

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

104th Legislative Day

April 14, 1994

PRESIDING OFFICER: (SENATOR WATSON)

The regular Session of the 88th General Assembly will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Reverend Michael Smith of Calvary Temple, here in Springfield. Reverend Smith.

THE REVEREND MICHAEL SMITH:

(Prayer by the Reverend Michael Smith)

PRESIDING OFFICER: (SENATOR WATSON)

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Monday, April 11th, April 12th and April 13th, in the year 1994, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. All in favor shall respond with Yes. Any opposition? Motion failed -- the motion passes. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 460, offered by Senator Watson.

(Secretary reads title of bill)

House Bill 636, offered by Senator Hendon.

(Secretary reads title of bill)

Senate <sic> Bill 637, offered by Senator Hendon.

(Secretary reads title of bill)

House Bill 984, by Senator Hendon.

(Secretary reads title of bill)

House Bill 985, by Senator Hendon.

(Secretary reads title of bill)

Senator Hendon offers House Bill 1308.

(Secretary reads title of bill)

House Bill 1657, by Senator Hendon.

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(Secretary reads title of bill)

And House Bill 1970, by Senator Hendon.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WATSON)

Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 1263 is offered by Senator Demuzio.

It's congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Consent Calendar. It's the intention of the Chair to go to Constitutional Amendments, and the intent is this will be final passage, and so we're asking for the Membership to certainly come up to the Floor. This will be final action, 3rd Reading, Constitutional Amendments. It's on page 18 of our Calendar. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Just as a matter of inquiry. We are starting on page 18. Does that mean we are starting with HJRCA 14, sponsored by Senator Watson?

PRESIDING OFFICER: (SENATOR WATSON)

I think it's the intent of the Chair now to go to 2nd Readings, Senator Demuzio, which will be...

SENATOR DEMUZIO:

Oh, it's on 2nd Reading. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Yes. Thank you. Senate Bill 1133. Senator Cullerton. We're on 2nd Reading, Senator. Senator, would you mind giving the Body an update in regard to your -- your son? Senator Cullerton.

SENATOR CULLERTON:

Yes. Yes, thank you, Mr. President. I had to go back yesterday for my son had -- had his appendix out. Six-year-old

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boy. He's doing fine. He's in Children's Memorial Hospital, which is one of the finest in the United States. So he's doing fine, and I appreciate your -- your thoughts. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Well, we're glad to hear that. Senate Bill 1147. Senator Hawkinson. Out of the record. Senate Bill 1168. Senator Cronin. Out of the record. Senate Bill 1172. Senator Raica? Senator Raica, on Senate Bill 1172? Out of the record. Senate Bill 1211. Senator Tom Dunn. Senator Tom Dunn, on Senate Bill 1211? Out of the record. Senate Bill 1228. Senator Cronin. Out of the record. Senate Bill 1229. Senator Fawell. Out of the record. Senate Bill 1263. Senator Raica. Out of the record. Senate Bill 1297. Senator Syverson. Mr. Secretary, would you please read the bill.

SECRETARY HARRY:

Senate Bill 1297.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1299. Senator O'Malley? 1299, Senator. Out of the record. Senate Bill 1311. Senator Molaro. Senator Molaro, on Senate Bill 1311? Out of the record. Senate Bill 1318. Senator DeLeo. Read the bill, Mr. Secretary. Senator... Out of the record. Senate Bill 1339. Senator DeAngelis. Senator DeAngelis, do you wish to call Senate Bill 1339? Out of the record. Senate Bill 1352. Senator Dillard. Out of the record. Senate Bill 1366. Senator O'Malley. Senator

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O'Malley, on 1366. Out of the record. Senate Bill 1384. Read the -- read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1384.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1473. Senator Butler? Senator Butler, on Senate Bill 1473. Do you wish to call that bill? Out of the record. Senate Bill 1477. Senator Raica? Out of the record. Senate Bill 1528. Senator Karpziel? Out of the record. Senator Trotter? Senator Trotter, do you wish to call Senate Bill 1546? Out of the record. Senator Jones, on Senate Bill 1560? Senator Jones? Out of the record. Senate Bill 1579. Senator Jones. Out of the record. Senate Bill 1628. Senator Sieben? Fiscal Note request. Out of the record. Senator O'Malley, on Senate Bill 1682? Out of the record. Senator Dudycz, on Senate Bill 1701. Out of the record. Senate Bill 1715. Senator Ralph Dunn. Senator Ralph Dunn? Out of the record. Senate Bill 1716. Senator O'Malley. Out of the record. Senator Barkhausen, on Senate Bill 1751. Senator Barkhausen, would you like that... Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1751.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDING OFFICER: (SENATOR WATSON)

Have there been any amendments filed on the Floor for approval -- or consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I'm sorry. It had been my impression that a Floor amendment had been filed yesterday, but if it's not -- not -- not there...

PRESIDING OFFICER: (SENATOR WATSON)

It has not been approved, Senator, at this time, for consideration. Senator Topinka, for what purpose do you rise?

SENATOR TOPINKA:

Point -- a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Well, state your point.

SENATOR TOPINKA:

In -- Senator Dillard and I share a -- a part of Downers Grove, and today we have with us, in the Speaker's <sic> Gallery, the O'Neill Middle School Orchestra, and they will be downstairs in the -- in the Rotunda at noon. They will be playing, and they're absolutely magnificent. They're here with Doctor Robert Russell and Pat Calvert, who's the orchestra leader, Susan Landcamp, Vicki Schreider. I mean, that's what I'm showing on the card. But if they would all stand up and if we could welcome them to Springfield before they go down and play, be tremendous. So, there they are.

PRESIDING OFFICER: (SENATOR WATSON)

Welcome to Springfield. Will our guests in the gallery please rise. It's the intention of the Chair to go to 3rd Readings, and

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that will begin on page 9 where we left off yesterday. Senator Fawell will have the first bill, Senate Bill 1397. This will be final action. Senator Fawell, on Senate Bill 1397, 3rd Reading. Senator Fawell. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1397.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a -- a bill that has -- has been requested by the Credit Union League. It merely says that the credit union does not have to put up a ten-thousand-dollar bond if indeed they can prove that they have other assets, in case something goes wrong. This is the same bonding requirement as presently being used by the banks and the other financial institutions. Puts them in the same -- at the same level. The Secretary of State is neutral on it. I know of no opposition. I would be willing to ask -- answer any questions, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? If not, the question is, shall Senate Bill 1397 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1397, having received the required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 1401. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1401.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. Senate Bill 1401, as amended, will eliminate duplicative bodies when a 9-1-1 system is operational within a single municipality. This bill allows for the abolition of the board once the 9-1-1 system has received ICC approval and is up and running. Its intention is to eliminate duplicative expenses of operating two boards within a single municipality, simply to approve the payment of bills. I would appreciate your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, the question is, shall Senate Bill 1401 pass. Those in favor will vote Aye. Opposed, 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 30 voting Yes, 24 voting No, 1 voting Present. Senate Bill 1401, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you very much, Mr. President. Like to see if we're -- we're all here today. I would request a verification of those who voted in the affirmative.

PRESIDING OFFICER: (SENATOR WATSON)

That request is in order. Senator Demuzio has requested a verification. Will all the Senators be in their seats. The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen,

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PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR DEMUZIO:

Senator Petka.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka is in the middle aisle.

SENATOR DEMUZIO:

Senator Hall.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hall? Senator Hall? Madam Secretary, would you please strike his name. Any other? On a verified roll call, the Ayes are 29, the Nays are 24, 1 voting Present. Having failed to receive the required constitutional majority, Senate Bill 1401 is declared lost. Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, thank you. Could this be placed on Postponed Consideration?

PRESIDING OFFICER: (SENATOR WATSON)

That request is in order. Senator O'Malley seeks leave to place Senate Bill 1421 <sic> (1401) on the Calendar on the Order of Postponed Consideration. That request is in order and will be accepted. Senate Bill 1401. Senate Bill 1421. Out of the record. Senator Fitzgerald. Senate Bill 1427. Senator Demuzio. Out of the record. Senate Bill 1435. Senator Peterson. Out of the record. Senate Bill 1437. Senator Berman? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:



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Senate Bill 1437.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 1437 came out of the Judiciary Committee as an agreed bill. The reason for this bill is that we passed a measure last year which made it virtually impossible for the Cook County Sheriff's Office to serve third-party citation proceedings that were involved in the collection of judgments awarded in lawsuits. The reason for the bill comes from essentially the creditors and the collection people that are involved in collecting of debts, and in order to move this thing forward to get the citation proceedings back on track, this bill was necessary. We sat down, and with the cooperation of both sides of the aisle, and with creditors and debtors and the Credit Union League, the bar associations and the Cook County Sheriff's Office, this is an agreed bill dealing with the processes involved in citation proceedings. I'd be glad to respond to any questions, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1437 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, no voting No, no voting Present. Senate Bill 1437, having received the required constitutional majority, is declared passed. Senate Bill 1447. Senator Cronin? Out of the record. Senate Bill 1448. Senator O'Malley? Read the -- read the bill... Senator O'Malley, do you wish to have this bill returned to 2nd Reading for the purposes of

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amendment? Senator O'Malley seeks leave of the Body to return Senate Bill 1448 to the Order of 2nd Reading for the purpose of an amendment. Is there any objection? Hearing none, leave is granted. On the Order of 2nd Reading is Senate Bill 1448. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley, to explain your amendment.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Body. This amendment adds a section to Senate Bill 1448 to amend the Limited Liability Company Act to provide that the managers and members of the limited liability dentistry partnerships formed are all licensed to practice dentistry in the State under the Illinois Dental Practice Act.

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. Are there any other Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1454. Senator Palmer? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1454.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator O'Malley. Or - excuse me - Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. This is the annual general revisory bill of the LRB. It makes no substantive change in law, and it is merely an essential part of maintaining the State Statutes, and allows LRB to correct cross-references, technical errors and so forth. I ask for support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any further discussion? If not, the question is, shall Senate Bill 1554 <sic> (1454) pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, none voting Present. Senate Bill 1554 <sic>, having received the required constitutional majority, is declared passed. Senate Bill 1455. Senator Palmer. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1455.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. This is the second of LRB's bills to allow them to make technical changes. It is an annual event, and I ask for your support for this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? If not, the question is, shall Senate Bill 1455 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

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question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 1455, having received the required constitutional majority, is declared passed. ...(microphone cutoff)...Bill 1456. Senator Barkhausen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1456.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Madam President and Members. Senate Bill 1456, like the last two bills, is, again, a recommendation of the Legislative Reference Bureau. It merely codifies that which has already been accomplished by Executive Order: combining into one division within the Department of State Police what -- what have been two separate divisions. And I ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. Senator Barkhausen, if I might, in this codification bill that you have indicated, according to what I read here, we are, in fact, abolishing the -- the -- pardon me just a second. We are abolishing the Criminal Investigation Section of the Illinois State Police. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No, Senator, that's very much not correct. We -- we are merging two separate divisions. We are not abolishing any existing operations of the Department, and I would strongly

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suggest that your characterization is totally inaccurate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, let me ask you, why are we doing this? Why -- why are we then going to be merging the Division of -- of Criminal Investigation in with the Department of State Police into the Division of Operations? I really don't -- I really don't understand this. I mean, I can have some constituent of mine come up to me and say, "Hey, why -- why are you -- why are you, in fact, doing away with the Division of Criminal Investigations within the Illinois State Police?" Can you give me a good -- good explanation as to the rationale - why we want to do that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I can think of three. One is that it's already been done. Not -- not what you say, but the combination of these two divisions. Again, not eliminating any -- any of the past activities or the ongoing activities of what was previously called, I guess, the Division of Criminal Investigations. Secondly, it's recommended to us by the Legislative Reference Bureau. And third, like all fiscally conscious Members of the General Assembly, we're looking to reduce where we can the overhead of State agencies and put the money that was not as effectively spent, as it might be, in in-office overhead, out on the streets with more troopers and investigators and the like, where I think we're all convinced it will do more good.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I understand that this Executive Order was filed last

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year, and it was not called. For some reason or another, it was allowed to -- to go in effect, and now you're asking us, as a Legislative Body, now, to officially dissolve the Criminal Investigation Section. I'm not sure that I am prepared to do that. I also suggest to you that somewhere along the line that there was some verification -- or that there was some problem with citing the savings in command, the overhead, the facility cost, as a reason as to why the Executive Order was, in fact, issued. I think I'd still have difficulties in explaining to my constituents that I have -- voting here today to -- to disband or to merge the Division of Criminal Investigations, and I would suggest to you that that's a nasty little thirty-second commercial on somebody. I don't know why we're being called upon to -- to give our sanction to this particular merger. If -- if it -- if it's good enough for the Governor, then he ought to let the Executive -- reissue the Executive Order and do with that which he wishes. Why should -- why should we be involved in this process? Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Thank you. I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR WELCH:

Thank you. Senator Barkhausen, are the Division of Criminal Investigators who are going to be merged - are they going to be in trooper uniforms and act as troopers one day a week and be on the road or perform other functions other than criminal investigations?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

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I have no idea.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, since the Governor's been in office, my notes show that the Trooper Division has declined seventeen percent, from fourteen hundred and sixty-nine troopers to twelve hundred and thirty-nine - reduction of two hundred and thirty troopers. My understanding is that the Department of Criminal Investigation is going to be in uniform, so it looks like we have more troopers. Now, do you know if that's true?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I already answered you that I don't.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Then let me state that it is true. We are putting criminal investigators into uniforms so it looks like we have more State troopers, when actually we've got fewer troopers on the street. Everybody here is jumping up about -- up and down about crime and controlling crime, and yet we have fewer and fewer State troopers. I don't think it's a good idea to do that, and what we're doing here is a cosmetic attempt -- it's an attempt by the Legislature to have the Legislature be part of the Executive Order that basically reduced the number of troopers and it gives it our okay. So it seems to me that if you're voting for this, you're going along with fewer State troopers, which is the Governor's plan. I think we should have more State troopers on the road, Senator. I intend to vote No.

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Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Madam President and Ladies and Gentlemen of the Senate. You know, we probably have heard the same arguments on both sides of the Floor. If Roland Burriss wanted something, such as his computer, it would -- it seemed like it was a good idea then. And -- 'cause obviously, this is an election year; however, there is throughout this State, and -- and everyone, in particular, in their districts, has the possibility of increased crime rates and believes that the State Police is a very essential agency throughout the State of Illinois. I would ask, just as a colleague of my friend, Senator Barkhausen, that at this point he withdraw this, take it out of the record, so that the Director of the State Police can get back to each and every one of the legislators on this Floor to explain, obviously, why this is being done. There is some question. Not everyone here had the opportunity to sit in and listen to the debate on this when it was in committee. It's nothing against the sponsor, nor Terry Gainer; it's just an issue that is very -- very meaningful, because it has to do with the possibility of removing State troopers. And since all the answers are not available on the Senate Floor today, I would hate to put a Yes vote on something that may jeopardize my district, not knowing how it essentially affects my district.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, Madam President, let me -- before I make the request that I do, let me just observe that this is the first time I remember any questions, particularly of this extent, on a legislative revisory bill. I would also point out that I'm handling this bill at the request of Senator Palmer, who sits with me on the Board of the Legislative Reference Bureau, and that is the only reason that



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I am handling this bill. Having said that, inasmuch as there do appear to be some questions, I do ask that, for today, the bill be taken out of the record.

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record. Senate Bill 1457. Senator Carroll. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Members of the Senate. We -- several years ago, I introduced and passed legislation creating the State Employees Suggestion Award Board, whereby we have allowed State employees the opportunity to help us find savings in State government by giving them a slight amount of the award as a benefit for coming forward and telling us ways to save money. We've all seen the problems in the Department of Public Aid, and just because of its size, in -- in what has been told to us to be fraud and abuse, not from within the administration, but rather from those who are using the system and abusing the system. There are already about a million four hundred thousand people in some form of Medicaid, as well as about sixty-two thousand in long-term care. What this would do is create a award board that would pay an amount of money to people who come forward and give us ways in which we can save money in the Medicaid budget. We would give them ten percent of the first year's savings, up to ten thousand dollars; or, if it's a small amount of savings, up to twenty-five dollars. The concept being, the money would come out of the Public Aid budget - it would be no additional spending - and it

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would only happen after we've had one year's savings, so that we can actually tap into the provider groups and employees and find out where there is fraud, abuse or waste, get those good ideas and actually save some money, as we've done with the State Employees Award Board. I would ask for a favorable roll call and be willing to answer questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1457 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1457, having received the required constitutional majority, is declared passed. Senator Syverson, on Senate Bill 1468? Out of the record. Senator Syverson, on 1476? Out of the record. Senator Madigan, on 1479? Out of the record. Senator Topinka, on Senate Bill 1480. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1480.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Topinka.

SENATOR TOPINKA:

Yes. Madam President and Ladies and Gentlemen of the Senate, this bill was -- had such popularity in our Health Committee, it became a Health Committee bill, with all Members signing on as -- as cosponsors. And it basically would require the Department of Public Aid, in cooperation with the Department of Insurance, to create a feasibility study to determine the effectiveness and potential cost savings of a -- of providing acute care for

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Medicaid nursing home clients through a Health Maintenance Organization. And ultimately, we feel that this would be part and parcel of getting us into managed care, in terms of the acute care situation for Medicaid clients in nursing homes. It certainly would have some potential cost savings, and we would hope that the -- the -- the Senate at large would see it in the positive light that our Health Committee saw it in. And I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Smith.

SENATOR SMITH:

Thank you, Madam Chairman and Ladies and Gentlemen of the Senate. As Minority Chairman of Health, Welfare and Correction, I want to encourage this side of the aisle to please support this legislation. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any further discussion? Seeing none, the question is, shall Senate Bill 1480 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. Senate Bill 1480, having received the required constitutional majority, is declared passed. Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCYZ:

On a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR DUDYCYZ:

Thank you, Madam President. Joining us on the Floor of the Illinois Senate this morning is the chief law enforcement official of Cook County. I would like for the Members to join me in

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welcoming the Cook County State's Attorney, Jack O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome, Jack. Senator Farley, on Senate Bill 1491? Out of the record. Senator Smith, on Senate Bill 1502? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1502.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Smith.

SENATOR SMITH:

Thank you, Madam Chairman and Ladies and Gentlemen of the Senate. Senate Bill 1502 does exactly what our Calendar states. 1502 is modeled after legislation suggested by the National Center of Missing and Exploited Children, to prevent infant hospital abduction. The Illinois Hospital Association is neutral on this particular piece of legislation, and its proponents are the major children's organization and National Centers for Missing and Exploited Children. I ask your favorable support on this legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Topinka.

SENATOR TOPINKA:

Well, to return the favor of the last bill, I would hope that the Members on our side would support Senator Smith. It's a valiant effort, and certainly everybody is on board with her on this issue.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1502 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1502, having received the required constitutional majority, is declared passed. Senator Maitland, on Senate Bill 1509? Out of the record. Senator DeAngelis, on Senate Bill 1510? Out of the record. Senator Petka, on Senate Bill 1513? Senator Petka? Read the bill, Madam Secretary. Oh. Oh, out of the record. Senator Fawell, on Senate Bill 1515? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1515.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much, Ms. Chairman. This is a juvenile bill that is based actually on a Colorado law, when I was doing some research on how we might be able to correct some of the juvenile problems. It's -- one of the things is sort of a -- it's a "two strikes and you're out". This bill says that if we are -- if a juvenile offender commits a Class 2 or greater felony involving the use or threat of physical harm or violence against a person or in which a firearm is used, then the offender will then be placed on -- on -- in the juvenile detention system until such time as he is twenty-one or until such time as he has served his term with the good term that he -- good time that he has acquired. It also prohibits a continuance under supervision of a juvenile court for a minor alleged delinquent on first degree murder or forcible felony, and also any minor that is adjudicated delinquent, if not sent to the Juvenile Division or DOC, must at least be placed on probation. And like -- this is only done right now with the Class

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X felonies. I would be glad to answer any questions. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Just like to point out that the Department of Corrections estimate that this bill will cost nine million six hundred and twenty-nine thousand eight hundred over a five-year period. I sure hope it gets more than a four-fifths vote today. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. I'm afraid I don't quite understand what this bill does. I -- I hope I'm not understanding it correctly. Senator Fawell, you said that this amounts to a "two times and you're out" for juveniles. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Two -- two adjudications on violent crimes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

Well, I'm -- I certainly would want to do something about violent crimes by juveniles, but I'm very concerned that this seems to take away much of the judicial discretion and allows us to legislate what happens to juveniles. I -- I'm very concerned about that, and I don't see on my analysis any support from those organizations that typically work with juvenile offenders. So I would -- I wouldn't like to see this passed. I understand what you're trying to do, but I think it needs more work.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Excuse me, Senator. Senator Fawell.

SENATOR FAWELL:

May I respond to Senator Palmer? Senator Palmer, the State's attorney has the right to -- to either use this law or to use the present law. And what we are talking about is incarcerating violent juvenile offenders until they're twenty-one if they have committed two felonies, but -- until they're twenty-one, which is what the present Juvenile Code only addresses. As...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

As far as the nine million dollars is concerned, that -- that amount, Senator Demuzio, was before the amendment was added.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator.

SENATOR PALMER:

Senator Fawell, do we have this law for adult offenders, or is this now only being enacted for juvenile offenders?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

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There is an adult juvenile <sic> offender law, and there is a juvenile habitual law. This will merely tighten it up.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. I disagree, with all due respect. I think that this takes it off in an entirely different direction and is not a good idea at this point. I think that we don't define "felony" adequately. We don't define what the acts are. "Violence" - what does that exactly mean? I don't think it's a good idea to do this, and I think we're rushing to judgment here for very young people. I would urge us to vote No on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR JONES:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Jones.

SENATOR JONES:

Yeah. Senator Fawell, there are several provisions in this bill that look sort of familiar to me. Could you tell me how that -- those provisions, such as limiting the judge's ability to continue a case under supervision for certain cases, using prior convictions for offenses that involve dishonesty - especially that part as it relates to dishonesty - could you tell me how all these provisions became a part of this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Those were added by an amendment in the Judiciary Committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.



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SENATOR JONES:

Well, you know, I think we should be more forthright to the Body, since this is a criminal offense. I mean, I see many of these same provisions was in Senate Bill 1184, which I believe I introduced. And if you're going to be dishonest and rob -- rob one piece of legislation and take it and throw it into another in the form of an amendment as such, I -- and Senate Bill 1184 didn't see the light of day as far as even having a hearing or even clearing the Rules Committee. So -- and that bill was introduced by yours truly. So, therefore, what I'm saying to you, all these provisions in here that you are alluding to, it would have been nice if we had just proceeded with 1184, instead of stealing the contents of 1184 and putting it by way of an amendment on this bill. So I think we should make this a crime too: to steal someone else's legislation and put it on -- use it as our own.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Senator, I would be very proud to have you join me as a cosponsor on this bill; however, your bill was much more extensive and, frankly, would have cost the State approximately thirty million dollars. Indeed, some of the things perhaps that were in your bill are -- are in this bill - two brilliant minds, but on one thought. I certainly would appreciate your -- your support on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR JONES:

Well, this brilliant mind was not there when the robbery took place, and I think, Madam Chairperson, maybe perhaps what we need in this Body is a -- an offense for -- for a theft without consent of the original sponsor. And that's what I see happening to this

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piece of legislation. There were some very good things in 1184, but for you to take those and pretend that they are yours and that you are doing something of that nature, I think it's an attempt to conceive and deceive the public. And that's the only thing I wanted to say, Senator Fawell, but you're not that way. Someone else did this to you, but you are a partner in crime on this piece of legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

First, a question, and then a comment. The Habitual Juvenile Offender Act is a bill that I passed early in my legislative career, and it dealt with those cases in which juveniles adjudicated delinquent of certain categories of crime would be -- for the first time in the history of the State, have a determinate sentence. Now, under that law, the State's attorney had to certify that juvenile for trial on that basis, so therefore, it was a situation in which the -- the attorney -- State's attorney could make the call. Are those provisions still in there?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, under that circumstance, I don't know how anybody could be opposed to that, because if you have a situation in which someone has committed murder twice - twice - maybe we ought to think about certifying them under this law for trial under that Habitual Juvenile Offender Act. The fact is that there are provisions in there for the State's attorney to take certain

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things into consideration. But let's give him that option, or her that option.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Madam President. To the bill: I support this bill; I think that we need to send a message. The bill isn't perfect. There are some things about the bill that I'd like to see changed, but I think we have to remember that time and time we read in the newspaper of youthful defendants with guns committing violent act after violent act after violent act, and they're out on bond, they're out on bond. And pretty soon, somebody is hurt in a family. This bill attempts to do something about that, to prevent further crime at an early age. The people that are committing these crimes are committing adult crimes. They're juveniles committing adult crimes. A message has got to be sent.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Jacobs.

SENATOR JACOBS:

Is there any vehicle, Senator, in this bill to -- to get the message out if we pass this legislation? You know, we're talking about juveniles, and there's got to be some way. You know, currently juveniles think they can get away with everything and -- and not be held to any accountability. If we're going to change this legislation and we're going to ensure that kids declared delinquent are kept in jail until they're twenty-one, are we going to -- how are we going to get that message out to those kids? Are

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we going to rely upon the same parents who don't know where in the hell their kids are today, to tell their kids to be careful because they may end up in prison till they're twenty-one? How are we planning on getting that message out? I think that's something that -- that's very important to the bill, and I -- I hope that we do have a procedure somewhere along the line that would allow that dissemination of information to the juveniles so that they know what the determinate sentence may be, because the lack of knowledge, I think, is worse than -- than the bill would be, if they know what's going on.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Fawell.

SENATOR FAWELL:

My assumption is that most judges - at least the judges that I have talked to and know and have known rather personally in the last few years - would -- would tell them, you know, "You have now committed your first felony or your first violent offense. You now can fall underneath this bill." You know, "Do it one more time and you're in deep trouble. We're going to hold onto you."

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

So that begs the other question: Is this proactive then, or if someone currently has one violent offense and hasn't had the opportunity to have that advice from a judge, will the next offense take place under this law as the second time, or do they start fresh?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

It -- it -- the first offense has to take place after -- a second offense has to take place after January 1st - what is it? -

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'95.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

So, in effect, those that have already had one offense, have not had the opportunity of having that judge tell them that "The second offense, you're going to prison until you're twenty-one." That -- so, if they -- they perform that second, they'd better do it between now and January 1st. Is that right?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Senator, please remember, this is not a mandatory bill. The State's attorney does have that discretion.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate. I don't know about your areas, but I call tell you in my area, people are absolutely fed up with juveniles committing violent crimes. And I think it's time we took a step in the right direction. I think this is a good bill, and I think we should support it, because a message has to be given to those young gang members. We've had shootings in Lake County in the last three months, two and three of them young people, and some of them have had some gang rapes. I certainly support this bill, and let's move on with it.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR FAWELL:

I think it's about time that we started doing something with

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the -- with the violent delinquents. We've had juvenile court for a number of years. Frankly, I don't think it's working, because the crimes have become much more violent. We still have the kid that -- that steals the hubcap, and certainly he should be -- he should be handled in a different way than the kid that kills the person to steal. I think this is a good step in the right direction. I think we should start the process now, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 1515 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 4 voting Nay, 4 voting Present. Senate Bill 1515, having received the required constitutional majority, is declared passed. Let me make an announcement at this point, folks. The intent of the Chair is to go to the Order of Constitutional Amendments 3rd Reading, at the hour of 12 noon. Senate Bill 1516. Senator Tom Dunn? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1516.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Madam President. This bill contains two provisions. The first is at the request of the State Police and provides that a person who commits the offense of theft, who obtains or exerts control over property represented as stolen by a peace officer or agent, with the intent to deprive any named or

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unnamed person of its permanent use or benefit, is against the law. This arises out of a case, People versus Zaremba, by the Supreme Court, and the State Police feel this bill is necessary with this language to enable them to run better stings. Excuse me a minute, would you please? Take it out of the record, would you please?

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record. Senator Karpziel, on 1517. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1517.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Senate Bill 1517 provides that witnesses to a crime have the -- certain -- get the kind of notification of post-conviction proceedings that is in current law for the victims of crime. That's all this does is allow the witnesses, if they ask a State's attorney to be notified of any post-conviction proceedings, that they will be notified.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Karpziel -- or, the question is, shall Senate Bill 1517 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. Senate Bill 1517, having received the required constitutional majority, is declared passed. Senator Watson, on Senate Bill 1522? Out of the record. Senator Burzynski, Senate Bill 1523. Out of the record. Senate Bill

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1524, Senator Burzynski? Out of the record. Senator Watson, on Senate Bill 1525. Out of the record. Senator Trotter, on Senate Bill 1545. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1545.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President and Members of the Senate. This legislation is being advanced by the Chicago Housing Authority. There is not a day that goes by that you don't read about or hear about that someone is getting killed in Robert Taylor Homes or some of the other Chicago Housing Authority developments. This legislation asks that we speed up the process in which we can evict those residents that are living in the Robert Taylor Homes or the Chicago Housing Authority, by expediting the process from a thirty -- from a six-month to nine-month period to a thirty-day period. It's legislation that we think is needed. Right now we have a criminal element that's residing in these developments that is terrorizing the communities. We feel that they should not be hiding under the cloak of the law; that the law should do as it should be for all the people, and that is to protect those citizens that are good and that are decent. This law went through committee. We amended it so it would not have -- be in violation of any State laws, and we feel -- and I ask from the Body, that we have a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? The question is, shall Senate Bill 1545 pass. Those in favor will vote Aye.



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Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present.

Senate Bill 1545, having received the required constitutional majority, is declared passed. Senator Garcia, on Senate Bill 1558? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1558.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia.

SENATOR GARCIA:

Thank you, Madam President. Senate Bill 1558 amends the Consumer Fraud and Deceptive Businesses Practice <sic> Act. It allows the Attorney General to set maximum fees that may be charged for immigration services. It prohibits anyone from charging fees for referring a person to an attorney or for any immigration matter covered under the Act. This is an amendment to the original bill proposed. It seeks to eliminate fraud that individuals often take care of immigrants who are susceptible to fraud and being ripped off. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

I -- I don't have any problem with the purpose of your bill. The reason I am asking this, very frankly, is that my son does a lot of immigration law, and he is a licensed attorney. Would he

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fall underneath this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia.

SENATOR GARCIA:

He would be exempt from this, as are attorneys and other individuals under the Act, such as nonprofit organizations that do this type of work.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the question is, shall Senate Bill 1558 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. Senate Bill 1558, having received the required constitutional majority, is declared passed. Senator Geo-Karis, on 1567? Senator Geo-Karis? 1567? Out of the record. Senator Topinka, on Senate Bill 1570. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1570.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Topinka.

SENATOR TOPINKA:

Yes. Madam President, Ladies and Gentlemen of the Senate, this would seek to put into Statute the Auditor General's recommendations regarding State housing benefits. Following a -- a task force on the part of the -- the Auditor General in terms of subsidized State housing, we discovered that there was a considerable amount of housing out there that nobody really knew about or had a list about or any type of a policy on. This would provide for specific State agencies that include, like,

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Conservation, Corrections, Historic Preservation, University of Illinois and the University of Illinois Foundation, to establish a policy within their agencies on State housing that would address the various issues, so that there is some predictability to this, that people know how to apply for it, they know when it's available, it's used for the purposes that it was designed, and so on. I think that we've complied with everyone's potential concerns with this, and I don't know of any opposition at this moment in time, and think that a policy is in order.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1570 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. Senate Bill 1570, having received the required constitutional majority, is declared passed. Senator Fawell, on Senate Bill 1595? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1595.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This was brought to me by the State Board of Education, and it merely asks for a -- a State Board of Education Service Resource Center for hearing impaired and behavior disordered students to -- in order to identify the areas for the establishment of regional satellite centers, and to establish a pilot satellite center in downstate Illinois. We are not talking about bricks and mortar. We are talking about using

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present facilities and present agencies that are already out there. They seem to have a problem with kids that are not only deaf, but also deaf and behavior disordered, and they would like to be able to set up a program to take care of about two hundred children in this State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1595 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1595, having received the required constitutional majority, is declared passed. Senator Tom Dunn, on Senate Bill 1598? Read the bill, Madam Secretary. Out of the record. Senator Tom Dunn, on Senate Bill 1610? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1610.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Madam President. This amends the Code of Civil Procedure and allows the Attorney General to seek attachment of property of a debtor who's been incarcerated in a Department of Correction institution or facility, in order to reimburse for the cost of that incarceration. We're all familiar with John Gacy's paintings and his 900 telephone number. This is an attempt to clear up a gray area of the law and to ensure that we have ability to recoup any money earned by these individuals, to pay for their incarceration. I urge an Aye vote.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1610 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1610, having received the required constitutional majority, is declared passed. Senator Fitzgerald, on 1620. Out of the record. Senator Madigan, on Senate Bill 1624. Senator Madigan, on 1624? Out of the record. Senator Mahar. Out of the record. Senator Hasara. Read the bill, Madam -- on Senate Bill 1657. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1657.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hasara.

SENATOR HASARA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill simply clarifies that a judgment arising out of a child support arrearage shall bear interest. It -- it came up in committee that this is already in the law, and as a matter of fact, it is, but there was testimony before the Child Support Task Force that, in many cases, the judge is not ordering the interest. And I know that we all want to do everything that we can to enhance the collection of child support and interest on it. So the Task Force and others have asked me to introduce a bill that clarifies that a judgment for back child support automatically draws interest. So, that was the word added to the Statute - the word "automatically".

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, we had this bill in our committee, and I supported it, but I think that there were some questions that were raised in committee, and I thought that they might be addressed through an amendment. And I would ask you if -- had you considered any amendment? I know that Senator Petka had raised concerns in committee and had voted No, and I thought this was going to be amended.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hasara.

SENATOR HASARA:

Senator, I did address those questions in my testimony just now. The objection was not an amendment, but that some felt that it was not necessary. But there was, as I just said, testimony before the Child Support Task Force, and I have had calls from child support collectors and others that, indeed, while this must not be a problem for everyone, it is a problem for some people. So I know of no amendment that -- that could correct this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

No, I -- I certainly supported the bill in committee and would on the Floor, because we think it's a good idea that there be interest earned. The question was whether or not we needed the bill, whether or not this would happen even without the bill. And then the other question was raised, I think, by the Chairman of

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the committee, Senator Hawkinson, was that if by putting this in, it may create an inference that other Sections of the Statute, if they don't have this language, that automatic interest wouldn't accrue. So, what's your response to those concerns?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hasara.

SENATOR HASARA:

As I stated, I understand that this is not a problem in all jurisdictions, and it's not a problem for everyone, but it has been a problem for some. So, I would like to run with it, and I'm sure that a majority of people feel as you do, Senator, on both sides of the aisle, that anything we can do to enhance the collection of child support and interest on overdue support is in the best interest of our constituents.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. I just want to clarify that last point and make sure we're not having some unintended consequence here, Senator. You have no -- it's our understanding from staff and the debate in committee, that automatic interest applies on all judgments today, and I understand you're saying that in some circuits, you might have a problem with some judge. I just want to make sure that by putting this provision into law, the word "automatic" in this particular judgment, that you in no way intend to imply that the interest on all other judgments is not -- henceforward not to be treated as automatic, or that your interpretation of present statutory and common law is not to say

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that interest on those other judgments is not today automatic.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hasara.

SENATOR HASARA:

You are certainly correct, Senator. And, I mean, if anyone would ever bring that problem to us, what I -- which I would not expect it to be a problem. It has been very historical in the courts to always collect automatic interest on other judgments. In some jurisdictions, child support is treated differently, however, and it is certainly my -- not my intention to do anything to force a court not to create automatic interest on any kind of judgment, but simply to stress that in the issue of child support, it is automatic.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR HASARA:

I think the issue's been well brought out and well discussed, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 1657 pass. Those in favor will vote Aye. Opposed, 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 56 Ayes, no Nays, none voting Present. Senate Bill 1657, having received the required constitutional majority, is declared passed. Senator Hall, on Senate Bill 1670? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1670.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)



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Senator Hall.

SENATOR HALL:

Thank you, Madam Chairman, Ladies and Gentlemen of the Senate. Senate Bill 1670 deals with what is known as Bi-State. It's a compact between Missouri and Illinois. It's a quasi-public agency that aids in regional economic development in the Metro East area, which includes St. Louis, St. Charles, and Jefferson, in Missouri; and Madison, Vadalabene's area; Monroe, Senator Ralph Dunn's area; and St. Clair is in my area. The Agency operates the Bi-State Transit System, the Bi-State Airport, the Gateway Arch Transportation System, as well as coordinate the activities of the Port of Metropolitan St. Louis. The Agency is composed of five commissioners appointed by the Governor of Missouri and five commissioners appointed by the Governor of Illinois. We now have what is known as the Metro East System. It's only that the hard work that was done by Senator Dunn, Senator Vadalabene and myself, that federal funds came into being. This is an important piece of legislation, and I'd ask your most favorable support of this Senate Bill 1670.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. I'd just like a explanation for clarification, at least in my mind. Senator, you're -- you are employing peace officers through contracts. You're talking about existing peace officers would be contracted with the Bi-State Service Region to provide police service?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall.

SENATOR HALL:

Yes, Senator. It requires the Bi-State Development Agency to hire police officers only through contract with law enforcement

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agencies within the Bi-State area -- service area, and prohibits the Agency from issuing weapons that can cause bodily harm. It includes the light rail vehicle in the definition of the conveyance. And that's what I'm saying. Both states must agree, and the commissioners, but -- or else we will not have this compact...(inaudible)... If that answers your question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

Well, that's what -- what kind of brought this to my attention, that the staff analysis says that the bill stipulates that no personnel shall be issued any weapons that can cause bodily harm. I would just like to know: What kind of weapons are there out there that are weapons that cannot cause bodily harm?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall.

SENATOR HALL:

The Missouri legislation mostly discusses about firearms and things. In other words, for us to have it, both states must agree to it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

So, in other words, you're not really preventing them from having firearms on their side if they are peace officers; you're just not allowing the Agency to issue these weapons?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall.

SENATOR HALL:

You're correct. The Agency will not issue. There's "No personnel shall be issued any weapons that can cause bodily harm." And both states must agree to it.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the --  
Senator Hall, to close.

SENATOR HALL:

Yeah. I ask for your most favorable support.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 1670 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. Senate Bill 1670, having received the  
required constitutional majority, is declared passed. Senator  
Hall, on Senate Bill 1672? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1672.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall.

SENATOR HALL:

Thank you, Madam Chairman and Members of the -- of this Body.  
East St. Louis has what we call the Financial Advisory Authority  
of the City of East St. Louis. If you remember, Governor Thompson  
helped get this legislation through, and the East St. Louis  
Advisory consists of five members appointed by the Governor. The  
Authority is considered an agency of State government. The purpose  
of the Authority is to provide a secure financial base for East  
St. Louis so that the City can provide basic municipal services  
within its boundary. In 1990, the Authority appointed the City's  
first annual financial plan that detailed revenue expenditures,  
debt services, cash resources and et cetera. The City's annual  
budget must be approved by -- each year. The Authority may

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request that the Illinois Development Finance issue bonds in behalf of East St. Louis as required by law, to meet its debt services obligation. What that means is this: The State of Illinois loaned the City of East St. Louis four million dollars. Everybody on this Floor voted for this legislation. Can't thank you enough for doing it. But now what we're saying is this: You've got this money. You're getting money from the boat down there. Pay back this four million dollars. And that's what this bill is to do. And I'd ask your most favorable support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1672 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 56 Ayes, no Nays, none voting Present. Senate Bill 1672, having received the required constitutional majority, is declared passed.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley, on Senate Bill 1678? Out of the record. Senator Watson, on Senate Bill 1681. Out of the record. Senator Philip, on 1685? Out -- out of the record. Senate Bill 1686. Out of the record. (16)87. Out of the record. Okay. All right. We are going to the Order of Constitutional Amendments 3rd Reading. On page 18 of your Calendar...(machine cutoff)... On page 18, middle of the page, is House Joint Resolution

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Constitutional Amendment 14. Senator Watson, do you wish this resolution to be considered?

SENATOR WATSON:

Yes, Madam President. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution Constitutional Amendment No. 14.

No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any Floor amendments?

ACTING SECRETARY HAWKER:

No Floor amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution Constitutional Amendment 14.

(Secretary reads HJRCA No. 14)

3rd Reading of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, to explain the resolution.

SENATOR WATSON:

Well, thank you, Madam President. Of course, the resolution was just read, and I certainly hope that everyone listened. We've attempted to pass constitutional amendments dealing with State mandates, oh, since -- since I've been here. I first came here in 1978, and Prescott Bloom introduced constitutional amendments here in the Senate, and we've had them in the House, dealing with the problems of dictating policy onto units of local government, without proper funding. We've had various forms of constitutional amendments that have been heard on the Floor. This is a -- a variation of a previous effort that's been put forth by many

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Members of this -- of this Body. This particular constitutional amendment would, I think, put teeth in what we tried to do in 1979, and I was a cosponsor of that State Mandates Act that we attempted to create a situation by which we wouldn't be passing on these costly mandates to units of local government. And we passed the bill. It's a fifty-page document that -- that we passed here. And unfortunately, in many cases, what's happening is, it has no teeth. We -- the Department tells us -- Department of Commerce and Community Affairs tell us, "Well, it is a mandate", and as a result, we put an exemption on it, pass the mandate on and the unit of local government has to comply and spend precious tax dollars - limited tax dollars that they have locally - to comply. And we've done this on a considerable number of times since the enactment of the State Mandates Act, which took effect in 1981. We think that this is a -- an honest effort to try to curtail that. There is the protection here of the four-fifths vote requirement to pass on a unit -- to units of local government, a mandate. We have that protection. Education is not a part of this particular constitutional amendment. Education, under our Constitution, and units of local government are separated. Most provisions in the past identified education as a part of the constitutional question that was before the Bodies at that particular time. This one does not. I don't want anyone to be confused. This is a constitutional amendment that is prospective. In the past, some questions have been asked about how this will impact things we've done previously. Will this be a problem for mandates that have been enacted over the -- in the past? The answer to that question is no, and it's very clear. In 1992, we had before the voters in the general election the mandates question. Eighty percent responded in a positive fashion, favoring the type of proposition and constitutional amendment we have here today. I think what we're doing is simply following the wishes of the people of the

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State of Illinois by enacting House Joint Resolution Constitutional Amendment 14. I'd be glad to answer any questions. I'd be glad to discuss this. And appreciate any questions that may be forthcoming, Madam President. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

...(microphone cutoff)...President of the Senate and -- and Members, I rise today to ask you to carefully consider the vote you're about to make on this constitutional amendment. I think the amendment may well be good and well-intentioned, but it's an amendment which will have far-reaching -- or could have far-reaching effects on the future of this Chamber. I'd like to -- briefly, I'll quickly read the -- the definition of "unfunded mandates" as set forth in this -- in this constitutional amendment. It says, "Whenever the Legislature or any State executive action requires a unit of local government to establish, expand or modify its activities in...a way to necessitate additional expenditures of revenue by that unit of local government..." That's the definition. There's no bottom level; there's no top level. There's no -- there's no specifics in that at all. Any action will be -- that we pass would be subject to court challenge. Nearly everything a General Assembly does is a mandate on somebody. That's the role of the Legislature in -- in American government. We mandate to businesses. We mandate people wear helmets or orange blaze caps when they hunt, or anything else. And I'm not sure we should quickly decide to exempt one whole section of our administrative responsibilities - our oversight responsibilities - on a major section of taxing and spending power in the State of Illinois and force ourselves to forty-eight votes to make a change in that. The definition in our Constitution - the State Constitution - of what local government

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is, is "'Municipalities' means cities, villages and unincorporated towns. 'Units of local government' means counties, municipalities, townships, all <sic> special districts, and units, and <sic> designated as units of local government..." which means sanitary districts, airport authorities. We're talking about, in some cases, local governments that don't even have elected officials are going to be exempt from mandate by the General Assembly unless we have four-fifths vote. Consider also the difficulty in the appropriation process of attaching trailer bills, and the fact that if either Chamber just defeats your appropriation bill, your -- your substantive bill dies with it. I think it's admirable that -- that we're concerned about mandates. I think it's important that we take action, but let's be honest with ourselves. The Mandates Act didn't work. This isn't going to work. We're going to end up with manipulation of the process. We're going to end up with court challenges to what our -- our duties are under the Constitution of the State of Illinois, and I just would respectfully ask my Members to carefully consider their vote, because I think it's going to have far-reaching effect.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator, this -- for us to override this, is this going -- the bill that calls for a four-fifths vote of this Body and of the House?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.



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SENATOR WATSON:

If it's interpreted that this amendment creates an expenditure by a unit of local government by the Chair, either in the House or the Senate, it would require, yes, Senator, four-fifths vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Why -- why such a large, heavy burden to get a four-fifths? I mean, it takes everything in the world to get thirty-six votes around here. Now you're going to go to four-fifths. And I'm not in favor of unfunded mandates, but I think that this puts a -- sets a terrible precedent because just about everything we said, as the -- Senator Rauschenberger said, is -- is a mandate, because we tell -- we write the laws. We write -- we tell the other local governments and everybody else in Illinois what to do. So every time any bill comes up, someone can say it's an unfunded mandate, and -- and there we go. Now, isn't it an unfair burden to make this four-fifths? Why not two-thirds?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, I guess any number could have been used, but four-fifths was what -- what we've got. We feel that to pass a constitutional -- or to pass a mandate onto a -- a unit of local government, the City of Chicago, or whatever it may be, it should require an extra majority. Four-fifths is the language we have here. That's what we have before us.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. In -- in the Senate, how many votes will we need?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

It's forty-eight, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

And in the House of Representatives, how many would they need?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Ninety-five.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Well, first of all, I think that there's no way you're going to get forty-eight votes in this Chamber. I think that it is -- it is -- it is really unfair, and I think that it is a very -- it's overkill. That's exactly what it is. One other question. What -- what is a mandate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

In the constitutional amendment that we've got before us here, an unfunded mandate is "Whenever the Legislature or any State executive action requires a unit of local government to establish, expand or modify its activities in such a way to necessitate additional expenditures of revenue by the unit of local government".

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

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So would you agree that just about everything that we do can be termed a -- a mandate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

No, not necessarily at all, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Will you explain to us what we -- what we can do that -- if the City of Chicago has to spend five dollars - five dollars - because of something we told them to do, and we don't give them the five dollars, is that an unfunded mandate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

I would believe the answer to that would be yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

...(microphone cutoff)...conclusion, you see how silly this can be? You see how -- how ridiculous this can actually be? If they have to spend any money -- fifty cents. If -- if DuPage County has to spend fifty cents because of something that we did, it's an unfunded mandate, unless we give them the fifty cents. There is not even a minimum requirement here of an amount of money that they would have to spend. This is ridiculous. This is ridiculous. And we understand unfunded mandates. It sounds good in the paper. Might get you a few votes. But we're going to relinquish our power, which is already diminished in this Body, and go to a four-fifths vote, which makes no sense at all. We have to get forty-eight of us to agree. If we come up with

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something like -- anything - anything that costs any money at all - they'll say it's an unfunded mandate, and we have to pass it in the Senate and in the House. I'm telling you, my friends, we're just giving up our responsibility; we're giving up our authority. And I don't believe the people of Illinois elected us so that we can come down here and then just give everything that -- that is our responsibility over to local government. And I urge a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield for question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson indicates he'll yield.

SENATOR JACOBS:

Senator Watson, under this proviso and if this amendment were to pass and a increase in pension benefits or, by law, an increase in pensions which will automatically be passed on, whether it be a cost of living or whatever that may even be in current law, will that have an effect on those increase in pensions for the -- for those local people that are concerned?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

If it's an expenditure of funds at the local level, the answer will be yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

But it's an ongoing cost of living increase that is previously enacted, but it's proactive by virtue of the fact of the increases

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being proactive. Will that, in -- in fact, be considered a mandate, or can the city then do that with or without our authority, and will they then continue those cost of living increases if we don't say they have to?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

The provision passed at a previous date, obviously this does not impact. But if the expenditure occurs, as you have said, in out years, then it would be a nonreimbursable mandate and, therefore, we would not -- it would not be enforced.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Well, will we then, in order to live up to those commitments, have to yearly act with a four-fifths majority to ensure the previous commitments that we have made are fulfilled in the future?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson. Senator Watson.

SENATOR WATSON:

Well, we want to make sure that we -- we give a -- a proper answer and -- and that -- certainly the Senator deserves that, and that's why the delay. Our attitude is that it would be enacted in a prior year - prior to the amendment - that it would not - it would not - be covered.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Well, thank you. To the bill: I, for one, probably am going to give you a Yes vote, but I have concerns. I have concerns with the charting of new waters. A four-fifths majority, to me, is --

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is really not in keeping with my idea of good government. I would rather see us introduce a resolution and pass a resolution which says under no circumstances can we mandate to local government. That would be my druthers. But I think we are sort of missing the boat on one issue, whenever - on our side of the aisle and your side of the aisle - there is discussion on the four-fifths vote. Other than the fact that I just don't like that premise, the intent is to ensure that there are no mandates. And I think that is really what the intent of this bill is to ensure. It is to ensure that we, as legislators, think long and hard before we mandate to local governments those same things that we get angered by when the federal government mandates those onto us. The people spoke very loud and very clear in the nonbinding referendum that was taken -- or the amendment that was taken for State mandate -- I mean, local mandates. That was an issue that they -- they come back almost eighty percent and said, "Yes, we want the State government to cease mandating." So for that reason, I think that this resolution has merit. I hope, though, that if, in fact, this does pass, that we do an adequate job of ensuring that the people are well-informed. I know we send out our little booklets, and this is not a cheap way to get things done. I would prefer to see us take action and just ban State mandates. We're not going to do that. So therefore, we have to pass it on. I hope we do a good job of explaining, though, to the people, that what they see and what they think they're going to get very well may not be what they're going to get. And in fact, maybe one of the last mandates that we should do, and as my seatmate, Senator Welch, always says, I say as a former mayor - maybe a four-fifths is right for us, and the Municipal League is pushing so hard for us to come with a referendum amendment that calls for four-fifths - maybe we should demand upon local government before this mandate is mandated, or voted upon, that they too must have a four-fifths majority to

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enact anything that affects the taxpayers. And I think that that's something that maybe they should take a long, hard look at.

PRESIDING OFFICER: (SENATOR DONAHUE)

We have twelve speakers. So if you can just keep that in the back of your mind. Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you very much, Madam Chairman and Members of the Senate. I had the opportunity this past year to really tour this State and -- and to have an opportunity to talk to small local units of government. And I think most of us out there on the campaign trail heard most of all from those units of -- local governments that were struggling to survive, the need for this Legislature to take some action as it related to unfunded mandates. But I don't -- and -- and this bill, though, is a good example, I think, of a well-intended idea, but poorly conceived. This bill, in fact, will bring this Legislature to a grinding halt. Now I support - I support - and recognize the need for us to do something about unfunded mandates, particularly because there are hundreds of -- or, hundreds of small units of local governments around this State are just struggling to survive and can't even provide essential services. And yet we impose upon them, year after year after year, additional liabilities because of unfunded mandates. But, Senator Watson, I would say to you, if this was, in fact, a nonpartisan Body and there was no politics involved in here, I would support this bill. But there is just no way - no way - that we can be responsible down here and respond to the needs of the people out there if this Body - no matter which of us were in power - had to rely upon a four-fifth majority on every vote - every bill - that required some kind of expenditure that we pass that impact upon local government. You know that and I know that. So we can -- we have to stop - stop - trying to placate and -- and fool people, because that's all we're doing. We're trying to

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respond to a outcry and demand of the people here, but we're not taking the time. Senator Watson can't even answer the questions himself. He can't even tell us what's -- what's a mandate. It gets utterly ridiculous, and I'm suggesting to you that you take this bill out -- out of the record. It is a very important issue. We got time. Let's try and work out some language that we can deal with and that is going to be meaningful without bringing this Legislative Body to a grinding halt. That's -- therefore, I'm going to vote Present on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fitzgerald.

SENATOR FITZGERALD:

Will the sponsor yield for questions?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Fitzgerald.

SENATOR FITZGERALD:

Senator, I was wondering: There are two exemptions in this legislation; one is for a legislatively mandated requirement requested by the local unit of government, and the other is for mandates passed before the effective date of this constitutional amendment. My question is: What does it mean for a local unit of government to request a mandate? Does that mean that the mayor calls his State Senator? Does it mean he writes a letter to the Governor? Is there a village resolution? What does the request mean in this context?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, we would probably have to have some sort of written response. But we do this oftentimes in the Pension Code, where we allow for the units of local government to sit down with the -- the pensioners and negotiate. And that would be certainly one



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that would be considered exempt.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald.

SENATOR FITZGERALD:

I mean, there could be some people in a village -- half the village board would be in favor of the mandate; the other half against it. How do we determine, every time, whether there has been a request that meets the definition or meets the standards of this amendment?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Senator, this definition is currently in -- or this -- is currently in the State Mandates Act, as we now have it. That would be -- and -- and read what the exemption says. It is by the local unit of government affected. Okay? So you couldn't have a particular community come to us and ask for a mandate that has implications outside of its particular area. That would not be considered exempt.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald.

SENATOR FITZGERALD:

That itself causes -- raises questions, because the Constitution forbids special legislation where general legislation is applicable. So is it even constitutional to pass legislation that would only affect, say, Palatine, in my district? That -- but let me -- let me just bring up another hypothetical. There is a situation right now where certain villages want a change in the IMRF funding formula that would cause an increase in expenditures, and certain municipalities in the State want that; other municipalities in the State do not want that. What, then, do we do with -- with a situation like that?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

I'm going to have to have the question repeated.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald.

SENATOR FITZGERALD:

Right now there is a request by the IMRF - lobbyists for the IMRF - to have an early retirement program statewide that would cause municipalities to increase their revenues. I assume that that would be an unfunded mandate if we pass it. It is my understanding that some municipalities favor and would request that unfunded mandate, but others would not. Therefore, what would we do in that situation? Would we just allow those communities that -- that are in favor of that proposal to not come within this Act? Do you follow that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. And I would -- I would assume, if I follow you correctly, the local communities would certainly have to ask for that particular mandate. We mandate many times, and we create a financial means by which to solve that mandate - maybe sometimes in the Pension Code, other -- other means. Those certainly would be exempt.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald. All right. Senator del Valle.

SENATOR DEL VALLE:

Thank -- thank you, Madam Chair. Question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator del Valle.

SENATOR DEL VALLE:

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Senator Watson, the advisory referendum that you mentioned -- did that advisory referendum state specifically a four-fifths vote requirement?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

No, it did not, Senator. Not four-fifths. It just simply -- the concept of State mandates.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

So what the voters supported was -- was a concept that you would agree that we're all generally supportive of, and that is to control the number of mandates that we impose on units of local government.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. I would like to think that we are, but our track record, Senator -- we have in place the State Mandates Act, and our track record is deplorable when it comes to trying to stifle what we would consider additional mandates of the past ten years, since the -- the State Mandates Act's been in place.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

So how did we arrive at a four-fifths vote?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

That question was asked a moment ago, and my response to that is we could use different percentages of -- of the Body.

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Four-fifths was one that the -- the writers and drafters of the bill, the units of local government that came over -- the legislation that came over from the House, that's what's in there. And four-fifths is not -- sure, it's an extra majority, but if we think it's so darned important that a unit of local government have to comply with a particular mandate, an extra majority is not necessarily unfair. And four-fifths is -- is not unfair.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR dEL VALLE:

Does this constitutional amendment -- would this affect federal mandates?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, it would.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR dEL VALLE:

So that if the federal government says to us that we've got to do certain things, then we can then turn around and not do it because of the four-fifths vote requirement. Then what happens to us with the federal government?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

We would -- this question came up in committee and has in the past. We would be required to pass it by a four-fifths majority. If we do not, it has to be funded.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR dEL VALLE:

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Let me restate the question. If -- if we fail to pass this with four-fifths votes, then we are then saying to the federal government that we are rejecting their mandate. And then what position does that put State government in? What -- what do we do? I -- I don't understand.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

The answer to that would be yes. We would have to implement the federal mandate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, it is significant to note that this resolution passed in the House with 113 votes - bipartisan support. It is also significant to note that it's time that we stopped invoking mandates on these governments and not paying for them. The fact that there's four-fifths will make us think a little more soundly, rather than just go ahead loosely. We've been accused of doing loosely before, so why don't we just act responsibly for a change, pass this on. It has to pass by a vote of three-fifths of all the voters of Illinois - registered voters - so let's take a chance on it and show how responsible we can be. All of these other shibboleths have been brought in, and saying, "Oh, I would have voted for this, but this does this and that." I've been a former mayor, just like Senator Jacobs. We know what it's all about when mandates are inflicted upon a municipality. And I've been a village attorney. I've been a township attorney and a school district attorney. I can tell you right now, it's not easy when we start pushing stuff and not paying for it. I think it's a step in the right direction, and let the people vote for it. I support

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the amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. Ladies and Gentlemen of the Senate, I'm going to ask you to do a very difficult thing. Those of us who run for public office, we understand what public appeal, public perception means. It's a very important concept, but I'm going to ask you to vote for substance over perception. The substance is this -- and I think it's interesting that most of this debate centers on the forty-eight votes that would be necessary to pass an unfunded mandate. I don't want to address that. I want to address a different approach. In order to pass a mandate, we're going to have to have an accompanying appropriation bill. The reason that we don't have accompanying appropriation bills today is because, for the most part, what are mandates, what would be a mandate under Senator Watson's proposal, we don't really perceive it to be a mandate. But let me tell you that on today's Calendar, a very cursory examination - and there's probably more, because I didn't really go into great detail - the following bills, in my opinion, in my staff's opinion, would be mandates under this bill. And these are bills that probably will pass today, tomorrow, next week: Senate Bill 1206, by Senator Petka; Senate Bill 1477, by Senator Raica; Senate Bill 1279, by Senator Farley; Senate Bill 1336, by Senator DeAngelis; and Senate Bill 1263, by Senator Raica. I'm not going to go through and tell you what each of those bills are, but they are bills that most of us will probably vote for because they're, quote, "good bills"; they're good policy. They are what we have been elected to come down and vote for. That's number one. It will require a dramatic change in what our duties are. Senator Collins talked about hamstringing us. It will. And our -- the public doesn't

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understand that. Let me tell you what the public has to be made to understand. No, let me correct that. Let me tell you what we have to be made to understand. State government in Illinois is a partnership. The partnership is where we and local government work together. When we pass a sales tax, for example, we take a sales tax that is State funds and a sales tax which is local funds. Every local fund-raising revenue measure is authorized by us. We've allowed, we've permitted, we've authorized local taxes to be raised. Real estate taxes, sales tax, franchise tax - you name it. That's a partnership where we authorize - we, the General Assembly, authorize - local governments to raise their taxes and use that money as they see fit. We keep some State money and we use that to be spent as we see fit. But it's a partnership. And once in a while when we pass a mandate, we expect local government, for the most part, to be able to afford that mandate, because at the same time, in some other bill at some other time, we've given them the local resources to raise local money to pay their share of what we impose upon them or what they want to do. That's a partnership. Let me tell you, if we're going to act responsibly, if this resolution passes, we should -- tomorrow or in January after this passes on the -- on the constitutional amendment on the ballot, we should repeal local income tax -- local sales tax, I'm sorry. We should repeal the local share of riverboat gambling. We should repeal every part of local revenue raising, including the property taxes. Why? Because then we will have enough money, as the State, to properly tag on the appropriation bill that every one of our mandates calls for. Now do you -- do you expect that we're going to do that? I would suggest to you, respectfully, that we will not. We are sent down here to set certain policies, to share the ability to raise money. That's what we do with our local governments; that's what we do for ourselves. And I would suggest to you that this is a

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very nice perception bill. It is an outrageous substance bill. I urge a No vote. And let me point out one closing thing: This is a House Joint Resolution; if this passes with thirty-six votes today, it will be on the ballot. There is no doubt, no doubt in my mind, it will pass overwhelmingly, because of what the perception is, in the November election. I urge you to be the responsible public officials that you have been elected to be and vote No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis, for what purpose do you rise?

SENATOR DeANGELIS:

Both for a point of personal privilege and a comment on the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR DeANGELIS:

In the gallery on my left is Brookwood School 167, visiting with us today. I think this is one of four groups we're going to see with Superintendent Steve Racz, who I've known since he was born. Would you please stand and rise?

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you rise and be recognized. Welcome. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

You know, I'm sitting here listening to this debate, and I'm just hoping that when people are listening to us, that they realize some of the fantasy from the fact. Senator Hendon, if somebody came down here with a five-dollar mandate bill on the City of Chicago, not only should it require four-fifths votes, it ought to be canned before it even hits this Floor. Some of the examples that I've seen regarding why you should not vote for something are outrageous. I looked at our Calendar, and let me



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read to you the roll calls in the last two days: 57 - on the bills that passed - 57 to nothing; 54 to nothing; 57 to nothing; 57 to nothing; 57 to nothing; 57 to nothing; 49 to 4; 57 to nothing; 57 to nothing; 57 to nothing; 56 to nothing; 55 to nothing; 56 to nothing; 57 to nothing; 56 to nothing. Today - that's yesterday - 53 to nothing; 53 to nothing; 52 to nothing. You know, I can go on and on. There isn't one bill that passed except one - Dillard's bill - that didn't get the four-fifths majority. Now we're acting -- we're acting as if we are putting into the Constitution an impossible act. Well let me defer to you one thing: When it comes to mandates, it ought not to be a partisan issue. A good mandate ought to receive fifty-nine votes. And I'll tell you, the worst mandates we've ever passed in this place since I've been down here are the ones that got thirty-one, thirty-two and thirty-three votes. And I'm absolutely astounded. This should be a constitutional amendment proposed by the Minority in the Senate, not the Majority. This is an opportunity to give you a voice in mandates that you might not have to preclude us who are in the Majority from doing a partisan mandate. I cannot figure out where all this hollering and squealing and for what reason it's coming from. I urge that we pass this very wonderful constitutional amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, Senator Watson, if you could yield. I have...

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield. Sorry, Senator Cullerton.

SENATOR CULLERTON:

I am genuinely curious as to how this would affect criminal law bills, and I just want to tell you my concerns and -- and maybe you can answer it without a problem. As I -- as I read the

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paragraph (a), whenever the Legislature passes a bill, in effect, that -- that causes local government to expand or modify its activities in ways such as to require additional expenditures, then the State shall reimburse them. That's what the -- the crux is. And I think that in the case of a criminal law, any criminal law we pass, it -- it, by the way the system works, it does cause, you know, some additional expenditures at the local level: the county, the court reporters, the sheriffs, et cetera. So it seems to me just about every criminal law we pass would be -- would be a mandate. Now as I understand the way this thing would work, if it passes, and we don't say that it's a nonreimbursable mandate - in other words, if we don't exempt it - then it would -- it would require reimbursement. So assuming we pass a criminal law, we don't try to exempt it from the mandates, would there be a -- subsequent legislation that would provide for a method by which the -- the State would reimburse the county and the city for the cost of the -- the criminal justice system, and -- and do we have any idea how much that might be? And is that -- is this premise that I'm laying out here, do you agree with it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

I'm not sure I understand totally the question, but if it does not receive a four-fifths vote, then it becomes an unenforceable mandate and a unit of local government does not have to comply.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Then let me see if I understand how this four-fifths thing works. As I read the -- the paragraph (b), a mandated requirement that is not funded is not enforceable while not funded unless it passes with a four-fifths and it specifically states that it's not

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reimbursable. So I contemplate a situation where somebody puts a criminal law bill in, increasing penalties; they don't -- you know, let's say it gets four-fifths but it doesn't specifically say it's not a reimbursable mandate; it's intended to be a reimbursable mandate, and it passes. As I understand it, it just doesn't become enforceable until the money is sent from the State to the units of local government. So I just want to know, how would that -- procedurally, how would it work? Let's say we pass a bill - criminal law bill; it increases the penalties; it goes into effect January 1st, 1995. We anticipate it'll cost money to the locals. We don't exempt it from the mandate. We -- it might have passed with forty-eight votes or not - that's not important. The point is we want it to be reimbursable by the State because we acknowledge that that's our obligation. How does it -- procedurally, how do we appropriate the money for a cost to local government? Do we wait for them to send us a bill? Do we -- I'm just looking to see how it would work.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Under the current State Mandates Act, the Department of Commerce and Community Affairs would make an estimate of the cost, and an appropriate appropriations bill then would follow.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

But -- but since this says "A mandated requirement that is not funded is not enforceable while not funded", if we're talking about a criminal Statute -- I guess it's kind of important to know whether or not it's enforceable or not, whether or not it's indeed a criminal Statute that is -- that is the law. And I -- I would anticipate that we would not want to pass a bill -- you know, if

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we pass a criminal Statute -- I guess, they almost always pass with more than forty-eight votes, yet we could -- to be safe, we could put in in every bill "This is not an enforceable mandate", and then we'd never have to worry about this. But if -- if it is our intention to really and truly reimburse local governments - and criminal law is a major expense of local government, and we're the ones that impose it - if -- if we have to reimburse them and if we want to reimburse them, I'm just curious to know, procedurally, how the money would be appropriated. If it's appropriated the year after the bill went into effect, is there any question that the -- that the criminal law bill was, in fact, enforceable? You know, this is a constitutional amendment. I'm not trying to -- I'm asking this -- I'm not involved in a political discussion here. I'm -- genuinely curious as to know substantively how this might work.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, let me respond, and then I would like for one of our legal experts on this side to enter into this. And I'm not sure that I totally understand, Senator, and I hope you appreciate that. But if, in fact, the funding is not there, it therefore is not -- it is a mandate, an unfunded mandate, and is not then required by that unit of local government, if the funding and the dollars and cents don't follow, and if an appropriation is not enacted. Now, I hope that answers your question, and I'd like to defer to Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. I disagree with your premise, Senator Cullerton, in part. I think if we pass, for example, a

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bill to outlaw carjacking, that that would not be a reimbursable mandate. I -- we have a Mandates Act now, and under that Mandates Act we have exemptions for due process mandates. And I think most of the bills like that that we pass would fall under that exemption under the current Mandates Act and would be interpreted in a consistent manner with that due process -- with that due process exemption to our current State Mandates Act. Now if we pass a bill affecting the criminal justice system that says, "You have to institute a new pretrial release program that requires new personnel and so forth", I think there would be a difference there, and that would be a direct requirement of new personnel or a new program. But I do not agree that every time we change a penalty or change the definition of a criminal offense, that it would fall under this constitutional amendment. And inasmuch as -- as I state that opinion, I disagree both with your premise and with the answer given by the sponsor. But I think there could be bills affecting the criminal justice system where we mandate new personnel, we mandate a salary increase - something like that - that would fall within this Act. I think that the current Mandates Act that we have on the books with the due process exemption would cover many of the situations involved in your premise.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Just -- the latest response raises a question in my mind -- another question. Is the due process exemption that's in the current Mandates Act, is that not inconsistent with this constitutional amendment? In other words, if this constitutional amendment passes, it's a constitutional amendment, not a Statute. Are you suggesting that the due -- that the current Statute that has exemptions for due process is still operative?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, do you yield to Senator Hawkinson? Senator Hawkinson.

SENATOR HAWKINSON:

In my opinion, Senator, the amendment is not inconsistent with that Statute. It is not spelled out in the amendment, but in my opinion, it is not inconsistent with it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Just one question for my own personal clarification, Senator Watson. My concern with your constitutional amendment is regarding tax caps. How will this constitutional amendment affect attempts to impose tax caps on local governments? In other words, will this constitutional amendment require a four-fifths vote of the General Assembly for tax caps to be imposed on -- on local governments throughout Illinois?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. Under -- under my interpretation and my understanding, it would not. A tax cap only impacts the revenue side of a unit of local government. In other words, a tax cap limits growth. What this does is limits expenditures. And therefore, a tax cap does not require an expenditure by a unit of local government, and therefore should not be required a four-fifths vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Palmer.

SENATOR PALMER:

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

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PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Palmer.

SENATOR PALMER:

Senator Watson, would you give me examples of an unfunded mandate, as you understand it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, any kind of a directive that we require on a unit of local government that would require an expenditure. That would be considered a mandate. Now, I mean, we can -- there's a lot of examples of that, but that's my interpretation, and that is the language that's in the constitutional amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

Senator Watson, are there other states that are requiring this legislation that you are proposing?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, I'm not sure that it would identify, particularly this language, as we now have it before us, but there are other states who do limit the ability of State government to pass onto units of local government and other entities mandates which require a cost.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. To the bill: This is a very, very disturbing bill. What -- the fact that Senator Watson did not give me an example of exactly what he means or understands by unfunded mandate and that the language itself is very general,

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suggests that what is a mandate for one, would be responsible leadership for another. And certainly, I think that's why we are down here. I would suggest to the Body that the dilemma is today that the issues that we are facing are global and not parochial, and that, in fact, the more we parochialize legislation and decision making, the farther off we are putting issues. Let me give you an example. Just recently Carnegie produced a report in which they said that in the United States, we are not only doing an inadequate, but a very poor job of providing what is necessary for child development and care. The implications of this mean that if we do not change this soon, we will have generations of children who are incapable of living in the global world that we are designing right now. And let me tell you what this would suggest if we pass this legislation. We all know that child care is fragmented; it has no sense or reason throughout the State. Let us say that for the sake of deciding that the next generations of children should have certain bottom-line preparation, we so-call mandate that there be standards set for those critical years that the Carnegie has identified as at least up to three to five years of age. Setting such -- such standards would demand that in localities all across the State of Illinois, these would be implemented. This is for the sake of our future. Now should we choose not to do that because a local principality decides that this is not adequate and that they don't want to do so, then we are jeopardizing the future of many children throughout this State. I suggest to you that this is bad public policy; that we should not legislate by sound bites, and that if we can't even mention and say what is an example, that we have absolutely no business passing this bad piece of legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Tom Dunn.

SENATOR T. DUNN:



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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR T. DUNN:

Thank you. Senator Watson, I want to follow up on Senator Cullerton's line of questioning for a moment, if I may. In my district I have State prisons, and we're often raising the penalties on inmates who commit crimes on guards. And when those individuals are prosecuted by the State's attorney who sits in the county where the prison sits, there is some compensation paid by the State to the county, because the theory is that there are extra State's attorneys having a greater obligation than in a county that does not have a prison. I guess my question is, if -- if -- and I might also add that the State's attorneys' position is that they don't get enough money. The State's position, of course, is that they're overpaid, in terms of reimbursement. But my -- my real question is, if we do this and there isn't a four-fifths vote in some manner, does that mean then that since there isn't proper funding, that the obligation to prosecute then becomes an unfunded mandate, that means it doesn't go into effect?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, obviously you're asking a lot of questions of -- of me of trying to interpret a constitutional amendment, which ultimately would be interpreted by a -- by the Supreme Court. And so you'll have to understand that my responses obviously don't, maybe, hold a lot of water here. But let me just say this -- and I understand what you're saying, Senator, because I have three correctional centers, not within my district - two within my district and one just outside - and I hear that -- that concern quite often. My feeling of that would be that that would be the

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State's responsibility, obviously, and -- and currently is, and they attempt to fund that. But for us to say that it would be an unfunded mandate, I'm not sure that that would be necessarily the case, because it is so specific, as far as the correctional centers that are located within the State of Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR T. DUNN:

I -- I thank you for the answer. It's -- this is a difficult question. When we impose this four-fifths on ourself, we're not really imposing that four-fifths on the local government though, are we? For instance, in a home rule community, if they decide to increase an ordinance penalty or -- or cost for, say, a vehicle sticker, we're not mandating that they must pass that ordinance by four-fifths of their body, are we?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

No, we are not.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR T. DUNN:

And when -- when we -- when we run into trouble every year in terms of not having enough money when the State owes - as it does today - a large obligation, and the Governor goes out and borrows five hundred million dollars to keep us current with pharmacy payments or what have you, we're not imposing on ourselves, because that's a cost to the taxpayer, since they have to spend -- or -- or we have to spend money to -- to borrow money, like anybody else. So we're passing that onto the taxpayer. We're not imposing on ourselves a four-fifths vote to do that, are we?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Watson.

SENATOR WATSON:

Well, that would not be a direct cost on a unit of local government, and therefore, the answer would be no.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR T. DUNN:

No. It's not a cost on local government. My point is that we're -- we're not doing ourselves what we're telling other peoples to do. It's sort of like a -- a mandate in reverse. It's okay for them to have four-fifths -- or have us have four-fifths when it applies to -- to a local government, but it's not okay when it applies to the taxpayer and costs the taxpayer more money for us to impose a four-fifths on ourself. That's what I meant. The other question I have is that, like all of us, I hear the -- the objections to mandates in our travels in our district, but the question that I can never get an answer to, to my local officials, is "What percent of your budget is driven by a State" - underline State - "mandate?" And I guess my question to you is, do you have any facts or figures to back up the local officials who claim that mandates are a tremendous burden? Is there someone on your staff that's provided you with any percentage or even dollars that State mandates are in a local budget?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, since the enactment of the State Mandates Act, there have been - under the interpretation of the Department of Commerce and Community Affairs - two hundred and thirty-seven Public Acts that would be identified as unfunded mandates. So I think that addresses some of the concerns that have been previously mentioned. Of that, the Department of Commerce and Affairs <sic>

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estimates at somewhere over two hundred million dollars is the cost of implementing that -- those mandates.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR T. DUNN:

So that's a cost of two hundred million dollars across the State of Illinois for -- divided by every -- every governmental agency, and if I remember right, we have something like fifty-seven hundred taxing bodies in -- in the State of Illinois. That would not include, of course, those villages and other bodies that are not allowed to increase their own taxes. Would that be a fair -- a fair way of expressing that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Senator, I'm not sure at what point and how the Department of Commerce and Community Affairs reached this particular number and if they went out and asked mosquito districts and library districts and everybody else the implications of this. But what their determination was, that the underfunded mandate on local governments - there's about two hundred and thirty-seven of them - cost effect of which would be two hundred and one million dollars over the last -- since the enactment -- of the State Mandates Act.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR T. DUNN:

Well, Senator, by my -- by my division, that'd be about twenty-five dollars per person in the State of Illinois -- we attribute to these mandates. So, thank you for your answers.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

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I think more importantly, tomorrow's headline is going to read "Hell Freezes Over", because I think this is the first time that Rauschenberger and I are in such agreement with Senator Berman, Cullerton and Hendon and Palmer. So I think that's probably the -- really going to be the big news tomorrow. I've got some -- certainly some concerns, and -- and one of those is on the -- is talking about positive issues, Senator Watson. I've got a piece of legislation currently in there now, which will limit local governments' ability to so blatantly use backdoor referendums. In other words, the bill just drops the number of signatures needed from ten percent of the voters down to five percent of the voters. It requires local governments to put in a detailed map so individuals who are going to be taxed know about what areas are going to be taxed. Now that is a positive mandate. And it's interesting that the Municipal League fights so hard against that. They want to limit our ability to tax and our ability to pass mandates, but of course, the Municipal League doesn't want to limit themselves from doing it locally, which I find very ironic. My question to you is: This piece of legislation is going to require some additional paperwork to be done by the county clerk, if it passes. Now because that is a cost, then this would be a mandate and would require four-fifths to pass, even though it's a pro-taxpayer, positive bill. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, if it costs money, I'm not certain it's a pro-taxpayer effort, but if it does, certainly then this would be considered a mandate, Senator, and would come under the -- the constitutional amendment's directive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

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SENATOR SYVERSON:

Well, it's going to cost money, 'cause a county clerk is going to have to at least spend a few dollars printing up a -- a petition. So the -- so, every bill - I guess back to what Senator Hendon said - every, single bill that we pass is a mandate. If it costs even a dollar, any county clerk could write a simple letter saying, "This is a mandate and we're not going to abide by it", and then it -- then it's going to be all in -- who makes that decision? If a clerk says that they feel it's -- it's a mandate, and the Chair rules that it's not a mandate, whose ultimate decision is whether or not it's a mandate or not?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, the Chair would rule. The Chair would make that ruling.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

I'm not sure if that's correct. If the -- if a local government feels that it's a mandate and they -- they send notification, as you said - written notification - down here, saying this is a mandate, are you saying the Chair -- which Chair makes that decision to override the local government and say, "No, this is not a mandate"? Would that...(microphone cutoff)...would that letter go to this Body and this Body would rule that, no, it's not a mandate, or would it be forced to go to the courts?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, we rule here, as they do in the House, on preemption of home rule. That is a -- a ruling of the Chair. This -- this type of constitutional amendment and this type of concern would also be

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a ruling of the Chair. I'm not sure, I guess, I totally understand where you're coming from on this. Just understand that if it takes an expenditure of a unit of local government and if that's a determination of the Chair, then that would require a four-fifths vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

I guess I'm still. -- my question is, if a vote passes with thirty-six votes - we don't believe it's a mandate - all it takes is a county clerk or some local government official to write a letter saying, "I believe it is a mandate." Now, who decides -- what if the House decides one way and the Senate decides another on the ruling of whether or not it's a mandate? Who decides whether or not it is a mandate or it's not a mandate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, first of all, I know you haven't been around here a long time, but that happens. I mean, one decision from this Chair doesn't necessarily dictate that that's going to happen over there, and vice versa. Secondly, if -- if it, in fact, is a cost -- now you -- that's -- that's the thing that -- I don't think you're -- you're understanding, or maybe you're not hearing, is the fact that if it is a cost and if it is a determination that we do not pass it by a four-fifths vote, and then litigation would occur from the local unit of government, and then a determination would be made, whether, in fact, we did violate the constitutional amendment dealing with mandates, and whether or not then you have to enact that cost locally to comply.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

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SENATOR SYVERSON:

Then, I guess, back to what Senator Palmer's question was: Can we think of any legislation that we could pass that does not have a -- a cost? I mean, even if it's a dollar, that there's a cost. And then, that's what we're saying, is every piece of legislation that we pass out of here from now on is going to have to be four-fifths or it's going to have to be litigated. And now we're talking about mandating court costs onto local governments to have to litigate whether or not something is a mandate or not a mandate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Lauzen.

SENATOR LAUZEN:

Senator Watson, would you agree that we mandate without funding too many restrictions on education?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Most certainly, yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

That would be my first concern about this bill. My second concern is that it takes thirty votes to raise a tax; it takes thirty votes to elect the President of the Senate; it takes thirty-six votes to override the Governor; it takes thirty-six votes to impose home rule government. My question is: What will happen if those voting Yes today are wrong, and we change the



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fundamental document of our State government - the Constitution - to the four-fifths or forty-eight-vote majority and then the General Assembly grinds to a halt? What will we have to do to reverse that error?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, we could, first of all, fund those mandates to a unit of local government. We can fund those, and then we can also pass it by a four-fifths vote. I think what -- again, what is being missed here is that by a determination of an agency of State government - Department of Commerce and Community Affairs - there have not been that many -- two hundred and thirty-nine unfunded mandates for a total of over two hundred million dollars. Certainly significant. There's no bigger problem for my units of local government than having to deal with the dictation of policy from Springfield, and having to comply and money not being made available. I don't think that we would find that if we vote for this and it becomes a part of our Constitution, that we made an error of the ways of the General Assembly. I don't think that that would be a consideration we would have or have to be concerned.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

My concerns are that, number one, education is not covered in this, and number two, that it takes forty-eight votes in the majority. We may have a much more attractive alternative. My final question is: Is it true that you're also sponsoring Senate Joint Resolution No. 7 that includes education, and would require a more reasonable three-fifths vote, or thirty-six votes, to do this?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, I am.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Then my conclusion is that this concept is a good one, and I admire the initiative of bringing it forward, but that I think that this bill is not good as it -- as it stands now. If this Joint Resolution 14 fails to get the thirty-six votes today, then I pledge to you support for your Senate Joint Resolution No. 7 with education and three-fifths vote. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much, Madam President, Ladies and Gentlemen of the Senate. I rise, also, in opposition to this proposal. I don't think there's any question about the fact that we, as a Legislative Body, have not done very well about addressing ourselves to mandates that we require local governments to undertake, but I think this debate today is more about the lack of discipline of the Legislature to discipline ourselves to come to grips with the State Mandates Act, Senator Watson, that you recently passed. And what we're about to do here, I think instead of discipline, we're about to punish ourselves for requiring this four-fifths piece of legislation. I don't know why anybody in the Majority on the Majority side would want to have their will thwarted by the Minority, and I know I'm arguing against myself today, because we are in the Minority. But I can't imagine thirty-two Republicans on that side of the aisle who want to pass something that is meaningful, that is purposeful, to then have to

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come over here and get - what is it - fourteen votes on our side of the aisle. And I will grant you that the price will be heavy. Everybody over here will say, "I want this grant", or "I want this highway", or "I want this", or "I want that". And by the time you go back into your Majority Caucus and your Members find out what you've given away to the fourteen Members on this side of the aisle, then all your Members are going to want something. And, boy, you're loading up -- you're loading up a 747 that ain't ever going to get off the ground; not going to pass; it's going to be nothing but pork-barreled. Let me say this: If we pass this today, we're going to become the laughing stock of Illinois, that we cannot discipline ourselves with respect to mandates to local government. And don't you -- don't you think that students of government are going to look at what we have done today, if this passes, and just shake their head in amazement? "What were they thinking about when they did this?" Nowhere in the State Constitution do they talk about a four-fifths vote for anything, for any purpose. But yet, we are not talking today about a scholarly debate about what happens with respect to government and governing; we're talking about a political debate. We're talking about a political remedy. This is not the -- this is not the proper remedy to worry about State mandates to local governments. And quite frankly, we're trying to make constitutional law here today. You know, we've been on this exercise now for roughly an hour and ten minutes. We're talking about a massive change in the way in which we do business in Illinois. Don't you think at least we ought to have a scholarly debate and allow those individuals on both sides of this question to come before this General Assembly and discuss the pros and cons and the ramifications? Everybody in here has a different idea as to what this does. I doubt seriously if you could get five people together and have an agreement on what the net impact of this resolution will have upon the Illinois

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General Assembly. Why can't we have a proper forum? Why can't we have a scholarly debate about this issue, and then we -- when we understand fully its impact, then bring it to this General Assembly for some resolve? This is not the case today. Senator Welch mentions it takes three-fourths of the vote of Congress to impeach the President. It takes four-fifths under this proposal to overrule your local mayor. Let me suggest to you, Ladies and Gentlemen, this is not the proper remedy. It is not the proper forum for us today. It is an opportunity for us to say that we have failed in our responsibilities for those who have been in the General Assembly. I suggest to you that four-fifths is never going to be a proposal that can effectively pass the General Assembly. We don't know what we are doing here today. I suggest that we vote No. And if -- Senator Watson, if you really are concerned about what's taking place, then let's have -- let's have the experts, let's have the scholars come in and talk to us about what the problems will be with respect to this bill. And then, maybe after we all understand it, maybe then we'll have the opportunity to competently decide whether or not we ought to be voting Aye or Nay on this proposition. I suggest we vote No, and afford us at least the opportunity to have a scholarly hearing and debate on the question that's before us today. Vote No.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I regret that I have to speak a second time, but me thinketh the prior speaker protesteth too much, because he voted for this amendment in committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hasara.

SENATOR HASARA:

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Thank you, Madam President. Nothing makes the public more angry than to be asked their advice on something, and then have that advice ignored by us, the Members of the General Assembly. It seems to me that every, single one of these arguments should have been made last year when the vote was 50 to 4 to put an advisory referendum on the ballot. 80.6 percent of those that voted on that referendum want us to do this. In fact, they don't want us to pass any unfunded mandates. So if you think the public is going to stand there and vote to tell us to do something - why did we ask them, then? And for every one of us, the fifty that voted to ask for their opinion last year, I think your Yes vote better be up on this, or you will be responsible for snubbing the advice of the voters that not only sent you here, but that were asked for their opinion last year. So I hope you will remember that. To me, this has already been voted on when you voted to put an advisory referendum on the ballot last year. Don't snub what the people of Illinois are telling us.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? And our final speaker, Senator Butler.

SENATOR BUTLER:

This... Thank you, Madam President. This is indeed an honor to be the last one to speak. Senator Demuzio, I thought this was a scholarly debate. It's about as scholarly as we're ever going to get with or without outside information. I think it acknowledges the importance of what this vote really is all about. Someone mentioned that the four-fifths vote recognizes the importance of what we do when we force our will on local government. And Senator Palmer brought up a thought that I thought went right along with that, and that is that she used child care as a good example, and -- and in her discussion implied that we know what's best, that we're omnipotent, and people ought -- people ought to conform a hundred percent to what we think is

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good and bad. A four-fifth vote merely recognizes what we're doing to local government, and unfortunately, education is not part of this, because I think we are a great part of their financial problems. What we really do is, every pressure group that comes into this place that needs something from local government comes to us, and they put our arms -- their arms around us and say, "Gee whiz, you know, do this for us. We're really neat guys. In the next election, we'll be on your team." Et cetera. So we just -- we literally impose that will in order to look good to these -- this handful of people down here who -- to whom we are always kowtowing. The question was asked, "How much money?" Well, I can tell you as a part-time mayor, that our community, which isn't very big - thirty-nine thousand people - but I'm just calculating it'd probably save us a million bucks a year, if we had an opportunity to say yes or no, particularly on pensions, which made the Legislature look good among the pressure groups, but I'll tell you, it makes the local taxpayers cringe. And, Senator Berman, I nearly broke into tears when you were talking about partnerships. I can tell you once again, when we order -- when we dictate, and then -- and then you turned around and said, "Well, but we give you the power to tax." Well, gee whiz, thanks a lot. First of all, you forced us to spend money, and then you give us an opportunity to raise taxes. I think that this merely -- not merely, but I think this is an acknowledgement of the importance of what we're doing down here every time we say to a local government, "You guys got to do this. You pay for it, 'cause we think it's good." So I'm going to -- I'm going to vote Yes for this, and I think, in -- in the name of -- of good, responsible government, all of us should.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

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SENATOR WATSON:

Well, thank you, Madam Chairman. And, Senator Demuzio, you're right. It's been about an hour and twenty minutes that we've dealt with this issue, and I think that the -- that our friends who've come in and witnessed the debate that has gone on here, I think walk away from this Body with a better appreciation for what we do and the manner in which we do it. We've had an excellent debate here. Good points have been made -- raised on both sides, and I appreciate, certainly, that. You mentioned a manner in which we've discussed this. We had this in committee, and it was pointed out you did support it, and it did pass out of committee on a 14 to nothing vote. This passed out of the House on 113 to nothing. I think most people recognize the need and the desire for what we're -- what we're doing. And those who bring up the point about the miniscule costs involved in this seem to forget that we have the four-fifths provision that would allow for most mandates to be enacted. And Senator DeAngelis talked about the various bills that have passed just in the last week here, dealing with an extra majority of over and greater than four-fifths. And Senator Jacobs brought up an excellent point. And I think it's something that's happened over a period of time to this Body, and I think it's something that we can be somewhat proud about what we do, is the think -- the thought that goes into this process. And I think that's important, and I think that that's something that this debate will do for us in the future, is that we will be concerned and more sensitive, I believe, to those people we are impacting with the demands from which we enact here on this Floor. And, Senator Collins, yes, we should be responsible, and I think we are acting in a responsible manner when we support a constitutional amendment such as this, because we are being financially responsible to our brethren in local units of government; we are being responsible to their sensitive needs.

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Senator del Valle, you mentioned about the provision that was in 1992, that the voters approved by such an overwhelming majority. That language actually said: Voters approve an amendment to prohibit - prohibit - unfunded local mandates. We are allowing for the passage of an unfunded mandate by the four-fifths provision that we now have. And you know, we all -- we all have our priorities in our districts, and we all go to the -- the John Maitlands of the world and the -- the Kenny Halls and talk to our appropriations people about, "Hey, I've got a particular project; I've got something I want to do. I need some revenue for that." And what are we told? "Well, we don't have it. The money's simply not there to do it." But it's okay for us up here on the Senate and the House Floor to tell those people back in our local communities that they've got to spend money that maybe they don't have: very precious tax dollars, limited tax funds, for services the local communities feel are important. And we tell them what they have to -- how they can spend that -- that revenue. That's not right. That's a decision that should be made locally. And this is not a perception issue. Not at all. Not at all. This will be clearly defined by the -- those people impacted as to the implications of what we're about to do. This will be clearly defined to the voters of Illinois. Sixty percent of those voters are going to have to go and say Yes.

END OF TAPE

TAPE 3

SENATOR WATSON:

I trust the views of the people of Illinois, and I think that



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we should too. And that's all we're asking here, is that the people who -- in Illinois who go to that ballot box this November, have an opportunity to have a say in the impact of State government. There's nothing wrong with that type of approach. I'll ask your favorable consideration. And thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson moves the adoption and approval of House Joint Resolution Constitutional Amendment No. 14. The question is, shall House Joint Resolution Constitutional Amendment 14 be adopted and approved. Pursuant to Section 2, Article XIV of the Illinois Constitution, amendments must be approved by three-fifths of the Members elected. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last chance. Take the record. On that question, there are 34 Yeas, 17 Nays, and 6 voting Present. House Joint Resolution Constitutional Amendment No. 14, having failed to receive three-fifths vote, the constitutional majority, is declared lost. Senator Watson.

SENATOR WATSON:

Yes, Madam President. Could I have that put on Postponed Consideration?

PRESIDING OFFICER: (SENATOR DONAHUE)

Yes. Postponed Consideration. All right. Senator Watson, on Senate Joint Resolution No. 1. Read the bill -- or read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution, Constitutional Amendment, No. 1, offered by Senators Watson and Klemm.

(Secretary reads SJRCA No. 1)

3rd Reading of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Watson. Just a second, Senator. Senator Severns, for what purpose do you rise?

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR SEVERNS:

It's my honor today to have with us in the President's Gallery, seventh graders from the Lutheran School in Decatur. Mr. Wenger and the seventh grade class. I would like us to welcome them here today.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Senate. Senator Watson, to explain Senate Joint Resolution No. 1.

SENATOR WATSON:

Yes. Thank you, Madam President. This particular constitutional amendment probably won't take the deliberation of the -- to the extent in which we had during the last one. This one simply changes the constitutional deadline for adjournment. Right now that constitutional deadline is June 30th, and after that point, as we all know, it takes an extra-majority vote to pass legislation with an immediate impact. This legislation moves that June 30th to April 30th. And the reason we do this and why we want to see it done: First of all, we're sworn in the second day of January, or that's the actual beginning date of Session, and we should be proceeding from that point. And many times we don't. I mean, we -- it takes us two or three months to get ourselves moving. We don't need to do that. We could hit the ground running second Wednesday of January and get our work done and get it completed. So I don't think we're -- we're having any impact on our ability to do our job. But what it will do: The

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fiscal year of the State of Illinois, as we all know, goes from July 1st to June 30th. That's not impacted by this constitutional amendment. The -- what this amendment would do then, would allow for agencies of State government to know exactly what their appropriations and dollars in which they will have available to them to spend beginning on their fiscal year, which would be July 1, which is not impacted by this. Secondly, it would give our friends in the education community an idea of what type of State revenues are going to be made available to them at the local level by which they can fund schools. Most school districts begin school latter part of August. Budgets are being probably even debated as we speak, in some cases, but primarily, they don't have any clue as to what kind of revenue they could expect from State government until after the appropriations process. So this would help expedite that and give them ample opportunity to plan for their school year with an earlier adjournment -- constitutional adjournment date. Another provision, and I think it's one that maybe some of us are sensitive to and -- and maybe -- maybe not, but we've all seen Members - good people - in this process that have gone back home. They've decided that enough is enough. And a lot of that comes from the fact that -- that we're here serving in times in which maybe our families are at home, out of school, we should be -- we've had vacations canceled. We've had a lot of problems dealing with the June 30th deadline and being here in July and days and months after that. And maybe this is self-serving to a certain degree, but I think it's important, because we have a responsibility not only to the people of which -- of our district, but to our families. We miss weddings; we miss graduations in May. So by providing for an April 30th deadline, would help, I think, ease that burden on all of us, so that hopefully those people who ultimately may decide at a future date that enough is enough and I'm going to send myself back home,

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and as a result, we lose good people here - hopefully, that won't occur with this particular approach. That's an explanation of it, Madam Secretary <sic>. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, Senator Watson moves the adoption and approval of Senate Joint Resolution No. 1. The question is, shall -- shall Senate Joint Resolution No. 1 be adopted and approved. Pursuant to Section 2, Article XIV of the Illinois Constitution, amendments must be approved by a three-fifths vote of the Members elected. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, 2 voting Present. Senate Joint Resolution No. 1, having received the three-fifths constitutional majority, is declared passed and approved. Senator Watson, on Senate Joint Resolution No. 7. Senator Watson, on Senate Resolution 7?

SENATOR WATSON:

Yes. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Read the bill, Mr. Secretary. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you, Madam President. Point of personal privilege. Senator Hasara and I would like to welcome my favorite principal in the State of Illinois, Sister Maristella, who has brought members of her eighth grade class, along with their teacher, today. They're in the President's Gallery in the middle. If you'd please rise to be welcomed by the Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome. Read -- read the bill <sic>, Mr. President -- or,

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Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution No. 7, Constitutional Amendment, as amended by Senate Amendments No. -- numbered 1 and 4, offered by Senator Watson.

(Secretary reads SJRCA No. 7, as amended)

3rd Reading of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, to explain the resolution.

SENATOR WATSON:

Yes. Thank you, Madam President. This is very similar to the previous constitutional amendment dealing with State mandates, although this provision does not require a four-fifths vote. It's a three-fifths vote. And it also describes education as a -- a proponent of this particular constitutional amendment. The other constitutional amendment only was units of local government. I think everybody understood that. This one expands that definition to include education. As an Education Committee member and involved in the education community, I think it's vitally important that education is considered here, and I feel that we have created a lot of the financial problems that education and units of local government have - the financial burdens and problems - by simply the dictation of policy from here in Springfield. This particular constitutional amendment also requires that a companion appropriation bill be made available with the passage of a -- of a mandate, if it doesn't receive the three-fifths vote. We still can pass on a mandate onto a unit of local government with a plurality of greater than three-fifths, or three-fifths or greater. So that -- those of you who raised that concern in the last debate, that is addressed in this particular amendment. We are reducing - reducing - the constitutional requirements to pass a mandate from four-fifths to three-fifths

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under this provision. I think that pretty well explains it, Madam President. Be glad to answer any questions, otherwise appreciate support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I rise in opposition to this proposal. Let me just point out that we are not lowering the threshold from four-fifths to three-fifths. We didn't pass four-fifths. The law now is fifty percent. You need a majority. We are raising the requirement from majority to three-fifths. That makes a big difference, number one. Number two, I would suggest to -- to you that this is inappropriately timed. After we pass Senator Maitland's Senate bill that funds education adequately, after we adopt -- the next Governor Dawn Clark Netsch's proposal for adequate funding of schools, then - then - I think this bill would make sense, because then we will have done our job to take care of the education of children, so that we provide the resources necessary. This is entirely the negative. Each one of us have voted for, at one time or another, certain mandates. Now, we call them mandates, but when we passed the bills, we didn't call them mandates. We require IGAP tests. We want to know how well our children are doing in our schools. Ladies and Gentlemen, the IGAP tests is a mandate. It's a mandate. You want to abolish IGAP tests? You want to pass an appropriation bill that's going to specifically fund it? It's going to have a tougher time to pass. Just think about that. I can go down a whole list of other requirements - reasonable requirements, from our point of view; perhaps unreasonable from the local school district - that we have passed because we want to improve education, the attainment of education, the process of educating our young children. We set policy. Most

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of the time that policy costs money. Are we ready to repeal local property taxes and make -- make property taxes State property taxes so that we can attach that funding to education? No way. Are we willing to restructure the entire process of appropriations of schools; so instead of general State aid, we abolish general State aid and make everything categorical to specifically fund every mandate that we pass? It's possible, but I'm not sure you're ready to do that. And if you think that your local school boards are upset with, quote, "the mandates", let them see the bill that abolishes general State aid and makes everything a categorical appropriation. Let's be realistic. This sounds good; it ain't gonna work. I urge a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. I too rise in opposition to this bill. I agree with Senator Berman that we have raised the ante when we add education to this, and I remind you that there are some nine hundred and sixty school districts in the State of Illinois. And although, with all due respect to those who spoke on the prior amendment and said that we don't know what we should do about setting standards for education, it certainly should not be our intention to take away local involvement in that, but yes, my friends, we do know some of the fundamental things that we should have in place in order to produce children who are going to function in a global world. There is no point in passing a bill that ties the hands of places across the State of Illinois, as Senator Berman said, before we have put into place what is adequate and equitable funding for education. I remind you that a bipartisan task force produced, in fact, a very sound and responsible report that suggested to us the direction that we should take when it comes to education throughout the State, and I

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also remind you that more than a majority of citizens in the State of Illinois voted on - we missed by three points - voted on the State assuming its preponderant responsibility for funding education. I suggest to you that we have not finished the dialogue that needs to take place, and so to vote for this is to be presumptuous and to be premature. The debate is just now beginning. We have some things already in place. Let us not do this. It is hasty and ill-thought-out.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator del Valle.

SENATOR DEL VALLE:

Senator Watson, I want to have a better idea of what a mandate would be for the school districts here, in your mind. The Governor's current proposal for charter schools is a proposal that I know that you support. Would that proposal, if this bill were to take effect, fall under that -- the category of an unfunded mandate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, thank you. That would be hard to define at this time, because the -- the charter school issue is still something that's being discussed. I'm not sure how that will be funded. I'm not sure what the responsibilities will be on the units of local -- the education community at the local level. So I -- it's hard for me to respond on that particular question at this time, dealing with charter schools. And I hope you understand that, but that -- there's issues still not been discussed.



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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

No, Senator Watson, I don't understand, because the chartered school bill would be an imposition. We are telling the Chicago School District that they must have fifteen chartered schools, and that downstate must have fifteen, and that the suburbs must have fifteen. So that is -- is that, or not, a mandate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

You're dealing with the word we seem to like to use around here: "perception", Senator. That is not in a bill. That -- that's just being discussed. That is not anywhere in any legislation, but certainly it may -- at one point or another, a charter school concept may be declared a mandate, but at this point in time, it is not. All you're talking about are just various proposals that are being discussed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Senator, I think, again, we've made the point here, and the point is that there seems to be confusion; there seems to be differences of opinion as to what constitutes a mandate and what doesn't. And here we have an example that's before us that we're going to be dealing with, I think, next week, and we -- we can't decide whether it's a mandate or not. So I -- I really think that we'd better be very careful with this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Cullerton. His light's on, so... Any further discussion? Senator Watson, to close.

SENATOR WATSON:

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Well, once again, you're going to have to -- you'll have an opportunity to vote on what I consider to be responsible legislation and a responsible approach to a problem that is being dealt with at the local level. Now we're talking about our schools. Previously, we weren't. There isn't a bigger problem with local school district funding than us sitting up here, and Session after Session after Session, creating more and more State mandates and costly provisions onto our education folks back home, without proper funding. This is the prospective -- thank you. It is prospective. So, Senator Berman, the discussion in which you talked about this being an absurd approach, I think was practically in the response that you gave, because we're talking prospectively. Something in the future - not something that we've done in the past. So this has no impact on many of the issues that you tried to raise in your debate. And remember, this is a three-fifths vote, so, sure, we still have the opportunity here to vote a mandate onto a unit of local government and onto our education folks. All we have to do is provide thirty-six or more votes. This is a responsible approach. And again, why not let the people of Illinois make the decision on what's important and what's proper in their Constitution? That's all we're doing here. I would appreciate your support, and thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Watson moves the adoption and approval of Senate Joint Resolution No. 7. The question is, shall Senate Joint Resolution No. 7 be adopted and approved. Pursuant to Section 2, Article XIV of the Illinois Constitution, amendments must be approved by a three-fifths of the Members elected. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? One more chance. Have all voted who wish? Take the record, Mr. Secretary. On that question,

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there are 35 Ayes, 16 Nays, 5 voting Present. Senate Joint Resolution 7, having failed to receive a three-fifths constitutional majority, is declared lost. All right. On the bottom on page 18 is Senate Joint Resolution 72. Do you wish to have that amendment called? Read the bill -- or read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 72, Constitutional Amendment.

(Secretary reads SJRCA No. 72, as amended)

3rd Reading of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka, to explain the resolution.

SENATOR PETKA:

Thank you very much, Madam President and Members of the Senate. Senate Joint Resolution Constitutional Amendment 72 provides for a Court of Criminal Appeals, or if you will, a Supreme Court of Criminal Appeals upon adoption of the constitutional amendment by the people of this State of Illinois. I served on the Judiciary Committee, and -- and -- since I've come to Springfield in 1987. In that period of time, I have seen a heightened interest not only in the General Assembly and the Body -- from this Body and also over in the House, in criminal legislation, and that certainly should be the case, because I think it reflects a fact of life: that if not the number one, certainly close to number one concern that people have in this State is fear of bodily attack against themselves, members of their family, and also the so-called safety of the streets and homes. We have had, over the last generation or so, in my opinion, an -- erosions of confidence in the criminal justice system. I believe that the time has come to restore public confidence in the ability of our criminal justice system to deal with the worst of the worst in a certain, swift, but fundamentally

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fair manner. How can we do that? Well, we can look, first of all, for guidance from other jurisdictions that may have adopted a -- a similar approach. Since the -- since 1876, the Lone Star State of Texas has had a separate supreme court. Texas has one of the most expedited criminal justice systems in the nation. Just as an example - and only one small example - the State of Texas leads the country in terms of executions, with fifty-four. That's more than twice the nearest state, which also is a southern state - Florida. It seems natural that we have expanded our appellate systems. We have expanded, geometrically, the number of criminal judges and number of circuit court judges that have heard cases throughout this State. We are still operating on a model that was basically a prototype from the eighteenth century and adopted in our Constitution in 1818. In my opinion, the time has come to streamline the process, to provide that we would have seven learned scholars, who are elected as justices, decide nothing more and nothing less than criminal court cases. It is my opinion, and I believe others who have taken a look at this type of legislation, that we can accomplish the goal of swift, certain, but yet fundamentally fair justice to be meted out for all. Unless I simply overstate a point, I think that we should take a look at the fact that this is a double-edged sword, because in those rare instances, or limited instances, where individuals have been wrongfully convicted, where their cases are on appellate review, any day that those individuals may spend behind bars is literally an eternity, because they -- they certainly did not belong there. So we are affording more protection for the truly innocent, and yet making sure that those who are -- who are truly guilty are handled in a manner which would restore public confidence in the ability of our systems that deal with them. What we have done here, very elementarily, is take the current judiciary Article and simply amend it to provide for a separate court. All of the

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protections that are now afforded to all criminal defendants will, of course, be carried through by this judicial Article. And for that reason, I do believe that this is an idea whose time has come. And, Madam President and Members of the Senate, be happy to entertain any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, Senator Petka moves the adoption and approval of Senate Joint Resolution 72. The question is, shall Senate Joint Resolution 72 be adopted and approved. Pursuant to Section 2, Article XIV of the Illinois Constitution, amendments must be approved by three-fifths of the Members elected. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 33, the Noes are 23, and 1 voting Present. Senate Joint Resolution 72, having failed to receive a three-fifths constitutional majority, is declared lost. Before we take up our last constitutional amendment -- oh, no -- we will go right to that. Sorry. Senate Joint Resolution 123. Senator Shadid. Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 123, Constitutional Amendment.

(Secretary reads SJRCA No. 123, as amended)

3rd Reading of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam President, Ladies and Gentlemen. This -- the wording in this amendment is identical to the language of the Sixth Amendment, the Bill of Rights in the U.S. Constitution.

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This language was chosen because the United States Supreme Court in Maryland versus Craig, 1990, upheld a Maryland Statute which allows a child witness to testify outside the presence of the defendant's physical presence by one-way closed circuit television. The Illinois bill is now similar to Maryland's law. And I would like to have a -- approval on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, Senator Shadid moves the adoption and approval of Senate Joint Resolution 123. The question is, shall Senate Joint Resolution 123 be adopted and approved. Pursuant to Section 2, Article XIV of the Illinois Constitution, amendments must be approved by a three-fifths constitutional majority of the Members elected. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Joint Resolution 123, having received a three-fifths constitutional majority, is declared passed. Now, I'd like to make a few announcements so we have an idea of what to expect for the rest of the day. It is the intent of the Chair to proceed with our business this -- this afternoon until approximately the hour of 5 o'clock. We do intend to be in Session tomorrow from approximately 9 to 12. And we will not be in Session on Monday -- or, Monday - we will not be in Session. All right. We will be in Session on Tuesday, not Monday. So, till approximately 5 this afternoon, tomorrow from 9 to 12, and we will not be here on Monday. We will be here -- Tuesday at noon will be the next time. So. All right. We'll go back to our Calendar. We're -- we'll go back to 3rd Reading. Senate -- Philip, on Senate Bill 1688. Out of the record. Senator Philip, on 1689? Out of the record. Senator Maitland, on Senate Bill 1690? Out of the record.

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Senator DeAngelis, on Senate Bill 1691? Read the bill, Madam Secretary. Senator DeAngelis, do you wish the bill returned to 2nd Reading for the purpose of amendment? Senator DeAngelis seeks leave of the Body to return Senate Bill 1691 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1691. Senator DeAngelis.

SENATOR DeANGELIS:

...(microphone cutoff)...you -- thank you, Madam President. Having voted on the prevailing side, I wish to reconsider the vote by which Committee Amendment No. 1 was adopted, for the purpose of tabling it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Having voted on the prevailing side, Senator DeAngelis moves to reconsider the vote by which Amendment No. 1 was adopted to Senate Bill 1691. Those in favor, say Aye. Opposed, Nay. The Ayes have it. Now Senator DeAngelis -- DeAngelis moves that Amendment No. 1 be tabled. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and Amendment No. 1 is tabled. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis, to explain the amendment.

SENATOR DeANGELIS:

Thank you, Madam Chairman. Amendment No. 3 to Senate Bill 1691 exempts from Illinois taxes jet fuel used on domestic segments of inbound international flights. Currently such fuel is exempt from federal taxation. This is the only instance where the State tax treatment of airline fuel differs from federal tax treatment. So essentially what happens in this particular

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instance, the airlines are forced to buy offshore fuel from nondomestic producers and put it in a bonded situation to avoid the tax. This bill is revenue-neutral because -- this amendment is revenue-neutral because they're not buying that gas domestically anyhow. What it would do, it would allow them to buy it domestically and use our current sources and use that in those segments of international flights in which they land in Chicago. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator DeAngelis moves the adoption of Senate Amendment No. 3 to Senate Bill 1691. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments for -- approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senate Bill 1692. Senator Weaver. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1692.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1692 is technical in nature. It merely permits the Development Finance Authority to enter into agreements with State and federal agencies, which



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basically they're doing now, but we just want to put it into the Act. I'd answer any questions if anyone has any. If not, appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall Senate Bill 1692 pass. Those in favor will vote Aye. The 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 56 Ayes, none voting Nay, none voting Present. Senate Bill 1692, having received the required constitutional majority, is declared passed. Senate Bill 1693. Senator Hasara. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1693.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill would create a tax checkoff to create a Korean War Memorial here in Springfield. The land has already been dedicated. It is adjacent to the land at which the Vietnam Veterans' Memorial now stands. The cost of the Memorial would be about a million dollars, and about forty percent of the money has been raised to date by a very active group of citizens, mainly Korean War veterans who have participated in numerous small fund-raisers. They feel that they have probably tapped the citizens at fund-raisers about all they can, and are now asking the taxpayers of Illinois to help raise the additional funds. I would like to note that over two hundred thousand Illinois citizens served in the Korean War, and seventeen hundred and

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forty-four died in that War. Many of -- I think there are several Members of the General Assembly who have served in the Korean War, and I think we would all realize that many of these veterans have been overlooked, particularly overshadowed recently by the reemergence of the recognition of the Vietnam War. So I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, as a veteran, I feel that Senator Hasara's comments were right on point. We have kind of ignored the Korean veterans, and many of them served - many, many of our Americans served there. And I think this is a step in the right direction. I wholeheartedly support this Senate bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My brother and I both were Marines, served during the -- the Korean Conflict. We certainly have done a lot in regards to the Vietnam veterans, WW II, and a lot cases, World War I. There certainly has been a void when it comes to Korea. I happen to think this is a step in the right direction. There are a lot of private funds have already been donated towards this monument, and I don't see any reason why we shouldn't allow this to happen. And I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Hasara, to close.

SENATOR HASARA:

I don't think anything I could say could be better than actually having one of the veterans of the War get up and speak as

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Senator Philip just did. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall Senate Bill 1693 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, no Nays, none voting Present. Senate Bill 1693, having received the required constitutional majority, is declared passed. Senate Bill 1698. Senator Philip. Senator Philip, 1698? Take it out of the record. 1700. Senate Bill 1700. Senator Philip. Madam Secretary, please read the bill. On the Order of 3rd Reading, Senate Bill 1700.

ACTING SECRETARY HAWKER:

Senate Bill 1700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1700 amends the Riverboat Gambling Act and creates a Code of Ethics for members, employees of the Gaming Board. Does basically three things. It creates a Code of Ethics, prohibits members or employees of the Gaming Board from accepting employment contracts with licensees. Also, creates a three-year revolving door. In other words, if you've been an employee, you can't go to work for anybody for three years after you've been employed there. And thirdly, it prohibits a person on the Gaming Board to a elected office. It had a very good discussion in Executive Committee. It came out of committee unanimously. I'll be happy to answer any questions, and I'd ask for some favorable votes.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

Just a question of the sponsor, because I happen to think it's a pretty good bill. Why is Common Cause finding fault with this?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Philip.

SENATOR PHILIP:

Yeah. They don't -- they don't believe we've gone far enough. And quite frankly, they came in at the last minute with their objections, and I said, you know, if you would have come to us ahead of time and had some -- some creative suggestions, we would have certainly entertained them. But it was at the last minute, and they don't think we've made it tough enough.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will.

SENATOR JACOBS:

Just one brief question. Senator, this is not going to become a barge bill that is going to be loaded up with other gaming provisions, is it? Or is this one that's a stand-alone bill?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? If not, Senator Philip, to close. The question is, shall Senate Bill 1700 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 50 Ayes, none voting Nay, 6 voting Present. Senate Bill 1700, having received the required constitutional majority, is declared passed. 1702. Senator Rauschenberger. Senator Rauschenberger? Take it out of the record. 1704. Senator Philip. Madam Secretary, please read the bill. 1704. ACTING SECRETARY HAWKER:

Senate Bill 1704.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1704 amends the Lead Poisoning Prevention Act. As you know, under State law now, we mandate that -- that child care facilities operated by public school districts must require lead blood -- lead blood level screening for children under six years of age. Now, downstate I have some objections from my constituents. What we have suggested doing is allowing the Department of Public Health to determine those areas that are high-risk areas and those areas that are low-risk areas, and we mandate that the high-risk areas have to have the test. We say in those low-risk areas, it's up to the local school board. I'd be happy to answer any questions, and ask your favorable consideration.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I want to say to our President, there have been many calls about this piece of legislation, but I do want to commend you for changing and amending this bill. And so I think that we all could

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go along with you now. Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

On that question, is -- shall Senate Bill 1704 pass. Those in favor will vote Aye. The 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 54 Yeas, none voting Nay, 2 voting Present. And Senate Bill 1704, having received the required constitutional majority, is declared passed. 1705. Senator Philip. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1705.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Philip.

SENATOR PHILIP:

I apologize. Will you take that off the record? If we could go down to 1707, please.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Take it out of the record...

SENATOR PHILIP:

If that's the next bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Take it out of the record. You want 1707, Senator Philip? 1706 is the next. You want 1707? Senate Bill 1707, on the Order of 3rd Reading. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1707.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Philip.

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SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1707 amends the Criminal Code and increases penalties for people who violate the Code, and I'll give you some examples. The carrying or possession of a firearm, stun gun, taser and in a vehicle or concealed on a person - changes the penalty from a Class A to a Class 4 felony. Now, that's from one year to one to three years. Carrying or possessing a firearm, stun gun, taser, knife on a person, second offense, goes from a Class 4 felony, one to three years, to a Class 3 felony, two to five years. If you would carry these firearms on a school ground, public housing, it goes from a Class 4 felony to a Class 3 felony. That's from one to three to two to five. Unlawful gift or sale of firearms, a Class 4 felony to a Class 3 felony. Using -- giving or a -- a firearm or selling a firearm in public housing or in schools, a park district, a Class 2 felony, three to seven years. What this basically does is increase the penalty who <sic> people who misuse violent weapons and firearms. If you're running for reelection, you ought to vote for this bill, because you go back to your constituents, they will tell you we're not tough enough on criminals and people who abuse the use and the right of having firearms. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Lauzen. Any questions? If not, the question is, shall Senate Bill 1707 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Yeas, none voting Nay, none voting Present. Senate Bill 1707, having received the required constitutional majority, is declared passed. Sergeant at Arms. For what reason does Senator Lauzen seek recognition?

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SENATOR LAUZEN:

Mr. President, I'd like the record to reflect that on 1704, I'd like my vote recorded Yes.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Let the record show. Senate Bill 1708. Senator Woodyard. Read the -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1708.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This bill would create the Conservation Foundation Fund within the Department of Conservation. It would have thirteen members on the Board that would administer this Fund: two appointments each by the four Leaders, plus four by the Governor, with the Director of Conservation being the -- the Chairman on this administering Board. The intent of the Fund is actually to capture and solicit donations and funds from primarily corporations, to be used in conservation activities, whether it's establishment and maintenance of habitat, or whatever. The bill was amended to tighten it up somewhat, to make sure that none of these funds could be used in eminent domain. It was also amended to be sure that the recommendations of the Leaders and the Governor would actually be the Board, and would not require approval by the Director of Conservation. That's what the bill does. It's patterned after a foundation that we created recently, the Distance Learning -- Learning Foundation. It's also patterned after ones in California, which has raised over eighty million dollars in the last six years for conservation use. So, we think



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it's a good bill for conservation, and I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1708 pass. Those in favor will vote Aye. The 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 54 Ayes, none voting Nay, none voting Present. Senate Bill 1708, having received the required constitutional majority, is declared passed. 1709. Senator Maitland. Senator Maitland, 1709? 1710. Senator Maitland. 1711. Senator Weaver. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1711.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1711 would make the lobbyist information subject to the same requirements as the Campaign Reporting System is at the State Board of Elections. As you know, the -- we are -- this is amending the Lobbyist Registration Act, and it's basically treating it the same way that the Board of Election treats information on those who have to file forms there. If there are any questions, I'd be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Last year, the Executive Committee spent ample time trying to put together

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the Lobbyist Registration Reform Bill, and it passed out of this General Assembly, if my memory is correct, with overwhelming support. Senate Bill 1711, barely after the ink dried, weakens that bill and weakens that effort. What it does is make it more difficult for people to inspect public records, which we should all consider as politically irresponsible. I think if we're going to be serious about having a law that possesses teeth, we shouldn't, as our first effort, put forward legislation to weaken that effort. I think it sends a wrong message, a wrong signal. And with all due respect to the sponsor, whom I respect, I hope that we vote this bill down.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR WELCH:

Senator Weaver, I believe this bill requires that if an individual is going to look at a lobbying statement by a corporation, they sign a document stating that they are requesting access to that document, and a copy is sent to the lobbyist. Is that correct?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

Well, let me correct one thing. Now you have to file a Freedom of Information form in order to look at these. This is simplifying it, saying that you just treat this just like they treat when they want to look at your campaign disclosure reports. It allows the Secretary of State to -- to provide rules, and in

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cases of excessive cost and voluminous reports, maybe charge a small fee - not more than the cost of reproduction. So, Senator Severns, you're wrong. This is -- this is not loosening it up; it's just making it -- it is loosening it up and making it easier to get this information.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Senator Weaver, in the original bill, was there anything about filing a Freedom of Information Act request from the Secretary of State, or is that a rule that the Secretary of State has imposed himself upon those asking for this information?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

I think that's the current practice. I'm not sure that it's in the bill, but we are instructing the Secretary of State to follow the same procedures that are followed by the Board of Elections.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Yeah. I'd just like to say -- I think that the purpose for doing that is totally different. I think individual -- there is a part of the Statute that says that if an individual uses another's -- another candidate's or another filer's D-2s for purposes of raising money -- Senator Weaver, if I were to take your D-2, take your list of contributors and send them all letters asking them to send money to me, that is a violation of the law. So there is some sense in me sending to you -- or the State Board of Elections sending to you a copy of a form saying that I have requested your specific D-2, saying who your contributors are. Then you could

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check to see if somebody was trying to pull off your special contributors and solicit them. I don't think that rationale applies with a lobbying group. If somebody asks for a -- for a copy of the lobbyist's filing statement, I don't see any reason why that should be revealed to the -- the company filing that report. I think it kind of would -- would dissuade an individual from requesting a copy of that report to see who they contributed to. So I think that the reason behind the individual, such as us, who is a candidate or an elected official, getting a copy of who's requesting it, and the logic for the corporation or lobbyist who files, are totally different. I -- I don't think there is a -- a correlation between the two, Senator.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think there is a correlation. This is -- somebody wants to be a pest, they can do so very easily; however, I think they should identify themselves by their name and address and telephone number and occupation of the requesting party. What's wrong with that? And this disclosure procedure appears to mirror the procedures governing the Campaign Finance Reporting System at the State Board of Elections. And I want to -- much as I like my colleague on the other side from Decatur, I might remind her that she voted for this bill in committee, and there's nothing wrong with it. All it does is make it possible to let us know, and I think it's only right. We don't have to file any Freedom of Information request, and I support the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I apologize for standing for a

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second time, but I feel that I must both correct the sponsor and the previous speaker. As a former sponsor - one of many - of the Lobbyist Registration Act, Senator Weaver, your information is incorrect. There is nothing in the current law that requires notification. Even the FOI requests do not require notification. Let's tell what this bill is really about. And, Senator Geo-Karis, you're right. We voted for this bill, until, through an error, it was discovered that there was someone else who wanted to testify. To the Chair's credit, she called the witness forward to testify, who made us aware of the difficulties within the proposed legislation. At that point, we made a request to reconsider the motion. It was -- it failed. We wanted to vote No and urge a No vote today because let's say what this bill really does. It bows to the pressure of the lobbyists to limit their exposure of public expenditures -- of expenditures. That's what it does. That's its purpose. There is no other reason. That's why it ought to be defeated. If we're going to pass a Lobbyist Registration Law, and hold it up and pat ourselves on the back, we ought to at least let the teeth in that law remain. This bill's only intent is to remove some of the teeth. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Weaver, to close.

SENATOR WEAVER:

Thank you, Mr. President. Well, right now there's no notification necessary. We're just trying to bring this in compliance with other ethics legislation, requests for -- to review your ethic statements, your campaign reports. I think it's making it easier for the public to acquire this information, and they deserve this information without having to -- file a Freedom of Information form. So I would hope that it would bring both the lobbyists and the -- and the elected officials and legislators who

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have to file those forms into the same compliance. And I would request a favorable roll call.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall Senate Bill 1711 pass. Those in favor, vote Aye. The 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? Take the record. On that question, there are 35 Yeas, 15 Nays, 5 voting Present. Senate Bill 1711, having received the required constitutional majority, is declared passed. Senator Stern.

SENATOR STERN:

I had a question on the last. I didn't realize the Gentleman was closing. That's all, sir.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Thank you. 1712. Senator Geo-Karis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1712.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill simply amends the Minority and Female Business Enterprise Act by extending the Act until 1999, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? If not, the question is, shall Senate Bill 1712 pass. Those in favor will vote Aye. The 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 54 Ayes, none voting Nay, none voting Present.

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Senate Bill 1712, having received the required constitutional majority, is declared passed. Senator Fawell, on 1714? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1714.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a -- a bill which will allow the judges to take into consideration any offense that is committed within a thousand feet of a school or on a school bus. And the offenses that we are talking about are child abduction, kidnapping, indecent solicitation of a child, aggravated assault, aggravated battery, intimidations, gang recruitment, and sexual assault, committed within a thousand feet of the school or on the bus. And "school" is defined as not only elementary and secondary schools, but also community colleges, colleges or university property. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any questions? If not, the question is, shall Senate Bill 1714 pass. Those in favor will vote Aye. The 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 56 Ayes, none voting Nay, none voting Present. Senate Bill 1714, having received the required constitutional majority, is declared passed.

END OF TAPE

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PRESIDING OFFICER: (SENATOR DeANGELIS)

...(machine cutoff)...Dillard. Senator Dillard, do you wish the bill returned to 2nd Reading? Senate Bill 1717.

SENATOR DILLARD:

Yes, Mr. President. For purposes of a technical amendment.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dillard seeks leave of the Body to return Senate Bill 1717 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 Senate Bill 1717. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is just a technical amendment, which was requested by Attorney General Burris, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? If not, all those in favor, say Aye. Opposed, say No. The Ayes have it, and the amendment is adopted. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 1718. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:



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Senate Bill 1718.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. Senate Bill 1718 is a recommendation from the Bureau of the Budget in an attempt to leverage additional federal Medicaid monies, as well as an audit trail to satisfy the needs of the federal government. It would establish a new fund known as the University of Illinois Hospital Service Fund. If any -- if there are any questions, I'll try to answer them.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? If not, the question is, shall Senate Bill 1718 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, none voting Nay, none voting Present. Senate Bill 1718, having received the required constitutional majority, is declared passed. 1719. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1719.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the summary of Senate Bill 1719, simply that it amends the Firearm Owners Identification Card Act by extending the dial-up Transfer

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Inquiry Program until September 1, 1996. The -- the nine-member committee shall make an interim report by December 31, 1994, and under the current law, as you know, federally licensed firearm dealers, when transferring a firearm, are required to contact the State Police dial-up telephone system. I urge passage of this bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any questions? If not, the question is, shall Senate Bill 1719 pass. Those in favor will vote Aye. The 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 57 Ayes, none voting Nay, none voting Present. Senate Bill 1719, having received the required constitutional majority, is declared passed. 1720. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. This -- in continuing my tradition of legislative activism, this -- this bill authorizes the Department of Military Affairs to -- to trade a piece of land with the City of Aurora in my district. Both sides are in agreement with this. We checked on -- on the value of the properties at the request of Senator Carroll, and as a matter of fact, found out that somehow, accidentally, the Department of Military Affairs is going to come out a little bit ahead of the game on this one, as far as appraised value. It's a move of sites to make it easier to build the armory. There's less gradient work necessary. The

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communities involved are in agreement, and I just would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any questions? If not, the question is, shall Senate Bill 1720 pass. Those in favor, vote Aye. The 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 57 Ayes, none voting No, none voting Present. Senate Bill 1720, having received the required constitutional majority, is declared passed. Senator Demuzio, for what reason do you seek recognition?

SENATOR DEMUZIO:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your...

SENATOR DEMUZIO:

I notice that pages 12 and 13 are rather historic. These are historic pages. I'll have to keep these. I've been here nineteen, twenty years now almost, and they're all Republican bills. Maybe I should also keep -- maybe I should also keep page 14, too, because they're all Republican bills. Do you think we're -- how much longer do you think you can keep the Democrats here tonight to vote for all these Republican bills?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senate Bill 1721. Senator Karpel. Take it out of the record. 1722. Read the -- read the bill, Mr. Secretary. Senate Bill 1722.

SECRETARY HARRY:

Senate Bill 1722.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Senate Bill 1722 amends our Intergovernmental Drug Laws Enforcement Act to expand the -- the ability of the Metropolitan Enforcement Group to investigate and take action on gang crimes and also to investigate matters pertaining to guns. As we know, the Metropolitan Enforcement Group is a cooperative effort between at least two intergovernmental units whereby they combine their forces to bring about what I think are some excellent police work. I'm particularly interested in this because I was in on the formation of the original MEG units in the Chicago suburban area, and they have done some fine work. They were -- this will allow them -- it is not a mandate. Everybody can be happy; it is not a mandate. But they are given permission to investigate streetgang-related offenses relating to drugs and also to guns. And I would urge your approval.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any questions? If not, the question is, shall Senate Bill 1722 pass. Those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. Senate Bill 1722, having received the required constitutional majority, is declared passed. Senator -- Senator Geo-Karis, you wish... Read the bill. Senate Bill 1726.

SECRETARY HARRY:

Senate Bill 1726.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

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SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 1726 makes several Lottery Law changes that the Department of Lottery is -- is seeking. One, lottery prizes may be claimed only - and I repeat, only - by presentation of valid lottery ticket that matches records on file with the Lottery. Two, eliminates the six-hundred-dollar minimum that the Department of Lottery is authorized to pay from a separate account. Maximum is twenty-five thousand. Three, if a deferred lottery prize isn't claimed within the established claim period, then the securities or other instruments purchased to fund the prize shall be liquidated for deposit in the State Lottery Fund. And four, the Lottery Director may set aside money in the Deferred Lottery Prize Winners Trust Fund so that bonds may -- can be purchased later if the prize duration exceeds the length of available securities. Five, if securities have been exhausted on a lifetime prize winner, State Lottery Fund money shall be used to make payment till the winner dies. This bill is a cleanup of some of the omissions that we've had in the Lottery Law, and I urge its passage.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any questions? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says she will yield.

SENATOR HALL:

Senator, I'm just wondering, its -- is it -- have they issued payment out on some with -- without the ticket being found? I know we got -- we got a year to claim the prize, right? But is there any -- has that ever happened, that somebody collected on a lottery ticket and never had the proof of ticket?

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand, Senator Hall, that there was a court case where someone couldn't find their ticket, and they -- then they -- and they -- the claimant went to court and it was settled. I -- I know of other cases where there have been duplicate tickets, false tickets that have been issued. And this is one thing we also -- we are trying to stop.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Collins. Senator Geo-Karis, to close. The question is, shall Senate Bill 1726 pass. Those in favor, vote Aye. The opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. Senate Bill 1726, having received the required constitutional majority, is declared passed. For what reason does Senator Dudycz seek recognition?

SENATOR DUDYCZ:

Thank you, Mr. President. I stand on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point.

SENATOR DUDYCZ:

In keeping with Senator Demuzio's earlier comments, I would like to note that - regarding the sponsorship of legislation - on pages 16, 17 and 18 it appears that all the sponsors of these wonderful pieces of legislations are Democrats. I just would like to ask the Chair, does that mean we could leave on this side when the House bills are voted on?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Demuzio wishes to respond to that question.

SENATOR DEMUZIO:

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Senator Dudycz, all we were asking for is fairness, for justice, for equality. And if you want to pick up any of those bills, we'd be delighted to have you do so. It would make a great legislative record for you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I wish to point out on that issue too, that just as a matter of information, those were bills that were left over from last year, because of the deadline. So they're not new bills. So we'll see what happens a little later, Senator.

PRESIDING OFFICER: (SENATOR DeANGELIS)

All right. Senator Madigan. Take it out of the record. 1729. Senator Donahue. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. This legislation is proposed by the Department of Public Aid, and it's issues that have been mandatory under the OBRA '93 legislation, and it deals with parentage. It would -- in noncontested cases it -- it helps establish an administrative process through which we can determine paternity in the IV-D program, and the proposal would also expand or modify the existing in-hospital parentage process and other provisions of the Parentage Act under this Reconciliation Act of 1993. It also amends Public Aid Code to comply with federal regulations by

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specifically providing administrative support orders entered into by the Department can be enforced by other states' orders. They're not just subject to -- to this modification. I guess I'm not saying that right. And further, it makes sure that the social security numbers of the fathers are added to any court orders. This has a potential of costing us -- we -- the loss of about forty-five million dollars in federal matching funds if we don't pass this legislation. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall Senate Bill 1729 pass. Those in favor will vote Aye. The opposed shall 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, there's 57 Ayes, none voting Nay, none voting Present. Senate Bill 1729, having received the required constitutional majority, is declared passed. Senator Maitland, 1733? Senator Weaver, 1757? Senator Donahue, 1766? Senator Geo-Karis, 1803? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1803.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends a number of bills. It amends the Children and Family Services Act, the Counties Code, the Illinois Municipal Code, the Firearm Owner's Identification Card Act, the Business Corporation Act of 1983 and the General Not for Profit Corporation Act by delaying or removing the repeal of various Sections of those Acts. The -- the -- this bill also extends the Interagency Authority on Residential Facilities for Children until September 6th, 1997



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<sic>. And the Authority's charged with developing a long-term plan for providing adequate residential facilities for the care of children who cannot be cared for in their own homes, foster care or other similar arrangements. And the Authority is to sunset on December 31, 1994. So it just extends it to September 6th, 1997 <sic>. And Senate Bill 1803 extends the sharing of use and occupation tax receipts between counties and home rule municipalities to September the 6th, 1997. And I urge a favorable vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

On that question, shall Senate Bill 1803 pass, those in favor will vote Aye. The opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting No, none voting Present. Senate Bill 1803, having received the required constitutional majority, is declared passed. Senator Welch, for what reason do you seek recognition?

SENATOR WELCH:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point.

SENATOR WELCH:

Mr. President, in today's gallery, over in the Democratic side, wearing red coats, we have some of the officers of the Vocational Industrial Clubs of America. They're holding a convention here in Springfield today and tomorrow. They have over one thousand members. They're from throughout the State of Illinois. I think probably everybody here has constituents at that. I'd like to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Will our guests please stand. Welcome to Springfield. Senator Watson, 1832? We'll return to page 6 at the beginning of

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the Calendar on Senate Bills 3rd Reading. Senator Woodyard.  
Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 141.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. As you can see from the number of this bill, it's been around for quite some time. It's been residing, all of last year, in a subcommittee of the Senate Revenue Committee, and only recently was passed out. I first became involved with this concept probably fifteen years ago, when I -- I was appointed to the House of Representatives, and the person I replaced was a guy by the name of Jim Edgar. And the first bill that I became a cosponsor of was an Edgar-Reilly bill. So you see, this concept has been around for a long period of time. It looks to me like we're getting closer to where we may actually pass something in which we're trying to reform somewhat the way that we fund education. During those fifteen years, I think every year I've talked to so many people that feel that the way we fund education is not working, and we see that the State Aid Formula has been decreased year after year after year. The genesis of Senate Bill 141 started in the winter of 1993, when a group of young people from my little hometown school district - of only a thousand people in the entire town - asked me a question that led to Senate Bill 141. They said, "You know, to support our schools, the only option that we have at the present time is to opt for a real estate tax increase. And we're getting to the point that we just cannot pass those referendums. Will you give -- try to give us the

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authorization to pass a local income tax if we couple property tax relief to that?" I said, "Well, sure. Why not?" I -- I really don't know how you could be opposed to that methodology of funding your local school through an income tax increase, rather than the only thing -- other thing being a property tax increase. And thus Senate Bill 141 was drafted. I'll only go through a very few points on this, and -- and then try to answer the questions that you might have. As I have indicated, it is permissive legislation and would require a front-door referendum, either by voter initiative on petitions or by placement on a ballot by the school board. It's to be imposed on individuals only. Not corporations. We did look at trying to extend this to the corporate income tax, and due to the apportionment of various facilities in and outside of a school district, we decided not to do that. It can be -- the maximum that could be imposed on a local income tax is two percent. But it must be done in at least quarter-percent increments, and at least fifty percent of the amount on the ballot must be used for property tax abatement. If a district so chooses, you could replace -- you could impose the entire two percent and use the entire two percent for property tax abatement. That would simply be a wash and certainly no new dollars for your school system. I realize the downside of this, and this was discussed in committee, at length. This bill does not address equity and parity. I don't know how on earth you would do that in a bill like this. It does not address the School Aid Formula. And I don't know how you would address the School Aid Formula in a bill like this. Certainly the Department of -- of Revenue testified against this bill, saying they wouldn't be able to administer it. Well, I don't understand that philosophy. The Director of the Department of Revenue came from Missouri, which has a local option income tax. And by the way, twenty-six states do presently have a local option tax. So evidently some of those

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other states are able to administer this. The other thing that I did want to mention before accepting some questions: The Senate Revenue Committee held a series of five hearings during the summer, fall and winter this past year. And one of those hearings was on property taxes, and the thread came through everyone's comments wanting property tax relief or some methodology of doing that. That's one of the things that we're attempting to do in Senate Bill 141, is to provide not only additional money to our school systems, but also property tax relief, and do it by referendum. And with that, Mr. President, I'll try to answer questions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Senator Woodyard, I -- I want to congratulate you. You made every argument against this bill that I -- that I was going to. Let me say to you that, yes, indeed -- in fact, this bill originally was introduced by Jim Edgar when he was in the Illinois House, and also Jim Reilly, who happened to be my Representative at the time. And quite frankly, over the years I had been in support of -- of the concept that -- a local district income tax option. However, I think for all of the purposes that you just outlined as the arguments against it, that perhaps this is a matter of timing, that this is really not the time. And I'm sure that my colleague who's a longtime member of the Education Committee, Senator Berman, will -- will be -- better articulate than I will. But the Department of Revenue, in fact, says that we cannot track where the taxpayers are in a particular area. As a matter of fact, there was a study that was done. I don't remember if it was Senator Carroll or Senator Berman or someone, asked on a voluntary basis that the school district be

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placed on the -- on the income tax form, and that was on a voluntary basis. And -- and in fact, that's not been too successful. But I must, I guess, agree with you. Perhaps the biggest argument against this at this particular point is that, in fact, it will in fact expand the disparity between school districts. And that disparity now is fifteen, sixteen, eighteen, two thousand dollars to fourteen thousand in the more affluent districts, and it just seems to me that we ought to be talking about doing something about that, rather than to afford the local district option, and afford the more affluent districts, I think, to take advantage of this and make the poorer districts even poorer. So for the reasons that you have articulated, I find myself in a position today to -- to be in opposition.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR HALL:

Senator, I am curious to wonder why that -- you're going to finance schools on income tax? Is that what you're saying? And...(microphone cutoff)...on corporations?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

This certainly would not totally fund a school system by any stretch of the imagination. One of the reasons that -- that we felt that we could not put corporate tax, or taxes on corporations on the income level, was the corporate headquarters might be out of the school district that had the facility - a grain elevator is a good example, where the grain elevator may have a facility in

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the school district, but the corporation is located someplace else. And we just didn't see how on earth we could make -- make that work on a local option tax. And it is actually the residents, the voters and the income tax payers within that school district who would be voting on this particular bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hall.

SENATOR HALL:

Well, I'd -- I'd be opposed to this. I mean, if you're going to do something on income tax -- now, is this -- this is specialized legislation? You're just going to have it in a -- in a certain district? Is that what you're saying?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

No, Senator. This is statewide.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hall.

SENATOR HALL:

I notice an abbreviation -- both of these are ruled exempt. Are you exempt from the Rules Committee?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

Senator, I'm told that it was ruled exempt from the deadline to hear the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hall.

SENATOR HALL:

But it -- I'm trying to get back to this: that we are -- now you're going to come up with people who cannot even pay their property tax or not -- and then -- now we're going to put it on a

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property tax basis, and you say this is statewide?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

Senator, I don't think I'm -- I'm making myself clear. This is a local option referendum. We've stood on -- or, been on the Senate Floor debating mandate bills for two hours. This is not a mandate on a school district. It gives that local school district the option. If they want to put this on the ballot instead of a property tax increase, it allows them to do so.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hall, are you done? Thank you. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill has a front-door referendum for all the school districts in the State of Illinois. I don't know why my colleague on the other side is complaining; his candidate for Governor wants to raise income tax forty-two percent, and I think this would be an option to the local people, and I support the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Berman.

SENATOR BERMAN:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR BERMAN:

So that I am clear as to the impetus for this proposal, is this bill Governor Edgar's education program?

PRESIDING OFFICER: (SENATOR DeANGELIS)

That was a rhetorical question.

SENATOR BERMAN:

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No, it's not. I want to know the answer. Is this Governor Edgar's education program?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

No, Senator Berman. It's mine.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Berman.

SENATOR BERMAN:

Thank you. I just want the record to be straight, so we understand that. I stand in opposition to this bill. Let me tell you, notwithstanding the referendum provision, if you vote Yes on this bill, what you are doing is hurting your individuals - the people that vote for you - and helping the corporations. You are going to allow an income tax to be imposed on every individual resident of your school districts, and with the money that the individuals pay in the increased income tax, you're going to provide property tax relief to everyone, which includes most or some of your individual constituents and all of your corporation residents. This is property tax relief for corporations; a top -- property tax increase for individuals. That's number one. Number two, it doesn't address the very problem that the two-year study of the Task Force on School Finance very emphatically pointed out, and that fifty-seven percent of the voters of Illinois confirmed. And that is that it is outrageous that the quality of a child's education should depend upon where that child lives, even though all the children live in Illinois. Our staff has done some work, and the staff of Illinois State University has done some work. Based upon median family income, for example, if this had been -- if this proposal were adopted in Winnetka and Cairo, you would still have, based upon family median income, an eight-and-a-half-to-one disparity. What does that mean? It means



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that the so-called rich suburbs could still afford, by eight and a half times better, to provide their children with a quality education than could the children that live in Cairo. That already exists, and this bill doesn't cure it. This bill works exactly against what we're trying to do, and that is to equalize educational opportunity for all the children of Illinois. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor said he will yield.

SENATOR PALMER:

Senator Woodyard, you mentioned at the outset of your remarks that this bill was sponsored earlier by now Governor Edgar. What year was that?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

1979.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. Fifteen years ago. That, in -- in many respects, makes my point, that in those fifteen years we have understood much better what we need to do to provide adequate and equitable funding for the children of this State. And for that bill to have lain fallow for fifteen years suggests that it is very much out of touch with today's reality. And in addition, as Senator Woodyard mentioned, we indeed, on the Revenue Committee, conducted hearings for the last six months across the State of

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Illinois. And while we certainly heard from those who want property tax relief - and I think that includes almost everyone - they were also very clear that they want quality education that is adequately and equitably funded. And this was so from all of the major education organizations. And it is interesting to me that in addition to the IFT and the Department of Revenue opposing this bill, so do the Taxpayers' Federation, the IMA and the City of Chicago. Now, those are odd political allies on such a bill, and should suggest to you that this is not appropriate for what we need to do. Once again, we are parochializing an issue that needs universal attention. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Burzynski. Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will.

SENATOR HAWKINSON:

Senator, just to follow up on some of the debate, because I had the questions: Is it -- is Senator Berman's comment that the tax abatement will abate corporate real estate taxes true?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Woodyard.

SENATOR WOODYARD:

Yes. That is correct. It will abate corporate -- the corporation property tax. A good example is your car dealer. If they're incorporated, that building would receive the property tax abatement, and there's just no way to separate that out, I'm told.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hawkinson.

SENATOR HAWKINSON:

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Well then, why won't you include a tax? I understand that some corporate headquarters might not be in the district, but surely most of the corporate headquarters - whether it be the family farm or the car dealer or the law office or the doctor's office - would be amenable to this. This is going to have some problems, but seems to me you -- you set up a very unfair system if you're going to tax only individuals, and then you're going to abate not only individual property taxes. You're just shifting the burden to individuals from corporations, and I think that's a significant problem. I -- I favor this in concept as long as you have a front-door referendum, but I don't see how we can do it if you're only going to tax individuals to provide corporate property tax relief.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. A few years ago I went to the Taxpayers' Federation and was asking them what would happen if we -- we transferred the income tax and we got rid of the property tax in order to pay for schools, because obviously this is what a lot of our seniors need, and very frankly, when the School Formula was originally put in, maybe there was some sense to this idea that a person's wealth could easily be judged by the kind of home that they lived in. But I don't think that's really true anymore. What I was informed by the Taxpayers' Federation is that if you look at the tax - the income tax - that most corporations pay, it's very small, if at all. A lot of corporations can manage to come out not paying any income tax, because when they see that, indeed, they are liable for a lot of income tax, they can go out and buy more equipment or they can somehow or another reinvest that money back into the corporation, and so their corporation income tax is very small. Consequently, if we went strictly to an

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income tax, what would end up happening is instead of perhaps doubling the income tax on an individual, we would have to raise it four to five times what it is right now in order to make up for that corporate tax -- or that corporate real estate tax. This method actually keeps that corporate real estate tax in place. Am I right, Senator Woodyard?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Woodyard.

SENATOR WOODYARD:

Yes. Thank you. Senator, we -- we didn't change the corporate tax rate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell. Put her on please. ... Put Senator Fawell on please.

SENATOR FAWELL:

So what we are saying is that the -- the monies we will -- we will still derive the monies from the corporations under this plan. We will not lose monies that we would have lost if we had just gone to an income tax completely.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Woodyard. Senator Woodyard.

SENATOR WOODYARD:

I -- I'm not sure that I really understand your question, Senator, but all I can tell you is that people would be allowed to vote on -- on a district income tax up to two percent. Has no effect on corporations, and you have to -- there has to be at least fifty percent of that increase in property tax abatement. And -- and that's throughout the district.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

My question is, would the corporations have to continue paying

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their real estate taxes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Woodyard.

SENATOR WOODYARD:

The answer to that question is yes. They would still pay their property taxes with the codicil that they would get the abatement in the amount that was passed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR LaPAILLE:

First of all, I want to compliment the sponsor on a stunning sport coat today. It's absolutely stunning.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Why, do you have one too?

SENATOR LaPAILLE:

I wish I -- I wish I did. We don't have those up in Chicago. We have to go to Chrisman, Illinois, to get those. I think it's at a horse and bridle shop or something like that. I didn't want to interject politics in the Illinois Senate, but Senator Geo-Karis kind of led off with a slight volley earlier in the debate. But I think what we're seeing here today is -- is awakening of the Governor's Office and the Governor down in Sleepy Hollow. On March 15th I think they kind of started to wake up, because on March 15th the people in this State - at least in our primary election - said they want a leader that had some bold vision on getting education back on track and getting Illinois back on track. And I think probably on March 16th, the elves in Sleepy Hollow said, "Boy, we got to come up with something", and

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they said, "Hey, let's pull this out of our old library of Governor Edgar's bills and" - almost two decades ago - "and let's come up with this as our alternative for education in Illinois." But this plan, as I said, is almost two decades old, and if it was so good, you would have -- think that we would have passed it by now, and made it law in this State. So I think this is an attempt by the Governor to say, "Well, I've got an education plan. Like, pull it out of my library in Sleepy Hollow." And it takes care of corporations, as Senator Berman pointed out and Senator Palmer pointed out, because it doesn't tax corporations. It taxes working individuals. Working individuals get hit with this tax, but corporations escape. And that's the whole philosophy that we see, that has come constantly when it comes to income tax policy. And those that are concerned about tax votes, I would say that this would be the granddaddy of 'em all. Just think what Jim Tobin will do to you all if this thing -- if you're recorded as a Yes. I mean, you won't be a tax villain. He'll be able to fill a whole correctional facility up with Yes votes if you're on this bill. So I would say, let's not create another correctional facility for Jim Tobin and his tax villains. And let's not have a federal income tax, a State income tax, and an Edgar income tax, if this bill passes. I would vote No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. One of the things that's always distinguished this Body over the Body across the rotunda is that even in election years we stood on the Floor and debated the issues. We have our philosophical and emotional differences, but we conduct ourselves in a pretty apolitical manner, even in an election year. And I -- I'm not surprised, Senator LaPaille; I've heard you make those

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comments before and that's fine. Senator Berman, I'm really surprised at yours, though, frankly. I -- I was frankly shocked at your comments on the equity issue. This has nothing to do with equity. I would agree, either way, it does not deal with the equity issue. But I would submit to the other side of the aisle, have you looked at the plan that has been suggested by your candidate for Governor? Simply raises taxes dramatically; does absolutely nothing with the equity issue. Nothing. Zero. If anything, that plan makes it worse. So now that we understand each other, that this is not an issue dealing with equity that favors either side, but what this does do - what this does do - is address but one side of the funding equation for schools, and many of you confuse the revenue issue when you talk about formula. This doesn't affect the Formula one iota. Doesn't do it. It simply says to a school district that is having a difficult time generating revenue, difficult time raising the revenue through referendum to fund their schools, gives them an opportunity to shift that burden, if you will, to an ability-to-pay type of tax. It isn't for every school district in the State. Absolutely not. But this is a component that can go with whatever plan we ultimately pass in this State that deals with the equity issue. I think Senator Woodyard indicated there were twenty-seven or twenty-eight other states that do this. They make it work. Please give the nine hundred and thirty-two school districts across this State one more innovative way to fund the local side - not the State side, but the local side of their schools. Is that wrong? I urge your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam President and Members of the Senate. Senator Maitland just indicated that this bill did not have anything to do

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with the equity issue. And maybe that can be debatable when you talk about inequity of school funding, and I'm not going to get into that. But for anyone to say that this bill does not have anything to do with equity in taxation in this State, you're sadly mistaken. I think that is probably one of the -- the most critical, urgent issues on the minds of people across the State. And it has been proven over and over again, from all the reports that I've seen, the question of inequity in taxation of people around this State. And when you put forth a bill that raises taxes or allows taxes to be raised on individuals who are working people and poor people who now carries the greatest burden of the tax load in this State, and you exempt corporations, it says to me that you are widening the gap, and that is most certainly inequity. So it does have something to do with inequity. It is inequity in taxation, which is already way out of line. And I think we should defeat this bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Madam President, Members of the Senate. I rise in opposition to this bill, and -- and I -- for a long time I've been one that advocated we should move from the property tax to an income tax, but I think this is just a -- a piecemeal approach to a very serious funding crisis we have in Illinois for -- for education. And until we really decide to -- to bite the bullet and -- and pass an income tax and -- and remove the property tax from our major method of funding education, we'll continue to go from one crisis to another. I just think that -- that this isn't the proper approach. There will be -- it's permissive. There'll be school districts that'll do it; there'll be school districts that won't; and the children are the ones that'll suffer. It -- it won't be anyone else. And I think this is a piecemeal



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approach, and -- and I think we should get serious about this and think about an income tax to -- to fund education with. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

And the last speaker before the sponsor is Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I'm just wondering how many people looked at this bill. But you don't even have to look at it. Just look at the title. It says local option plan. Why are we arguing if this is a statewide solution? It isn't. We indicate up front it isn't. It's called local option. Local option. And I'll tell you, if I were a citizen of the State of Illinois looking at this Body debating this, I would think -- I would be highly insulted that I'm such a nincompoop that if I'm in a district that has a lot of commercial property, I'm going to vote for a local referendum on my income tax. You know, when I was in the business world - I still am to some degree right now - we used to say, "If you've got a big problem, you knock it down into little pieces." I've been here since 1979. I have had a School Aid Formula change bill every year since I've been here. But you know where it went? Absolutely nowhere. "Well, the picture was too big. You're trying to change too many things. Some people win; some people lose." Here's a program in which the people can determine for themselves whether they win or they lose. And let me tell you the school district that needs this. I happen to have the school district in the State of Illinois - and, Senator Berman, every year you were Chairman of Education I brought you this problem, and you gave me absolutely no relief or no solution. For all those years you were head of Education, not one significant change came through in the manner in which we fund education. And then we have the person that's running for Governor on the opposite side, who sits there, and in the middle

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of this vision she saw as she wandered through the desert, or what I would call - if we are Sleepy Hollow, pal, she's La La Land. Because all of a sudden -- all of a sudden, this person came up with this vision of the property/income tax swap. Well, I want to tell you: There aren't enough fingers on our side of the aisle to count the amount of bills that had that in her committee that never even once had a hearing. They went right straight to subcommittee, and never came again. Finally, we changed the power structure. We have a Revenue Committee. We do have one bill at least that offers a little bit of hope to some districts. And let me give you the one in my district. I happen to have the only school district in the State of Illinois that has passed every referendum we allow by law, who is at maximum permissive rate for education. Nine dollars and forty-three cents education rate. They are a fifty/fifty school district. Fifty percent State aid; fifty percent property taxes. While the princess from La La Land's solution would offer absolutely no relief to this school, 'cause it's fifty/fifty. These people spent four hundred dollars less than what Senator Berman's committee, that I served on, has deemed to be an adequate education. Four hundred dollars less. Nine dollars and forty-three cents educational rate. They have nowhere to move. Nowhere to go. There's a cap on them right now - that's by law. And let me just tell you: They have very little commercial property; these people would receive the benefit of almost all the tax that they would raise through the income tax. It is their only hope. I have another school district right down the road - the one that my kids went to - that's passed referendum after referendum. We get virtually nothing in State aid. Maybe we want to change over to the income tax. Not to raise the amount of money to spend, although we do not spend the most amount of money in my district. You know, what's wrong with giving people the option? Do we think everybody in our district's a bunch of

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boobs? That they can't make a determination of what's good for them? Corporations don't vote, pals. Residents do. And if you think it's bad for the residents, then you must think they're so stupid they won't even know it. So therefore, vote No on the bill. I have to tell you, this is the first opportunity since I've been down here to alter the manner in which education is funded, and the deepest critics I hear, and the opposition, are those who have been down here, who have not done doodley-stank <sic> about trying to change it. And I would submit to you, here's an opportunity. Albeit small step, but at least -- at least -- because you know in that district, Senator Collins, that I'm talking about is working people. They're not affluent people. It's Park Forest. It's a -- basically a blue <sic> to lower middle-class community. Give them a chance to know it. Give them a chance to move it. Support this concept. We need to get going on changing educational funding, because we are not going to change the big picture until we take some smaller steps in dealing with those districts that cannot be helped any other way.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Woodyard, to close.

SENATOR WOODYARD:

Thank you, Madam President. In closing, I would like to respond a little bit to a few of the remarks that were made. Number one, I guess, as Senator DeAngelis did indicate, this is a small step. If we cannot pass a bill that allows local option, or to allow local referendums to fund their own school system, can you tell me how on earth we're going to next year pass a massive tax increase that is mandated, and try to make formula changes? I don't see how on earth you're going to do that. Yes. I'm sorry. And my cosponsor is over there, by the way. I hope he's still my cosponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Point of order from whom? Senator Welch.

SENATOR WELCH:

I had my button lit, and I was wondering...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You had your button lit, and then you closed it, and I announced that the last speaker was Senator DeAngelis.

SENATOR WELCH:

Well, nobody made a motion to close off the speakers.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You may be right on that. You wish to be heard?

SENATOR WELCH:

Yes, I do.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Would you make it brief, since you go back and forth on your button, dear? Thank you.

SENATOR WELCH:

By -- by going back and forth on my button, I got Senator Jacobs to turn his off. So I think it -- it was successful. First of all, let me say I think that Senator Woodyard has a very nice coat. I think it's very -- very appropriate for this bill. But let me say, in response to Senator Maitland's statement about what Senator LaPaille said, this is a very political Body. To pretend that this isn't a political Body every single year really is -- is a mistake. Being a number one target for many years, and finally moving down this year to the number two target, I know personally that this is a -- every year is a political year. If you look at the Calendar, look at the sponsors of the bills. Twenty percent Democratic, something like eighty percent Republican. It's -- it's a political year. To criticize Senator LaPaille for bringing up the fact that -- that Representative Edgar sponsored this back in the 1970s, many years ago, I think misstates the fact that Senator LaPaille is absolutely correct.

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And by Senator Maitland rebutting that by bringing up Senator Netsch's program seems to me to emphasize that -- that we are in a political year. But I think if we're going to bring up Senator Netsch's program, which seems to be the topic of discussion here today and is the underlying current behind the impetus for this bill, I think when we talk about or listen to the forty-percent tax increase that we keep hearing and reading about, we should be honest about that with the voters of the State of Illinois. Many of us have read Senator Netsch's proposal, Senator Maitland. And in that proposal is the biggest real estate tax relief proposal in the history of the State of Illinois. The biggest real estate tax relief proposal we've ever seen in the history of the State of Illinois. Number two, it's the biggest increase in tax deductions in the history of the State of Illinois. In 1969, when the income tax was passed, all of us got a deduction of a thousand dollars, and it stayed at exactly the same level. Twenty-five years of a thousand dollars. Inflation has more than doubled in that time. It's only sense to increase that. So when we talk about a tax increase of forty-two percent, let's talk about tax relief. The -- the sponsor of the bill, Senator Woodyard, has said that this may give some corporate property tax relief. I had hoped that that would be changed, because I think that to give corporate property tax relief, at the same time you shift the burden of making up those taxes to individuals, is unfair. In the committee I voted for this, hoping that when it got to the Floor we would address that. Apparently that is not to be addressed here today, since no amendments were added. But what happens when you have one district -- one school district with one corporate property/income tax, and the district next door with the higher corporate property tax, is you're going to have raiding on one district to another. Just in my hometown area - twin cities of LaSalle and Peru - they move from LaSalle to Peru, across the

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border, less than a mile away, for tax benefits, because the city provides them. The same thing will happen with corporations. If you have a corporation with a lower tax rate in one district, the headquarters will be shifted down there. It's obvious that the disparity will increase with this proposal - this Edgar tax increase proposal, as it appears to be. I think that maybe twenty years ago this would have been a good idea. I supported it in the committee with the idea that we would bring out some amendments on the Floor. Two of the Republican votes in the committee said they were withholding their option to vote against this on the Floor, but they too wanted to pass it along to see if we could debate the issue and come to some rational conclusion. What we've come to is, this has become a political football. It's been used to criticize the Democratic candidate and the Republican candidate as well. And once again we're not coming to the final issue. I think that had we reached some compromise on this by making corporations pay a fair share, this would make a lot of sense. I think that in the future when we discuss educational plans, let's tell the whole story about real estate tax relief, deduction increases, as well as increasing local income tax. So I intend to vote No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Seeing no other buttons on the -- no other lights on the board, Senator Woodyard, to close.

SENATOR WOODYARD:

Well, thank you, Madam Chairman <sic>. Senator Welch, you may also want to remove your name as sponsor from the bill. Anyway, as I was closing, I -- I did want to mention that if we can't give the authorization to people in the local school district to at least have something to say about the funding of their local schools, and we're going to come back here next year, and some people expect a massive mandated State income tax to happen. I

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don't think that will - not with at least two-thirds of -- of the people that are here today coming back next year. But that's all beside the point. I also want to mention -- in the politicization of this, I'll guarantee you I have not spoken to one member of the Governor's staff about this bill - support, opposed, or whatever. Three years ago an identical bill was introduced in the Senate, and it was Senate Bill 2136. And I don't think Republicans were in the majority at that time, and it sure didn't get out then. And over that period of years, yes, I have introduced both this and the statewide mandate as a means of -- of reforming the way that we fund education. One of the reasons you couldn't pass this bill, or it wouldn't work fifteen years ago, was the fact that we had no mechanism to be able to track the individual taxpayer in a school district. And it's, quite frankly, the reason that we put that little box on the Illinois State income tax return, as to what school district that person resided in, where we would be able to track that individual taxpayer. So mechanically, it can work, and it certainly is working in at least twenty-six other states. Also, I want to mention that the -- there is a fear -- a definite fear of moving from the property tax base to somewhat reliance on the income tax, because there's an assumption perception that the property tax base is a very stable base. Nothing could be further from the truth. The property tax base is subject to political whim that happens over here. Every time somebody tinkers with the homestead exemption or their owner-occupied or things like that, it has a dramatic impact on the property tax base. That doesn't happen with the personal income level. If you'll go back twelve years, thirty years, you'll see a very consistent increase in that particular base. This bill also has a mechanism in it to repeal. And particularly the reason we put that in there was just in case, and hopefully, this Body and the House will pass some kind of school funding next

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year, but if it does, it -- this bill has that mechanism in there to repeal that. The inequity thing and -- and nonparity issue, here again, I'm -- I mentioned that in my opening remarks. I don't see any way to address that in here. And what on earth do you think the real estate taxes do as far as equity/parity? Today people can vote for or against referendums that only raise -- raise property tax. Does that create inequity and nonparity? Sure it does. And this does no worse, at least, than -- than the property tax. With all of those things - and I realize there's a lot of reluctance on this Floor to -- to pass this along - but I certainly would hope that many of you could support this, and with that, Madam President, I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 141 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 18 Yeas, 34 Nays, 2 Present. And this bill, having failed to receive the required constitutional majority, is declared failed. Senate Bill 393. Senator DeAngelis? Senate Bill 393. Senator Woodyard. Senate Bill 454. Senator Barkhausen. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 454.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Madam Secretary and Members. Senate Bill 454 creates the Uniform Interstate Family Support Act. Like some of my other bills, it is a recommendation of the National Conference



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on Uniform State Laws. This one, I think, is especially important. We have labored for years trying to come up with more effective ways of collecting child support in this State. Illinois has been documented by our federal overseers as not having a particularly good record in this regard. And this legislation will particularly help in those -- those increasing number of instances where the former spouse, obligated to pay child support, has moved out of State and the custodial spouse is seeking to enforce an existing child support order in that foreign jurisdiction. It will better enable the proceeding to collect child support to remain in the -- in the jurisdiction - in this case, Illinois - where the original divorce was granted, and will therefore, I think, help to increase the number of instances where child support is -- is collected much more easily and much less expensively from the standpoint of incurring attorneys' fees. I know of no opposition. I'd be glad to answer any questions. The bar associations are aware of the bill, and didn't have any questions about it and seemed to think it was a good idea. And I ask for your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Any further discussion? If not, Senator Barkhausen, to close. The question is, shall Senate Bill 454 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The record: 54 Ayes, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1110. Senate Bill 1125. Senator LaPaille. Senator LaPaille? Senate Bill 1144. Senator Petka. Senate Bill 1149. Senator Palmer. Senate Bill 1149. Senator Palmer. Mr. Secretary, read the bill.

SECRETARY HARRY:

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Senate Bill 1149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. Approximately four years ago retired teachers in Illinois were allowed to work one hundred days as substitute teachers instead of seventy-five. When we passed this law we failed to change all of the Chicago Teacher Articles of the Pension Code and the State Mandates Act. So we only allow Chicago teachers now to work seventy-five days a year, instead of the hundred days a year that all other retired Illinois teachers are allowed to work. Senate Bill 1149 is needed to keep State law from forcing pension trustees to cancel thousands of pensions and to define them as contributors, and this would include many of the five-plus-five early retirees, who would then experience forfeitures under very heavy penalties. This bill has -- according to Illinois Economic and Fiscal, there would be virtually no fiscal impact to the accrued liabilities of the Chicago Teachers' Retirement System. And this allows pensioners to return to teaching for a maximum of a hundred days with no loss of benefit retroactive to the date when all other Illinois teachers received their hundred days permission. This passed unanimously out of the committee, and I ask for your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Watson.

SENATOR WATSON:

Yes. Madam President, it's been brought to my attention that an amendment had been filed on this, and it was certainly not a hostile amendment. In fact, I think it was an amendment that was brought forth by the Chicago Board of Education. We had planned

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on hearing this bill next week in committee, with that amendment. If the sponsor would take this out of the record so that we could have that amendment adopted and debated in committee.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Palmer.

SENATOR PALMER:

Thank you, Senator Watson. Senator Raica and I had already spoken about this, and with the agreement of the representative of the Board, it was my understanding that this amendment would be handled in the House, and that I was to move forward on this bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Raica.

SENATOR RAICA:

Thank you, Madam President. What Senator Palmer said is true. She was more than amenable to change and to pass the amendment here. We didn't think we had enough time to do that. And she had agreed to -- to pull this thing back, and has no problem, I would understand, in changing it in the House. And just for the -- the -- the time span, we -- we felt that it would be no problem whatsoever just to pass it to the other side with her commitment to -- to assist with the amendment in the House. So the Chicago School Board says that's fine - there's no problem.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Well, that being the case, we have no problem with this. We supported the legislation in committee, and I'd ask for your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1149 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. The Ayes are 55, there are no Nays, there's 1 Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1153. Senator Dudycz. Mr. Secretary, will you read the bill.

SECRETARY HARRY:

Senate Bill 1153.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Madam President. Madam President, I believe that Senator Raica has been trying to get your attention. Wishes to seek...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Raica.

SENATOR RAICA:

Madam President, just a point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, please.

SENATOR RAICA:

I would just like to apologize to Senator Watson. He's been more than accommodating to both Senator Dudycz and I when it came to any type of legislation regarding the Chicago Public School System, and it's in my error that I didn't inform him of what had been agreed to, and I would just like to apologize to him publicly on the Floor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your apology is noted. Senator Dudycz.

SENATOR DUDY CZ:

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Yeah. Thank you, Madam President. Senate Bill 1153 was brought to Senator DeLeo and myself by the members of the Northwest Neighborhood Federation. Originally the bill amended the Criminal Code of 1961 "to require, in addition to any other sentence that may be imposed, a court shall order any person convicted of or placed on supervision for assault, criminal damage to property, certain weapons violations, mob action, or disorderly conduct to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction". The -- the Judiciary Committee had some problems with the language and we had since adopted an amendment, which simply states for each of the subsections: This subsection shall not apply when a court imposes a sentence of incarceration. So that if someone is found guilty of one of the offenses and incarceration is -- is sentenced upon them, they would not be required to perform community service. And I'll be more than happy to respond to any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1153 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. The vote is 57 Ayes, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. 1165. Senate Bill 1165. Senator Hendon. Mr. Secretary, will you please read the bill.

SECRETARY HARRY:

Senate Bill 1165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. This bill eliminates the current food stamp program that has the physical food stamps. This just changes it to a -- a credit card, electronic transfer type system, which is more efficient and better for all concerned. And I ask this approval.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further discussion? Is there any further discussion? Hearing none, the question is, shall Senate Bill 1165 pass. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Mr. Secretary, take the record. The record shows 57 Ayes, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Next bill, Senate Bill 1175. Senator O'Malley. Senate Bill 1181. Senator O'Malley. Senate Bill 1182. Senator Topinka. Senate Bill 1186. Senator O'Malley. Senate Bill 1206. Senator Petka. Senator Petka. And, Mr. Secretary, will you please read the bill.

SECRETARY HARRY:

Senate Bill 1206.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President, Members of the Senate. This bill was pulled out of the record yesterday, after we had adopted an amendment which was proposed by Senator Berman and the Municipal League. I know of no opposition to this bill. It basically provides equity for some police officers in the State

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who have been performing police work for the last eight to ten years and who were denied admission into the Police Pension Fund. This would basically permit them to purchase back service, and they would not be denied admission into that Police Pension Fund because of certain maladies or disabilities that they suffer. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Senator Lauzen.

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield. Senator Lauzen.

SENATOR LAUZEN:

Is this -- this is the case of Kevin Holmes in Aurora. Are you aware of the accuracy of the report that in testimony when he was brought onto the force that he had said, you know, "Hire me and I'll give up my rights to that future -- you know, to my eligibility to the pension and some other benefits." Are you familiar with what that background is?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, I'm not aware of that statement, but it doesn't change my idea about Mr. Holmes, in any way, shape or form. It just indicates to me that he truly wanted to be a dedicated law enforcement service and was willing to make any sacrifice to do just that. I do think that, in light of that -- that, he deserves the same protection as any other police officer - and participation in the fund.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

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Has there been any consideration -- this may be a absolutely wonderful bill, and I -- I see the perspective. Has any consideration been given to allowing for a preexisting condition to be exempted within your bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, we're trying to do away with the so-called two-tier system, in which there are two separate examinations: the fitness examination for service as a police officer, and then a second examination. What this bill says is, if you're fit to serve as a peace officer, you're fit to serve -- to be a part of the Pension Fund.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Okay. So what you're saying is that a determination has to be made. Now, won't they run into the trouble of if they don't allow the person to serve, that they run up against the federal regulations under ADA?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

That really doesn't have anything to do with the Pension Code. It has everything to do with service as -- as a peace officer.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I rise in support of the bill. I want to compliment the sponsor for his flexibility and responsiveness in addressing what I thought was the heart of the problem, and that's reflected in the amendment that Senator Petka



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put on the other day. Let me just comment to Senator Lauzen's last question. The ADA would not have any effect if the -- or, the handicap that the applicant has would disqualify that applicant from being a police officer, then he ought -- or she, ought to be rejected. But if they're accepted because of their physical abilities -- if you're accepted to serve, you're accepted to be a pensioner, and that's exactly what this does. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs, for further discussion.

SENATOR JACOBS:

Yeah. Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield for question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR JACOBS:

Senator, just one question, then -- well, two questions actually. The first is: Had this individual been paying in and had the Department been paying in to the Pension Fund for him or her, whatever the case may be?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, he has not been paying in. The bill would require that he would basically place those last seven or eight years -- I shouldn't say he -- they would have to basically purchase the last seven or eight years that they would have been paying -- or making those contributions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

Just one final question. Are you going to, in the interest of good faith and -- going to give an appropriate appropriations bill

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that will take care of the unfunded liability on this particular issue?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, the Municipal League asked for us to do this.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR PETKA:

I think the -- the issues have been adequately debated. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. The question is, shall Senate Bill 1206 pass. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. The Ayes have -- the Ayes are 56, there are no Nays, no voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Next bill, 1207. Senate Bill 1212. Senator Mahar. Senator Mahar, 1212? Senator Petka. Senate Bill 1223? Senate Bill 1253. Senator Carroll. Senate Bill 1260. Senator Hasara. Senate Bill 1274. Senator Watson. Senate Bill 1279. Senator Farley? Senator Farley. Mr. Secretary, please read Senate Bill 1279.

END OF TAPE

TAPE 5

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SECRETARY HARRY:

...(machine cutoff)...1279 is:

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Farley.

SENATOR FARLEY:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 1279 is an idea that Senator O'Malley and I have had for the last year, and in that idea we are asking that we have a Truth in Taxation Week, or -- or Taxpayers' Awareness Week, during which time -- it would be the first week in December where the different tax levy bodies would hold a meeting and discuss what proposed levies they would be imposing. It would be given -- giving an opportunity for -- for people, citizens and groups and so forth, to come in and discuss with those different taxing bodies what -- what the levies might be, the purpose and the -- the amount. We passed a similar bill in House Bill 2080, which was vetoed by the Governor, and we came back with this proposal with some -- some needed changes. And those changes are -- or, I should say, the differences are, in this bill, we have the hearings just from Monday through Friday only, and an effective date of January 1, 1995. I feel that this is a good taxpayers'/consumer-type of bill, and I would hope for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1279 pass. Those in favor will vote Aye. Those opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. The Ayes are 57, there's no Nays, there's no voting Present. And this bill, having received the required constitutional majority, is hereby declared

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passed. 1296. Senator -- Senator Mahar. Senate Bill 1302. Senator Butler. Mr. Secretary, will you read the Senate Bill 1302.

SECRETARY HARRY:

Senate Bill 1302 is:

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

Thank you, Madam President. Senate Bill 1302 is an amendment to the Municipal Code, which allows a very specific extension of one TIF district - that is for the City of Des Plaines. However, I -- I hasten to point out that this may be a problem that we're going to have in an increasing amount in the near future, in that many of these TIF districts were formed when the prospect of development of a downtown area, as is in this case, were much brighter and financing was available. What we find now is that at -- at long last this community does have a -- a prospect for downtown redevelopment project - a big one - and -- and -- but having difficulty financing it, because of the short term left on their TIF district. So this bill merely gives them an extension of the time remaining in their TIF district. I was pleased to find that the school district agrees with this. So I would urge your approval.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he'll yield.

SENATOR PALMER:

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Senator Butler, is there any information about the cost of this to that taxing district, since TIF does lower the -- the taxes? The difference between twenty-three and thirty-five years?  
PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

No, I don't have any specific information, except to point out that over the long term it would be practically the same, if not a little less, because interest rates are reduced. The school district is in agreement with this, realizing development is good for the community.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Stern.

SENATOR STERN:

Mr. Sponsor, will you yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR STERN:

I'm not clear whether you mean by this any TIF that is -- was in existence in 7/'85, or if you mean any TIF that began its existence during July of '85.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

As the bill we passed last year stated, it was very specific; this is designed just for this TIF district. It -- it is not all-encompassing.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Stern. Any further discussion? Senator Jacobs. Any further discussion? Hearing none, the question is, shall Senate Bill 1302 pass. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wished? Mr. Secretary, take the record. There are 43 Ayes, 8 voting Nay, 2 voting Present, and this bill, having received the constitutional -- required constitutional majority, is hereby declared passed. Senate Bill 1319. Senator Donahue. Mr. Secretary, will you please read 1319.

SECRETARY HARRY:

Senate Bill 1319.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Madam President. Senate Bill 1319 really just simply clarifies something for the Small Business Administration. It is a -- it amends the Hospital District Law, and it allows a hospital in my area to enter into contracts and what's involved in building congregate housing for senior citizens. We feel that Illinois law is very clear in this. The Small Business Administration doesn't think so. So we're just sort of clarifying it for them. I would ask for your support. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1319 pass. Those in favor will vote Aye. Those opposed will vote No. And the voting is open. Mr. Secretary, take the record. And there are 55 Yeas, none voting No, none voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1323. Senator Watson. Senate Bill 1324. Senator DeAngelis. Senate Bill 1328. Senator Peterson. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 1328.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson. Senator Peterson.

SENATOR PETERSON:

I believe there's an amendment that was adopted in committee. Does that have to be approved? No? I thank you, Madam Speaker -- Madam President. Senate Bill 1328 makes several changes to the Liquor Control Act. The major change would make it illegal for individuals to use private residences and/or hotels or motels in violation of this Act, to provide liquor for minors. And it would -- the penalty would be a Class A misdemeanor. And finally, the amendment, which is part of the bill, changes several references in the legal drinking age from eighteen to twenty-one. I would ask for affirmative vote on Senate Bill 1328, as amended.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR JACOBS:

Senator Peterson, in this bill, is a minor child or a ward of that particular individual exempted from this bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson. Senator Peterson.

SENATOR PETERSON:

Only if it's not their child, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Jacobs.

SENATOR JACOBS:

If I happen to be in my own home and we're having people over, if my child's married and sitting there, is twenty years old, can I legally still allow that child to have a drink in my own home under this particular legislation and/or his wife?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

According to current law, that would be -- be illegal.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson. Senator Peterson.

SENATOR PETERSON:

You're correct. They could do that, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

What about if that were my daughter and her husband, who is my son-in-law, could I then allow my son-in-law to have a drink in my own home?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Not legally. No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. I understand your intent, Senator, but I think with some of these things we sometimes go too far. I think the other side of the aisle makes many, many good points very often of the intrusion of law into the private lives of those of us in -- in the pursuit of our own dignity within our



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own home, and I think for that reason, that portion is existing law and that change in that respect will cause a No vote for me.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR PETERSON:

Thank you, Madam President. I'd like to point out to the Senator in closing, that currently the law says that "No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give or deliver such alcoholic liquor to another person under the age of 21 years, except in the performance of a religious ceremony or service." That is the law right now. We have not changed it in this particular bill. I would ask for an affirmative vote on Senate Bill 1328.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 1328 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. There are 50 Ayes, 4 voting Nay, 2 voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. The next bill is 1336. Senator DeAngelis. 1334 -- 1344. Senator Sieben. 1357. Senator Hawkinson. 1358. Senator Hawkinson. 1365. Senate Committee on Revenue. Senator DeAngelis. Would you please read the bill, Mr. Secretary. Senate Bill 1365.

SECRETARY HARRY:

Senate Bill 1365.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

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Thank you, Madam President. Last year a resolution passed this Body that...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a moment, Senator. Could we have a little quiet? It's an important bill. Thank you.

SENATOR DeANGELIS:

Last year the Body passed a resolution in which the Revenue Committee of the Illinois Senate would go out into the hinterland and review all the tax Acts that are -- has passed. After reconvening this year, we agreed to submit a committee bill on those things that we could agree on, and this bill, 1365, is a product of that agreement. And it has several provisions: One, it creates the Responsible Education Funding Law, which I think was Senator Berman's bill, which in fact, ensures -- or requires the Governor to submit a budget in which the total GRF appropriations are no less than the previous year; secondly, it amends a number of tax Acts to require that all future legislation, which has in it credits, exemptions and deductions, have a sunset date. Quite often we pass deductions and exemptions and never go back to determine their value, and to see how effective they are. This requires that. Number three, the -- sets a statute of limitations on the filers of use liability to six years. Quite often people get audited for periods way beyond that in which they have no records. Of course, if there's a case of fraud, there is no statute of limitations. There were two committee amendments. One restored the Truth in Taxation Act, which had been inadvertently deleted when we did the recodification of the real estate part of the Statutes. And the last item was a committee amendment that requires, under the Property Tax Code, that the redemption notice contain the same description of the property as appears on the collector's advertisement. I want to thank the committee for working so well

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on this. I want to thank Senator O'Malley for introducing the resolution, and I'm real pleased to report that we were able to reach some agreement -- consensus agreement on some elements of our hearings. We still have a lot of work to do since then. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. I want to thank the Chairman of the Revenue Committee, Senator DeAngelis, and the Members. As the Minority Spokesman for this committee, I found the debate rigorous and vigorous, to say the least. This is a good first step. I urge our side to vote for it. We have a very long way to go, but I thank Senator O'Malley for putting forward the resolution that led us to go around the State and to hear from people, particularly, about education, property tax and others. I think we did quite a bit of discovering, and I urge you to get a copy of our report. I wanted to mention one item that Senator DeAngelis forgot to mention. This bill also includes a requirement that the Auditor General develop an annual reporting form to be used by all agencies that impose fees. And it will direct the Office of the Comptroller to collect this data and submit a report to the General Assembly by September 1st of each year, detailing a number of items. The reason for most of the points in this bill is that it is time for us to take a hard look at where our revenue comes from, whether it is fairly collected, and whether we are collecting it to the best advantage of the State, given limited resources. I do urge an Aye vote, and I hope this will be the beginning of a further process.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

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SENATOR DeANGELIS:

Roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Bill 1365, the question is, shall it pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wish? Mr. Secretary, take the record. The record is 57 Ayes, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senator Lauzen.

SENATOR LAUZEN:

A personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point.

SENATOR LAUZEN:

Two. I'd like the record to reflect that on Senate Bill 1328, I would like the record to show a Yes vote on that. And then in the balcony, over on the Democrat side, I'd like to introduce the seventh grade class of Annunciation School in Aurora, Illinois, led by their very able teacher, Mary Beth Bevis. If you would stand to be welcomed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome to the Senate. It's always nice to have young people here. Thank you. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank you, Madam President. For purpose of an announcement. To let the Members know that we've been through 3rd Readings today completely. We've done a pretty good job. It's been kind of boring, but we concluded a lot of work. We anticipate coming in tomorrow at 9 a.m., starting on 3rd Readings, and hopefully we'll get out of here by noon. In regards to next week, I don't see any reason for us to be here on Monday. It would seem to me we ought

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to be able to come in on Tuesday at noon. So we've been through it one time. I hope that everybody is on time in the morning, and that we can get out of here by -- by noon.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you, Senator Philip. Messages from the House, Mr. Secretary.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Bill 2631.

Passed the House, April 14th, 1994.

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

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

House Joint Resolution 140.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator...

SECRETARY HARRY:

(Secretary reads HJR No. 140)

Adopted by the House, April 14, 1994.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam -- Madam President. I would move for the suspension of the rules for the immediate consideration and adoption of House Joint Resolution 140.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Those in favor -- Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of this bill <sic>. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it. The rules are suspended. Senator Weaver has moved for the adoption of House Joint Resolution 140. Those in favor, please signify by saying Aye. Those opposed, Nay. The Ayes have it, and the resolution's adopted. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I would like to remind the Members of the Revenue Committee that there is a meeting at 8:30 a.m. -- 8:30 a.m. in Room 212. We only have two short items of business. We should be out of there lickety-split. 8:30, Revenue Committee, Senate. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Smith.

SENATOR SMITH:

Yes. Madam President, I'd like to ask if I might be recorded on Senate Bill 1712 as a Yes vote, please. I had to step out to the doctor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

So noted, Senator Smith.

SENATOR SMITH:

Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Committee Reports, Mr. Secretary.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: to the Committee on Commerce and Industry - Senate Amendment 2 to Senate Bill 481; to the Committee on Education - Amendment 2 to Senate Bill 1149, Amendment 1 to Senate Bill 1274,

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Amendment 1 to Senate Bill 1628, and Amendment 1 to Senate Bill 1682; to the Committee on Environment and Energy - Senate Amendments 2 and 3 to Senate Bill 1172; to the Committee on Executive - Amendment 1 to Senate Bill 1528; to the Committee on Insurance, Pensions and Licensed Activities - Amendment 1 to Senate Bill 1709 and Amendment 1 to Senate Bill 1710; to the Committee on Judiciary - Amendment 2 to Senate Bill 1253, Amendment 1 to Senate Bill 1447, Amendments 2 and 3 to Senate Bill 1516, Amendment 2 to Senate Bill 1694, Amendment 3 to Senate Bill 1698; to the Committee on Local Government and Elections - Amendment 4 to Senate Bill 1263; to the Committee on Public Health and Welfare - Amendment 2 to Senate Bill 1147 and Amendment 2 to Senate Bill 1598; to the Committee on Revenue - Amendment 1 to Senate Bill 1339; to the Transportation Committee - Amendment 2 to Senate Bill 1730; and Be Approved for Consideration - Senate Amendment 2 to Senate Bill 1751 and Conference Committee Report No. 1 to Senate Bill 405.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further business to come before the Senate? If not, Senator Karpel moves that the Senate stand adjourned until 9 a.m., Friday, April 15 - Internal Revenue Day. We stand adjourned.

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