	READING	PAGE	33
SB-0619 FIRST	READING	PAGE	33
SB-0620 FIRST	READING	PAGE	33
SB-0621 FIRST	READING	PAGE	33
	READING	PAGE	33
SB-0622 FIRST			
SB-0623 FIRST	READING	PAGE	33
SB-0624 FIRST	READING	PAGE	33
SB-0625 FIRST	READING	PAGE	33
SB-0626 FIRST	READING	PAGE	33
SB-0627 FIRST	READING	PAGE	33
SB-0628 FIRST	READING	PAGE	33
SB-0629 FIRST	READING	PAGE	33
SB-0630 FIRST	READING	PAGE	33
SB-0631 FIRST	READING	PAGE	33
SB-0632 FIRST	READING	PAGE	34
SB-0633 FIRST	READING	PAGE	34
		FAGE	
SB-0634 FIRST			
20-0034 LINDI	READING	PAGE	34
SB-0635 FIRST	READING	PAGE	34
SB-0635 FIRST SB-0636 FIRST	READING READING	PAGE PAGE	34 34
SB-0635 FIRST	READING	PAGE	34
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST	READING READING READING	PAGE PAGE PAGE	34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST	READING READING READING READING	PAGE PAGE PAGE PAGE	34 34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0639 FIRST	READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE	34 34 34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST	READING READING READING READING	PAGE PAGE PAGE PAGE	34 34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0639 FIRST SB-0640 FIRST	READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE	34 34 34 34 34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0639 FIRST SB-0640 FIRST SB-0641 FIRST	READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34 34 34 34 34 34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0638 FIRST SB-0638 FIRST SB-0640 FIRST SB-0641 FIRST SB-0642 FIRST	READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34 34 34 34 34 34 34 34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0638 FIRST SB-0638 FIRST SB-0640 FIRST SB-0641 FIRST SB-0642 FIRST	READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34 34 34 34 34 34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0639 FIRST SB-0640 FIRST SB-0641 FIRST SB-0642 FIRST SB-0643 FIRST	READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34 34 34 34 34 34 34 34 34 34
SB-0635 FIRST SB-0636 FIRST SB-0636 FIRST SB-0638 FIRST SB-0640 FIRST SB-0641 FIRST SB-0642 FIRST SB-0643 FIRST SB-0644 FIRST	READING READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34 34 34 34 34 34 34 34 34 34 34 34 34 3
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0639 FIRST SB-0640 FIRST SB-0641 FIRST SB-0642 FIRST SB-0643 FIRST	READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34444444444444444444444444444444444444
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0641 FIRST SB-0643 FIRST SB-0644 FIRST SB-0645 FIRST	READING READING READING READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34444444444444444444444444444444444444
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0644 FIRST SB-0645 FIRST SB-0646 FIRST	READING READING READING READING READING READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34444444444444444444444444444444444444
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0641 FIRST SB-0642 FIRST SB-0643 FIRST SB-0644 FIRST SB-0646 FIRST SB-0647 FIRST	READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34444444444444444444444444444444444444
SB-0635 FIRST SB-0636 FIRST SB-0638 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0642 FIRST SB-0643 FIRST SB-0645 FIRST SB-0646 FIRST SB-0648 FIRST	READING READING READING READING READING READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34444444444444444444444444444444444444
SB-0635 FIRST SB-0636 FIRST SB-0638 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0642 FIRST SB-0643 FIRST SB-0645 FIRST SB-0646 FIRST SB-0648 FIRST	READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	34444444444444444444444444444444444444
SB-0635 FIRST SB-0636 FIRST SB-0638 FIRST SB-0639 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0643 FIRST SB-0644 FIRST SB-0645 FIRST SB-0646 FIRST SB-0648 FIRST SB-0648 FIRST SB-0649 FIRST	READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	344444444444455 33333333333333333333333
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0644 FIRST SB-0644 FIRST SB-0644 FIRST SB-0645 FIRST SB-0646 FIRST SB-0648 FIRST SB-0649 FIRST SB-0649 FIRST SB-0650 FIRST	READING READING	PAGE	34444444444445555 333333333333333333333
SB-0635 FIRST SB-0636 FIRST SB-0638 FIRST SB-0639 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0643 FIRST SB-0644 FIRST SB-0645 FIRST SB-0646 FIRST SB-0648 FIRST SB-0648 FIRST SB-0649 FIRST	READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING READING	PAGE PAGE PAGE PAGE PAGE PAGE PAGE PAGE	344444444444455 33333333333333333333333
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0644 FIRST SB-0644 FIRST SB-0645 FIRST SB-0646 FIRST SB-0648 FIRST SB-0649 FIRST SB-0650 FIRST SB-0651 FIRST	READING READING	PAGE	3444444444444555555
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0643 FIRST SB-0643 FIRST SB-0644 FIRST SB-0646 FIRST SB-0648 FIRST SB-0648 FIRST SB-0649 FIRST SB-0650 FIRST SB-0652 FIRST	READING READING	PAGE	344444444444445555555
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0641 FIRST SB-0642 FIRST SB-0643 FIRST SB-0645 FIRST SB-0647 FIRST SB-0648 FIRST SB-0648 FIRST SB-0649 FIRST SB-0650 FIRST SB-0652 FIRST SB-0653 FIRST	READING READING	PAGE	344444444444445555555555555
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0643 FIRST SB-0643 FIRST SB-0644 FIRST SB-0646 FIRST SB-0648 FIRST SB-0648 FIRST SB-0649 FIRST SB-0650 FIRST SB-0652 FIRST	READING READING	PAGE	344444444444445555555
SB-0635 FIRST SB-0636 FIRST SB-0638 FIRST SB-0639 FIRST SB-0640 FIRST SB-0640 FIRST SB-0644 FIRST SB-0643 FIRST SB-0644 FIRST SB-0645 FIRST SB-0646 FIRST SB-0648 FIRST SB-0648 FIRST SB-0650 FIRST SB-0651 FIRST SB-0653 FIRST SB-0653 FIRST SB-0654 FIRST	READING READING	PAGE	34444444444455555555555555555555555555
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0644 FIRST SB-0644 FIRST SB-0644 FIRST SB-0644 FIRST SB-0648 FIRST SB-0648 FIRST SB-0650 FIRST SB-0651 FIRST SB-0654 FIRST SB-0654 FIRST SB-0654 FIRST SB-0655 FIRST	READING READING	PAGE   PAGE	34444444444455555555555555555555555555
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0642 FIRST SB-0643 FIRST SB-0644 FIRST SB-0646 FIRST SB-0646 FIRST SB-0648 FIRST SB-0648 FIRST SB-0651 FIRST SB-0651 FIRST SB-0655 FIRST SB-0655 FIRST SB-0655 FIRST SB-0655 FIRST SB-0656 FIRST	READING READING	PAGE	344444444444445555555555555555555555555
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0644 FIRST SB-0644 FIRST SB-0644 FIRST SB-0644 FIRST SB-0648 FIRST SB-0648 FIRST SB-0650 FIRST SB-0651 FIRST SB-0654 FIRST SB-0654 FIRST SB-0654 FIRST SB-0655 FIRST	READING READING	PAGE   PAGE	34444444444455555555555555555555555555
SB-0635 FIRST SB-0636 FIRST SB-0637 FIRST SB-0638 FIRST SB-0640 FIRST SB-0640 FIRST SB-0642 FIRST SB-0642 FIRST SB-0643 FIRST SB-0644 FIRST SB-0646 FIRST SB-0646 FIRST SB-0648 FIRST SB-0648 FIRST SB-0651 FIRST SB-0651 FIRST SB-0655 FIRST SB-0655 FIRST SB-0655 FIRST SB-0655 FIRST SB-0656 FIRST	READING READING	PAGE	344444444444445555555555555555555555555

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## STATE OF ILLINOIS 88TH GENERAL ASSEMBLY SENATE DAILY TRANSCRIPTION OF DEBATE INDEX

# MARCH 09, 1993

SB-0659 SB-0660		PAGE PAGE	35 35
SB-0661		PAGE	35
	FIRST READING	PAGE	36
	FIRST READING	PAGE	36
	FIRST READING	PAGE	36
	FIRST READING	PAGE	36
SB-0666		PAGE	36
	FIRST READING	PAGE	36
	FIRST READING	PAGE	36
SB-0669	FIRST READING	PAGE	36
SB-0670	FIRST READING	PAGE	36
SB-0671	FIRST READING	PAGE	36
SB-0672	FIRST READING	PAGE	36
SB-0673	FIRST READING	PAGE	36
SB-0674	FIRST READING	PAGE	36
SB-0675	FIRST READING	PAGE	36
	FIRST READING	PAGE	36
SB-0677	FIRST READING	PAGE	37
SR-0078	MOTION	PAGE	26
	ADOPTED	PAGE	20
	ADOPTED	PAGE	21
	RESOLUTION OFFERED	PAGE	3 3
	RESOLUTION OFFERED	PAGE	3
	RESOLUTION OFFERED	PAGE	30
	RESOLUTION OFFERED	PAGE	30
SJR-0026	RESOLUTION OFFERED	PAGE	30

## SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-PASTOR LYONS	PAGE	1
JOURNALS-APPROVED	PAGE	1
JOURNALS-POSTPONED	PAGE	1
COMMITTEE REPORTS	PAGE	1
RECESS	PAGE	29
SENATE RECONVENES	PAGE	29
COMMITTEE REPORTS	PAGE	29
MESSAGE FROM THE HOUSE	PAGE	29
ADJOURNMENT	PAGE	37