105th Legislative Day

April 15, 1994

PRESIDENT PHILIP:

The hour of nine having arrived, the regular Session of the 88th General Assembly will please come to order. Will the Members please be at their desks. Will our guests in the gallery please rise. Our prayer today will be given by Pastor Robert Freeman, Grace United Methodist Church, Springfield, Illinois. Pastor Freeman.

PASTOR ROBERT FREEMAN:

(Prayer by Pastor Robert Freeman)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Monday, April 11th, and Tuesday, April 12th, 1994.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

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

PRESIDENT PHILIP:

Senator Butler moves to approve the Journals just read. There being no objections, so ordered. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Wednesday, April 13th; Thursday, April 14th, in the year 1994, be postponed, pending arrival of the printed Journals. PRESIDENT PHILIP:

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

SECRETARY HARRY:

105th Legislative Day

April 15, 1994

Senator DeAngelis, Chair of the Committee on Revenue, reports Senate Amendment No. 1 to Senate Bill 1211 Be Adopted, and Senate Amendment 1 to Senate Bill 1339 Be Adopted.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolutions 1264 and 1265, offered by Senator Mahar.

Senate Resolution 1266, by Senator O'Malley.

And Senate Resolution 1267, by Senator Madigan.

They're all congratulatory, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. All right. We'll now proceed to the Order of 2nd Readings, if you'll turn to page 2 of your Calendar, at the top of the page.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

Just to inform the Chair that Senator Karpiel is not going to be here today because she's away on legislative business at a conference.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'd request that the record show that Senator Robert Raica is absent today, due to illness.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect. On the top of page 2, we will begin with Senate Bills 2nd Reading. Senate Bill 1133. Senator Cullerton. Senate Bill 1147. Senator Hawkinson. Mr. President <sic>, read the bill.

105th Legislative Day

April 15, 1994

SECRETARY HARRY:

Senate Bill 1147.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1168. Senator Cronin. Senate Bill 1211. Senator Thomas Dunn. Senate Bill 1228. Senator Cronin. Senate Bill 1229. Senator Beverly Fawell. ...Bill 1299. Senator O'Malley. Mr. President <sic>, read the bill.

SECRETARY HARRY:

...Bill 1299.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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 DUDYCZ)

3rd Reading. Senate Bill 1311. Senator Molaro. Senate Bill 1318. Senator DeLeo. Senate Bill 1339. Senator DeAngelis. Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1339.

(Secretary reads title of bill)

105th Legislative Day

April 15, 1994

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis, to explain your amendment.

SENATOR DEANGELIS:

Thank you, Mr. President. Senate — the amendment — Senate Amendment No. 1 was at the request of the Department of Revenue. Even though they may not be in favor of the bill, we're making it a lot easier for them to accept it when it passes. So we accepted their recommendations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, Senator DeAngelis moves the adoption of Amendment No. -- Floor Amendment No. 1 to Senate Bill 1339. Those in favor, say Aye. Those opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments? SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1352. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1352.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1366. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

105th Legislative Day

April 15, 1994

Senate Bill 1366.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1473. Senator Butler. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1473.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 3, Senate Bills 2nd Reading, Senate Bill 1546. Senator Trotter. Senate Bill 1560. Senator Jones. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1560.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1579. Senator Jones. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1579.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1.

105th Legislative Day

April 15, 1994

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1594. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1594.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1628. Senator Sieben. Senate Bill 1682. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 1682.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- any Floor amendments?

SECRETARY HARRY:

No Floor amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1715. Senator Ralph Dunn. Senate Bill 1716. Senator O'Malley. Move the bill, Mr. Secretary. Read the bill.

105th Legislative Day

April 15, 1994

SECRETARY HARRY:

Senate Bill 1716.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1746. Senator Donahue. Senate Bill 1747. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1747.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue, to explain your amendment.

SENATOR DONAHUE:

Thank you very much, Mr. President. The amendment takes out the fiscal situation, removes the fiscal responsibility, and then changes the completion date for training to January 1st, 1996. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, Senator Donahue moves the adoption of Floor Amendment No. 1 to Senate Bill 1747. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1754. Mr. Secretary, read the bill. SECRETARY HARRY:

105th Legislative Day

April 15, 1994

Senate Bill 1754.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. At the top of page 4, Senate Bills 2nd Reading, 1756. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1756.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1758. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1758.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. 1759. Read the bill.

SECRETARY HARRY:

Senate Bill 1759.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1760. Read the bill.

SECRETARY HARRY:

Senate Bill 1760.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1761. Read the bill.

SECRETARY HARRY:

105th Legislative Day

April 15, 1994

Senate Bill 1761.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1762. Read the bill.

SECRETARY HARRY:

Senate Bill 1762.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1763. Read the bill.

SECRETARY HARRY:

Senate Bill 1763.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1764. Read the bill.

SECRETARY HARRY:

Senate Bill 1764.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1765. Read the bill.

SECRETARY HARRY:

Senate Bill 1765.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1767. Read the bill.

SECRETARY HARRY:

Senate Bill 1767.

(Secretary reads title of bill)

105th Legislative Day

April 15, 1994

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1768. Read the bill.

SECRETARY HARRY:

Senate Bill 1768.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1769. Read the bill.

SECRETARY HARRY:

Senate Bill 1769.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1770. Read the bill.

SECRETARY HARRY:

Senate Bill 1770.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 5, Senate Bills 2nd Reading, Senate Bill 1772. Read the bill.

SECRETARY HARRY:

Senate Bill 1772.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1774. Read the bill.

SECRETARY HARRY:

Senate Bill 1774.

(Secretary reads title of bill)

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

105th Legislative Day

April 15, 1994

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1775. Read the bill.

SECRETARY HARRY:

Senate Bill 1775.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1777. Read the bill.

SECRETARY HARRY:

Senate Bill 1777.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1778. Read the bill.

SECRETARY HARRY:

Senate Bill 1778.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1779. Mr. Secretary, read the bill. SECRETARY HARRY:

Senate Bill 1779.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1780. Read the bill.

SECRETARY HARRY:

Senate Bill 1780.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1781. Read the bill.

105th Legislative Day

April 15, 1994

SECRETARY HARRY:

Senate Bill 1781.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1783. Mr. Secretary, read the bill. SECRETARY HARRY:

Senate Bill 1783.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1795. Read the bill.

SECRETARY HARRY:

Senate Bill 1795.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1796. Read the bill.

SECRETARY HARRY:

Senate Bill 1796.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1797. Read the bill.

SECRETARY HARRY:

Senate Bill 1797.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1798. Read the bill.

SECRETARY HARRY:

Senate Bill 1798.

105th Legislative Day

April 15, 1994

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1801. Read the bill.

SECRETARY HARRY:

Senate Bill 1801.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 6, Senate Bills on the Order of 2nd Reading, Senate Bill 1802.

SECRETARY HARRY:

Senate Bill 1802.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Okay. With leave of the Body, we will return to the Order of Senate Bills 2nd Reading, page 2, Senate Bill 1211. Senator Thomas Dunn. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1211.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senators Tom Dunn and DeAngelis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Thomas Dunn, to explain your amendment.

SENATOR T. DUNN:

Thank you, Mr. President. This amendment takes out the

105th Legislative Day

April 15, 1994

equalization factor when a property owner goes to the Property Tax Board of Appeals and wins his case. The original form of the bill said that the equalization factor did not apply. The amendment changes that and makes the equalization factor apply.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, Senator Thomas Dunn moves the adoption of Floor Amendment No. 1 to Senate Bill 1211. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1228. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1228.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.
PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senator Maitland, for what purpose do you rise? SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. We have effectively today moved to 3rd Reading all of the agency appropriation bills that are in this Chamber. And consistent with a commitment that I have made with -- with the Minority Spokesman, Senator Hall, and the Members on both sides, we will be receiving amendments next week, probably on Wednesday. So the commitment remains that we will hear those amendments and these bills, of course, will come back to 2nd Reading for the purpose of an amendment. I just wanted to make that point.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Page 3 of your regular Calendar. We will -- with leave of the

105th Legislative Day

April 15, 1994

Body, we will return to the Order of 2nd -- Senate Bills 2nd Reading. Senator Trotter. Senate Bill 1546. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1546.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. We will now go to the Order of House Bills 2nd Reading. If you'd turn to page 11 of your regular Calendar, House Bill 474. Senator Woodyard. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 474.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill -- or, pardon me, House Bill 1124. Senator Woodyard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1124.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments. PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. If the Membership will turn to page 6 of their regular Calendar, we will be proceeding to the Order of Senate Bills 3rd Reading. I remind the Members that this is final action. Senate Bill 393. Senator Woodyard. On the Order of 3rd Reading. Senator Butler. Senate Bill 484. Senate Bill 1110. Senator Shadid. Senator LaPaille. Senate Bill 1125. Senator Petka. Senate Bill 1175. Senator O'Malley. Senate Bill 1181. Senator O'Malley. Senate Bill 1181. Senator Topinka. Mr. --Senator Topinka. Mr. Secretary, read the bill.

105th Legislative Day

April 15, 1994

SECRETARY HARRY:

Senate Bill 1182.

(Secretary reads title of bill)

.3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Topinka.

SENATOR TOPINKA:

If you'll hold one second. ... (microphone cutoff)...Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1182 would amend the State Treasurer's Act, and it would give the State Treasurer exclusive authority to arrange for the provision of check cashing services and automatic teller machines in State buildings. What we're seeking to do is to ultimately bring check cashing back to the State Capitol in a way that is constitutional. We're also seeking to do bidding and -- and opening up that process to the private sector so that we could avoid State liability involved. We could get rentals off of that. We would seek to put ATMs in State facilities around the State on a bid basis, keeping that money in a special fund in the Treasurer's Office so that the program would be self-supporting. supported by the Treasurer's Office, the Secretary of State's Office, the Legislative Space Needs Commission and the Department of Historic Preservation. At this point, I don't know of anyone who has a problem with this, and I would seek your affirmative vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to pose this question to the sponsor, if I may.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Demuzio.

105th Legislative Day

April 15, 1994

SENATOR DEMUZIO:

According to Amendment No. 4, it says that this Section does not apply to a State office building in which a community currency exchange is located in the building on the effective date of this amendatory Act of 1994. Why are we bidding all of the other — the facilities, and at the same time, we are granting and grandfathering in an exemption to allow the community currency exchange to provide this service in the State of Illinois Building, I assume, in Chicago?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Topinka.

SENATOR TOPINKA:

The only reason we put that in is because it is a preexistent facility with a preexistent lease into which we are tied into. So we let them run their lease and then they too would go into the bidding process after that point, after that effective date. It's just to make sure that their lease is not messed with at this point.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, is that the only facility in which the -- we're granting such a exemption to? It just seems to me like this is really a -- a nice deal for somebody, I guess, in the currency exchange. And I assume that what you have indicated is -- is, in -- in fact, the proper action because of the fact that there is a lease. But is there -- are there any other facilities in which we are grandfathering other -- other vendors?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Topinka.

SENATOR TOPINKA:

That's the only one we know of. And therefore, that's why

105th Legislative Day

April 15, 1994

it's the only one in -- in the bill. So if you know of any others, I'd be happy to put them in.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator del Valle.

SENATOR dEL VALLE:

Thank you, Mr. President. On the same subject, Senator Topinka, does this mean that the people in the State of Illinois Building are going to be paying more for cashing their checks than individuals cashing their checks at other facilities?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Topinka.

SENATOR TOPINKA:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR dEL VALLE:

You're saying that there is no difference - there will be no difference at all - in the service fees between the currency exchange and other facilities?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Topinka.

SENATOR TOPINKA:

It would be whatever is done in any other private organization that has check cashing facilities anywhere else throughout the State. It would be run as a business. Just that way.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. Just for the -- for the record. The owner of this business is a business partner on an unrelated business of mine, so I'll be voting Present on this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

105th Legislative Day

April 15, 1994

Any further discussion? If not, Senator Topinka, to close. SENATOR TOPINKA:

I would just seek an affirmative roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1182 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, and 1 voting Present. Senate Bill 1182, having received the required constitutional majority, is declared passed. Senate Bill 1186. Senator O'Malley. On the top of page 7 of your regular Calendar, Senate Bills on the Order of 3rd Reading. Senate Bill 1207. Senator Watson. Senate Bill 1212. Senator Mahar. Senate Bill 1223. Senator Petka. Senator — Senate Bill 1251. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1251.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Snowmobile Registration and Safety Act. Provides for implied consent to blood, breath or urine tests to determine the content of alcohol or other drugs in a snowmobile operator's blood. We've had five deaths within a space of two months, and twenty-one snowmobiles going into the waters - Fox Lake, Fox River. And the deaths -- most of those deaths were attributed to alcoholic content. This is to make it a safer -- a safer way for snowmobilers to operate, because I think they should be just -- held just as responsible as automobile drivers. And I ask for a

105th Legislative Day

April 15, 1994

favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

If not, the question is, shall Senate Bill Any discussion? 1251 pass. Those in favor will vote Aye. Opposed will vote Nav. And 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 Ayes, no Nays, none voting Present. And Senate Bill 1251, having received the required constitutional majority, is declared passed. Senate Bill 1253. Senator Carroll. Senate Bill 1260. Senate Bill 1258. Senator Hasara. Senate Bill 1274. Senator Watson. Senate Bill 1296. Senator Mahar. Senate Bill 1297. Senator Syverson. Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1297.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. 1297 is just a -- a simple bill which amends the Counties and Highways Code. It's to allow counties that have stand-alone toll bridges to -- to do administrative adjudication, as opposed to going through the court system. I don't know of any objection to that. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 1297 pass. Those in favor will vote Aye. Opposed will vote Nay. And 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, no Nays, none voting Present. And

105th Legislative Day

April 15, 1994

Senate Bill 1297, having received the required constitutional majority, is declared passed. Senate Bill 1323. Senator Watson. Senate Bill 1324. Senator DeAngelis. Senate Bill 1336. Senator DeAngelis. Senate Bill 1344. Senator Sieben. Senator Sieben. Senator Sieben. Senator Bill 1357. Senator Hawkinson. On the top of page 8 of your regular Calendar, on the Order of Senate Bills 3rd Reading, Senate Bill 1358. Senator Hawkinson. Senate Bill 1384. Senator Weaver. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1384.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1384 would set up two funds in the State Treasurer <sic>, one being the State Universities Capital Improvement Fund <sic>, and the other would create the -- a fund for the Wagering Tax Distributive Fund meant to fund all State pensions, if there's a revenue stream in the future. That's basically what it does.

PRESIDING OFFICER: (SENATOR DUDYCZ)

If not, the question is, shall Senate Bill Any discussion? 1384 pass. Those in favor will vote Aye. Opposed will vote Nay. And 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, no Nays, none voting Present. And Senate Bill 1384, having received the required constitutional Senate Bill 1421. is declared passed. Senator majority, Senate Bill 1427. Fitzgerald. Senator Fitzgerald. Senator Demuzio. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

105th Legislative Day

April 15, 1994

Senate Bill 1427.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

...(microphone cutoff)...Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1427 is really a technical bill. Senator Donahue and I had discussed, the Sny Island levee drainage district -- apparently there was some confusion with respect to drainage districts as to where drainage commissioners may file for an appointment. The Statute apparently just calls for the measure to be filed at the -- by the -- with the appropriate appointing authority. That was interpreted by at least one State's attorney to apparently mean that it ought to be filed with the -- with the county clerk, and others thought that it should be filed with the appropriate appointing authority, which would mean, in fact, the drainage district itself. What this will do is simply indicate that the filing now is the appointment -- appointing authority, in fact, would be the county clerk of the county in which the greater part of the territory or the district lies, rather than the appropriate appointing authority, which would be continued to be confusing. So, I know of no opposition, and would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. I would just simply add that this is -- needs clarifying, and totally support the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1427 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open.

105th Legislative Day

April 15, 1994

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays and none voting Present. And Senate Bill 1427, having received the required constitutional majority, is declared passed. Senate Bill 1435. Senator Peterson. Senate Bill 1447. Senator Cronin. Senate Bill 1448. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. Senate Bill 1448 provides an -- for an amendment to the Dental Practice Act, and specifically provides that the Act does not prohibit dental associations as authorized by the Professional Association Act or dental limited liability companies as authorized by the Limited Liability Company Act from engaging in the practice of dentistry. We added an amendment earlier in the week which provides that the managers and members of the limited liability dentistry partnership formed are all licensed to practice dentistry under the Illinois Dental Practice Act. This particular bill now, amended, is very similar to Senate Bill 1313, which gave the same clarification and authorization to medical practitioners. Ве happy to entertain any questions and would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1448 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish?

105th Legislative Day

April 15, 1994

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, none <sic> Nays, and none voting Present. And Senate Bill 1448, having received the required constitutional majority, is declared passed. Senate Bill 1456. Senator Barkhausen. Senate Bill 1468. Senator Syverson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1468.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

SENATOR PETKA:

Thank you, Mr. President. First, I'd like to introduce my oldest and my best friend, Stephanie. 1468 is a simple bill which just adds optical imaging to the current financial institution use. Again, I know of no objection. Answer any questions; otherwise ask for a favorable response.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate 1468 pass. Those in favor will vote Aye. Opposed will vote Nay. And 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, no Nays, none voting Present. And Senate Bill 1468, having received the required constitutional majority, is declared passed. Senate Bill 1476. Senator Senate Bill 1479. Senator Madigan. Senate Bill 1491. Syverson. Senator Farley. Senate Bill 1509. Senator Maitland. Senate Bill 1510. Senator DeAngelis. All right. On the top of page 9, Senate Bill 1513. Senator Petka, do you wish this bill returned to 2nd Reading for the purpose of an amendment?

105th Legislative Day

April 15, 1994

Yes, I do.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka seeks leave of the Body to return Senate Bill 1513 to the Order of 2nd Reading for the purpose of an -- of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1513. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1 <sic> (2), offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. Senate Amendment No. 1 <sic> to Senate Bill 1513 is a technical amendment which basically makes the Act consistent with practices of DASA. It came out of the committee unanimously. I know of no opposition. I urge its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There any discussion on Floor Amendment No. 2? If not, all those in favor, say Aye. Opposed, Nay. And the Ayes have it, and the amendment is adopted. Any further Floor amendments...

ACTING SECRETARY HAWKER:

No further amendments...

PRESIDING OFFICER: (SENATOR DUDYCZ)

...approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1516. Senator Thomas Dunn. Senate Bill 1522. Senator Watson. Senate Bill 1523. Senator Burzynski. Senate Bill 1524. Senator Burzynski. Senate Bill 1525. Senator Watson. Senate Bill 1567. Senator Geo-Karis. Madam Secretary,

105th Legislative Day

April 15, 1994

read the bill. No? Out of the -- out of the record. Senate Bill Senate Bill 1620. Senator Senator Thomas Dunn. 1598 Senator Madigan. Senate Bill Fitzgerald. Senate Bill 1624. Senate Bill 1678. Senator O'Mallev. Senator Mahar. 1649. Senate Bill 1681. Senator Watson. Madam Secretary, read the bill. ACTING SECRETARY HAWKER:

Senate Bill 1681.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This piece of legislation is being introduced in behalf of Belleville Area Community College, and it allows the board of trustees of the college to continue to be elected by trustee districts following the November '94 referendum with the State Community College of East St. Louis. The reason for this is to allow their board to be elected by districts, and it references experimental community college district, of which East St. Louis is an experimental community college currently. After this referendum in '94, they will not. This will just enable the college to continue to be able to elect individuals from districts.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, Senator Watson moves that -- the question is, shall Senate Bill 1681 pass. Those in favor will vote Aye. Opposed will vote Nay. And 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 Ayes, no Nays, none voting Present. And Senate Bill 1681, having received the required constitutional majority, is declared passed. Senate Bill 1685. Senator Philip. Senate Bill... If you move to the top

105th Legislative Day

April 15, 1994

of page 10 of your regular Calendar, Senate Bills 3rd Reading, Senate Bill 1690. Senator Maitland. Senate Bill 1691. Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1691.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1691 has several elements. The first one is that -- if you will recall, we passed a income tax credit for research and development, which had a sunset... Take it out of the record.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On the Order of 3rd Reading, Senate Bill 1702. Senator Rauschenberger. Senator Rauschenberger. Senate Bill 1709. Senator Maitland. Senate Bill 1710. Senator Maitland. Senate Bill 1717. Senator Dillard. Madam Secretary, read the bill. ACTING SECRETARY HAWKER:

Senate Bill 1717.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill expands the Statewide Grand Jury powers to include an -investigate and return indictments on streetgang activities and
the unlawful possession of firearms. It's become very clear in the
State of Illinois that there is a nexus between streetgang
activity, narcotics and the unlawful or illegal trafficking of

105th Legislative Day

April 15, 1994

guns. I represent a district that encompasses three urban counties, and I believe we should give prosecutors the ability, in an urban setting with multiple jurisdictions, every tool available to cut through red tape and to indict and get to the bottom of streetgang activities, and that's what this bill tries to accomplish and hopefully will accomplish. And again, it just expands the Statewide Grand Jury system to include streetgangs and illegal gun trafficking. And I would appreciate a favorable vote. PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

Just to -- to the Senator: Senator, this probably would have been a better bill to be your first bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Berman.

SENATOR BERMAN:

When we passed the Statewide Grand Jury, we did it with a very concentrated purpose. Has the State's Attorneys' Association of Illinois taken a position on this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Berman, I don't believe the State's Attorneys' Association, per se, has taken a position, but the local State's attorney would have to agree to the convening of this type of grand jury.

PRESIDING OFFICER: (SENATOR DUDYCZ)

105th Legislative Day

April 15, 1994

Senator Berman.

SENATOR BERMAN:

Thank you. Could you -- could you take me through, quickly, the -- what -- if this happens in your county, your State's attorney would prosecute it. Under this bill, what's the role of your State's attorney in involvement in the grand jury -- Statewide Grand Jury process?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

What happens, Senator Berman, as I understand it, is the Attorney General would come in to my local State's attorney and say, "I want to convene a Statewide Grand Jury", for the purpose of one of these -- one of these activities that's covered by the Statewide Grand Jury Act. And my local State's attorney would be involved with the Attorney General in petitioning the -- the Supreme Court for the convening of such a grand jury.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Petka.

SENATOR PETKA:

Senator, do you know the number of times that a Statewide Grand Jury has been utilized since the -- since we have authorized the use of this crime-fighting tool?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I believe it's one time.

105th Legislative Day

April 15, 1994

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Do you know the number of indictments that was returned by the Statewide Grand Jury in connection with that investigation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I do not know, Senator Petka.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka. Any further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hall.

SENATOR HALL:

What part of the State of Illinois was -- since you said it's been done. I didn't think we ever had had one yet, but whereabouts was it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I don't know, Senator Hall. You know, there's -- Roland Burris is the Attorney General of the State of Illinois, and I think you ought to ask him why he's only used this power to -- to go after criminals one time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hall.

SENATOR HALL:

Well, let me ask you this: Are you sure that it was used one time?

PRESIDING OFFICER: (SENATOR DUDYCZ)

105th Legislative Day

April 15, 1994

Senator Dillard.

SENATOR DILLARD:

I don't know. Maybe it wasn't used at all, but my -- by reliable information it's been used one time, and I do not know how many indictments were actually returned.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hall.

SENATOR HALL:

This is a very deliberate Body here. And if you make that statement, I'm sure you would be aware that that actually happened. Now, I ask you again, was it used or was it not used?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Hall, I do not know, but by the end of the day, I'll come and find you and let you know exactly how many times it was used. But to my information, it was used one time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hall.

SENATOR HALL:

Well, as responsible a Gentleman as you are, I'm sure that you -- and you just made that statement now, and I accept you on your word. But I -- I've been watching that. That cost a lot of people, especially downstate, that were very upset about having a Statewide Grand Jury. So that's the reason I've been watching it. So, I'll anxiously await your reply. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

105th Legislative Day

April 15, 1994

SENATOR GEO-KARIS:

I understand that this -- the grand jury would have statewide jurisdiction but can only be convened with the consent of the State's attorney with jurisdiction over the offenses to be investigated. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I believe that's correct, Senator, and I believe it was your bill that gave the -- a couple of years ago that gave the local State's attorney the ability or, for lack of a better word, veto power over this type of situation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senator Dillard is quite correct. I fought that Statewide Grand Jury bill until my amendment could go on, which provided that the local State's attorney would have some control, because I didn't want the Attorney General running roughshod and going all over the place without -- without the proper -- proper rights to do so. I think now this is a good bill. We have to control the gangs. We've got to do something about these people who run around with illegal firearms, and I -- I think it's a very good bill. And the protections are in there, because although the grand jury has statewide jurisdiction, it can only be convened with the consent of the State's attorney which has jurisdiction over the offenses to be investigated. And I certainly urge a favorable report on this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

105th Legislative Day

April 15, 1994

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Dillard, does this bill at all address the -- the influx of drugs that come into -- to the inner city?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Hendon, the original Statewide Grand Jury legislation, which is on the books today, is related to narcotics, and that tool is already in place, but this goes to the -- to a couple of things that I believe are tied in to proliferation of drugs in our communities, and that's streetgang activity and also illegal gun trafficking that sometimes comes associated with narcotics and that type of activity. But that's already on the books, Senator Hendon.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Well, Senator Dillard, I -- I understand and appreciate what you're doing here, but I would like to see us really look at this problem in the right way. There would not be streetgangs involved in -- in drug trafficking and -- and gun trafficking if the narcotics were not allowed to come into this State and come into this country. So to -- to target the gangs alone is not the solution. We have to get serious about preventing drugs from entering America, because crack cocaine and heroin is not grown here. And until we address that problem, we could pass all the bills in the world that goes after the -- the gangs and the gang members, but it will mean absolutely nothing, because once the

105th Legislative Day

April 15, 1994

narcotics land in America, you can forget about it not ending up in our communities.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Dillard, to close. SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen. Just in closing, let me say that I believe that the Statewide Grand Jury power must be used judiciously. You only use it in certain types of offenses, but I think in today's society, we need to give our local prosecutors and the Attorney General of the State of Illinois every available tool to prosecute judiciously the types of crimes that are taking place, and streetgang activity is one of those, along with illegal gun trafficking. And I would move for passage of this legislation. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1717 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, no Nays and 7 voting Present. And Senate Bill 1717, having received the required constitutional majority, is declared passed. Senate Bill 1728. Senator Senate Bill 1724. Senator Mahar. Madigan. Senate Bill 1730. Senator Hawkinson. On the top of page 11 of your regular Calendar, on the Order of Senate Bills 3rd Reading, Senate Bill 1733. Senator Maitland. Senate Bill 1751. Senator Barkhausen. Senate Bill 1755. Senator Maitland. Senate Bill 1757. Senator Weaver. Senate Bill 1825. Senator Lauzen. Senate Bill 1832. Senator Watson. ... (microphone cutoff)...leave of the Body, we shall return to page 6, Senate Bills on the Order 3rd Reading. Senate Bill 1125. Senator LaPaille. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

105th Legislative Day

April 15, 1994

Senate Bill 1125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Mr. President. I present Senate Bill 1125, which came out of the Senate Judiciary Committee unanimously. What this seeks to do is to increase the criminal penalties on graffiti. Last year we signed a major anti-graffiti bill into law, and with that, we inadvertently lowered the amount of felony charges that can be charged against a criminal by damages. So what this does just return back to the old law the staggered increases of the classes of felonies by the amount of damage that's done. So right now, a graffiti artist -- it doesn't matter if he commits three-hundred-and-fifty-dollar crime of graffiti three-hundred-and-fifty-thousand-dollar crime, he's simply charged with a Class 4 felony, the lowest. This bill would put into the staggered effect, three hundred to a ten thousand, ten thousand; it staggers it up where the highest you can get charged with would be a Class 2 felony if you're committing damages in the hundreds of thousands, which can easily be done when you're doing graffiti against CTA buses, els, homes, businesses, et cetera. So all I'm simply trying to do is go back to the -- to the old law which would put some teeth into the criminal provisions of our graffiti law here in the State of Illinois. The second part of the bill is the child lock provision, which was amended on by Senator Stern in the Judiciary Committee. Again, that measure was unanimously approved by the Judiciary Committee, I believe. I would like now at this time to defer to the sponsor of that amendment, Senator Stern.

PRESIDING OFFICER: (SENATOR DUDYCZ)

105th Legislative Day

April 15, 1994

Senator Stern.

SENATOR STERN:

Thank you, Mr. President, Members of the Senate. This amendment reproduces the Child Protection Act, which passed out of here two years ago unanimously, 55 to nothing, and went out of the committee unanimously. What it requires is that an individual who keeps a loaded handgun in a residence must have it either with a — in a lockbox inaccessible to a child fourteen or less, or with a trigger lock. It is strictly a bill which protects youngsters. And if you read the paper, you know that every day something occurs which is shocking, like a child killing another child, maiming another child, bringing a gun to "Show and Tell", and this bill simply protects children from themselves, and requires parents to be responsible in this matter. I ask your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Palmer.

SENATOR PALMER:

Senator LaPaille, just some clarification. The -- according to our analysis, the Department of Corrections says that this bill would increase the prison population by three inmates per year with a cost of 45.8 thousand over five years. Could you speak about that, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator LaPaille.

SENATOR LaPAILLE:

I guess they've done their projections, and I guess people that commit over three hundred -- close to -- let's see, damage exceeding a hundred thousand would be a Class 2 felony - three to

105th Legislative Day

April 15, 1994

seven years in prison. I think the cost is minimal, and I think we cannot afford the current graffiti law that is now law, because we're telling graffiti artists, "It doesn't matter if you do three hundred dollars damage, ten thousand or a hundred thousand; you're only going to get charged with a Class 4 felony." All I want to do is bring it back to where we were a year ago, which said that the higher damage you do to a home, to a business, or to mass transit, you're going to -- you may spend time in jail.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Does your bill apply not only to the Chicago, but all over the State?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator LaPaille.

SENATOR LaPAILLE:

Statewide, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Petka. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. Will the sponsor of the amendment yield, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Petka.

SENATOR PETKA:

Senator, the language that is used, or was used in the amendment talks about if the weapon was placed in a location that a reasonable person would believe to be secure from a minor. Can

105th Legislative Day

April 15, 1994

you just cite, perhaps even for legislative intent, a couple of actions or a few actions that a firearm owner could take to -- that would, in your opinion, meet this requirement?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator LaPaille.

SENATOR LaPAILLE:

No. It's Senator Stern.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Stern.

SENATOR STERN:

Yes, Senator Petka, I'd be happy to. It seems to me that putting a loaded handgun in a bedside table is not a place that a reasonable person would find inaccessible to a child under fourteen. The lockbox provision is one that seems to me as sensible. The trigger lock is another alternative that is possible. Not under the mattress. That is not a place where a sensible person would think it was inaccessible. I think -- I think these things are relatively straightforward and plain. The top shelf of the closet, I think, probably is not inaccessible.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

If the person were to put it on the top shelf of a closet underneath, perhaps, the unused family bible and is covered with sweatshirts and the like, in your opinion, under your bill, would that be something a reasonable person would -- would do, to place the -- and secure that weapon?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Stern.

SENATOR STERN:

I don't think it's really appropriate for me to compare, frankly. I hope you didn't say "under the unused family bible". I

105th Legislative Day

April 15, 1994

didn't understand that, did I, Senator? I -- in any case, let me say that ten states have this provision. It has shown a real reduction in the number of child accidents in Florida, for instance, where it has been monitored. I don't think I can tell you that this place is appropriate and that place is not. I think where a sensible person thinks it is inaccessible to a child under fourteen has got to be adjudicated, probably.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. I would like to speak to the bill. It is true that I supported this bill in committee, but I have say that after I, perhaps in a weak moment, did that, I had some further reflection. When we talk about criminal justice and prosecuting people and enhanced penalties, as required under this legislation, it has been a rule of criminal jurisprudence, dating back to statehood, that we have to define the criminal activity; that a person can open up a -- a Statute and take a look at conduct that is to be prohibited. If the person does not understand what the -- that the conduct is to be prohibited, under Illinois law, any such -- any such Act will be declared unconstitutional. Every person has an absolute right to know what conduct or what type of behavior might result in the person's loss of liberty. We are using terms which have been used in the civil law - reasonable man standards, reasonable person standards - that have no application whatsoever in criminal law, so that people who are engaged in ordinarily innocent conduct can be punished. And I think that that is the crux of the argument. People who are engaged in ordinarily innocent conduct can be punished up to one year in jail. I think that what we need is to have a -- a series of actions or conduct which clearly define the type of conduct which will, in fact, result in the loss of liberty. But to use

105th Legislative Day

April 15, 1994

civil standards in a criminal Statute, where a person can -- can lose his liberty after, perhaps, one of his children lost his life, to me is something that contravenes what our system of criminal justice should be. It is a well-intentioned measure, but unfortunately, I believe that it's going to fall short of constitutional protections.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Stern, to respond.

SENATOR STERN:

In response, Senator: This is not an enhanced penalty. On the contrary, this has been reduced from a Class A misdemeanor, which it was in the Marovitz bill two years ago, to a Class C misdemeanor. And the reason for that was because in creating this kind of legislation, one can understand the heartache of a parent whose child has found a loaded gun and injured someone. We did not wish to make that overly punitive, and the Class C misdemeanor does not do the job that you describe. I think on the contrary, it's something like thirty days, is it not? I -- I would like very much to see us protect the children of Illinois by passing this legislation today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. To the bill: Senator Petka may have a point as -- as to the constitutionality of a portion of the bill, but I think the -- the thrust of the bill is to offer to the individual gun owner three choices that he or she may use to protect a child under the age of fourteen in the residence or a guest in the residence. Remember that as your child goes from home to home, visiting and staying overnight, as a young child, this -- this is a protection that hopefully is offered to your child as a visitor, not only to your child in your home. And the

105th Legislative Day

April 15, 1994

three choices are very simple: a trigger lock; a locked box; and as a compromise, to put it in a place where it's not reasonably expected that a child would be looking around in. I think those are -- it's a reasonable effort to this solution. I vote -- or, I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR DUDYCZ):

Sponsor indicates he will yield. Senator Hall.

SENATOR HALL:

I notice here the ISBA has made a number of attempts to get the State Police. They have to be one of the sponsors for this, but they have considered it would be better for them to remain neutral. Did you ever find out why?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator LaPaille.

SENATOR LaPAILLE:

On what provision, Senator Hall? On the trigger lock provision?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hall. Senator LaPaille. Senator LaPaille defers to Senator Stern. Senator Stern.

SENATOR STERN:

Thank you for deferring to me, Senator LaPaille. I don't know the answer, Senator Hall. I'm sorry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator LaPaille, to close. SENATOR LaPAILLE:

Thank you, Mr. President and Ladies and Gentlemen of the

105th Legislative Day

April 15, 1994

Senate. I would encourage a Yes vote for Senate Bill 1125. Number one, as we said, if you want to put criminal teeth back into our graffiti law here in Illinois, this is the bill that you would be voting for. And if you want to allow some additional protection for children -- only yesterday on the news, we saw a child bring a gun to school in Denver, I believe, shoot himself or, I believe, shoot a classmate. Perhaps if this was the law in Denver, that may have not happened because that child would not have been able to grab that gun, and if he did, he would not have been able to pull the trigger. I ask for a Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1125 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 11 Nays, 1 voting Present. And Senate Bill 1125, having received the required constitutional majority, is declared passed. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

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

I would ask leave to have Senate Bill 1689 be referred back to Rules Committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip asks leave that Senate Bill 1689 be re-referred back to Rules Committee. Hearing no objection, leave is granted. SENATOR PHILIP:

Secondly, I would ask leave to change sponsorship on Senate Bill 1705 from myself to Senator Dillard, and myself as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Hearing no objection, leave is granted. Senator Watson, for what purpose do you rise?

105th Legislative Day

April 15, 1994

SENATOR WATSON:

Yes, thank you. For an announcement. I'd like to announce that the Education Committee will meet next Tuesday at 11 a.m. in the Stratton Office Building in Room A-1. Education Committee, Tuesday, 11 a.m. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

If you turn to page 15 of your regular Calendar, we will be going to the Order of Conference Committee Reports, at the request of the sponsor. On page 15, Conference Committee Report. Madam Secretary, do you have a file on Conference Committee Report on Senate Bill 405?

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 405.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I would move to nonconcur with Conference Committee Report 1 of Senate Bill 405.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 405. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays 11, 2 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 141.

(Secretary reads title of bill)

It's offered by Senator Fawell, as is House Bill 210.

(Secretary reads title of bill)

105th Legislative Day

April 15, 1994

Senator Topinka offers House Bill 405.

(Secretary reads title of bill)

House Bill 457, by Senator Fawell.

(Secretary reads title of bill)

House Bill 2360, by Senator Jacobs.

(Secretary reads title of bill)

And Senators Ralph Dunn and O'Daniel offer House Bill 2631.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

We will now -- we will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body... Resolutions.

SECRETARY HARRY:

Senate Resolution 1268, offered by Senator Stern.

Senate Resolution 1269, by Senator Demuzio.

Senate Resolution 1270, by Senator Hall and all Members.

Senate Resolution 1271, by Senator Petka.

And Senate Resolution 1272, by Senator Sieben.

They're all congratulatory or death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. Now we will -- we will go to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

Mr. President, Senators Collins, Smith, Palmer, Stern and Severns have filed an objection to the placement of Senate Resolution 1238 on the Consent Calendar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Pursuant to Senate Rules, those shall be removed. Any discussion? If not, the question: Shall the resolutions on the

105th Legislative Day

April 15, 1994

Consent Calendar be adopted? All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. For the information of the Membership, those who will be driving out of Springfield, going northbound, the Chair is being informed that Perry <sic> Road has been closed, exiting So it is recommended that those driving your Springfield. vehicles, going North on I-55, go to Clearwater <sic> and take Clearwater to I-55. I beg your pardon - Peoria Road. Peoria Road is closed. Take...(machine cutoff)... Take a helicopter. Peoria Road is closed. Take Clear Lake to I-55 North. Senator Hall, for what purpose do you rise?

SENATOR HALL:

Thank you, Mr. President. Well, since the highways and roads are bad, I would suggest that we should adjourn forthwith, because we're going to have trouble getting home.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Shortly your request will be granted, Senator. We still have a little -- a little business to do in the Senate. All right. Pursuant to the adjournment resolution, and having effectively concluded our business for the -- for the day and the week, Senator Geo-Karis moves the Senate stand adjourned until noon, Tuesday, April 19th, 1994. We are adjourned.

REPORT: TIFLDAY STATE OF ILLINOIS
PAGE: 001 88TH GENERAL ASSEMBLY

94/11/04 11:01:13

SENATE DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 15, 1994

APRIL 15, 1994

HB-0141 FIRST READING PAGE
HB-0405 FIRST READING PAGE
HB-0405 FIRST READING PAGE
HB-0474 SECOND READING PAGE
HB-0474 SECOND READING PAGE
HB-124 SECOND READING PAGE
HB-2360 FIRST READING PAGE
HB-2360 FIRST READING PAGE
SB-0405 CONFERENCE PAGE
SB-0405 CONFERENCE PAGE
SB-1125 THIRD READING PAGE
SB-1125 THIRD READING PAGE
SB-1125 THIRD READING PAGE
SB-1128 SECOND READING PAGE
SB-1211 SECOND READING PAGE
SB-1228 SECOND READING PAGE
SB-1228 SECOND READING PAGE
SB-1297 THIRD READING PAGE
SB-1297 THIRD READING PAGE
SB-1339 SECOND READING PAGE
SB-1339 SECOND READING PAGE
SB-1339 SECOND READING PAGE
SB-1365 SECOND READING PAGE
SB-1376 SECOND READING PAGE
SB-1376 SECOND READING PAGE
SB-1376 SECOND READING PAGE
SB-1377 SECOND READING PAGE
SB-1487 THIRD READING PAGE
SB-1487 SECOND READING PAGE
SB-1487 SECOND READING PAGE
SB-1487 SECOND READING PAGE
SB-1488 THIRD READING PAGE
SB-1487 SECOND READING PAGE
SB-1488 THIRD READING PAGE
SB-1488 SECOND READING PAGE
SB-1518 SECOND READING PAGE
SB-1519 SECOND READING PAGE
SB-1519 SECOND READING PAGE
SB-1519 SECOND READING PAGE
SB-15194 SECOND READING PAGE
SB-15195 SECOND READING PAGE
SB-15194 SECOND READING PAGE
SB-15194 SECOND READING PAGE
SB-1680 OTHER PAGE
SB-1680 OTHER PAGE
SB-1717 THIRD READING PAGE
SB-1680 THER PAGE
SB-1680 OTHER PAGE
SB-1717 SECOND READING PAGE
SB-1717 SECOND READING PAGE
SB-1718 SECOND READING PAGE
SB-1717 SECOND READING PAGE
SB-1718 SECOND READING PAGE
SB-1717 SECOND READING PAGE
SB-1717 SECOND REA REPORT: TIFLDAY PAGE: 002

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STATE OF ILLINOIS 88TH GENERAL ASSEMBLY SENATE 94/11/04 11:01:13

DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 15, 1994

	•		
SB-1798	SECOND READING	PAGE	12
SB-1801	SECOND READING	PAGE	13
SB-1802	SECOND READING	PAGE	13
SR-1238	DISCUSSED	PAGE	44
SR-1264	RESOLUTION OFFERED	PAGE	2
SR-1265	RESOLUTION OFFERED	PAGE	2
SR-1266	RESOLUTION OFFERED	PAGE	2
SR-1267	RESOLUTION OFFERED	PAGE	2
SR-1268	RESOLUTION OFFERED	PAGE	44
SR-1269	RESOLUTION OFFERED	PAGE	44
SR-1270	RESOLUTION OFFERED	PAGE	44
SR-1271	RESOLUTION OFFERED	PAGE	44
SR-1272	RESOLUTION OFFERED	PAGE	44
	SUBJECT MATTER		