

**State of Illinois
91st General Assembly
Final Senate Journal**

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

71ST LEGISLATIVE DAY

TUESDAY, FEBRUARY 8, 2000

12:00 O'CLOCK NOON

No. 71

[Feb. 8, 2000]

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The Senate met pursuant to adjournment.
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.
Prayer by Reverend John Spreen, St. Augustine Church, Ashland,
Illinois.

Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, February 1, 2000, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, February 2, 2000, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would

stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, February 3, 2000, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

The Annual Report: FY99, January, 2000, for the Illinois Advisory Board for Services for Persons who are Deaf-Blind submitted by the State Board of Education as required in Section 14-11.02 of the School Code of Illinois.

The 1999 Annual Report for the State Employees Suggestion Award Board submitted by the State Employees Suggestion Award Board pursuant to Public Act 84-943.

A Report of Activities for the fiscal year ended June 30, 1999, submitted by the Illinois Educational Facilities Authority in accordance with Section 18 of the Illinois Educational Facilities Authority Act (110 ILCS 1015/18).

A report, "Account Wagering and Fixed Odds Wagering", submitted by the Illinois Racing Board pursuant to PA 91-40, effective 6-25-99.

A copy of the 1999 Annual Report submitted by the Office of the Illinois State Fire Marshal.

The 911 Implementation Report submitted by Teligent, Vienna, Virginia.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

EXCUSED FROM ATTENDANCE

On motion of Senator Demuzio, Senator O'Daniel was excused from attendance today, Wednesday, February 9, 2000 and Thursday, February

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10, 2000, due to illness.

REPORT FROM STANDING COMMITTEE

Senator Dillard, Chairperson of the Committee on Local Government to which was referred **Senate Bills numbered 1293, 1294, 1377, 1477, 1504, 1550 and 1577** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

At the hour of 12:35 o'clock p.m., Senator Geo-Karis presiding.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed 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 NO. 2909

A bill for AN ACT to amend the Motor Fuel and Petroleum Standards Act by changing Section 4.1.

Passed the House, February 2, 2000.

ANTHONY D. ROSSI, Clerk of the House

The foregoing **House Bill No. 2909** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Rossi, Clerk:

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

HOUSE BILL NO. 3051

A bill for AN ACT to amend the Criminal Code of 1961 by changing Sections 12-7.3 and 12-7.4.

HOUSE BILL NO. 3054

A bill for AN ACT to amend the Illinois Public Aid Code by changing Section 10-26.

HOUSE BILL NO. 3082

A bill for AN ACT to amend the Criminal Code of 1961 by changing Section 21-1.5.

HOUSE BILL NO. 3188

A bill for AN ACT to amend the Township Code by changing Sections 115-20 and 115-105.

Passed the House, February 3, 2000.

ANTHONY D. ROSSI, Clerk of the House

The foregoing **House Bills numbered 3051, 3054, 3082 and 3188** were taken up, ordered printed and placed on first reading.

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A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 54

Concurred in by the House, February 3, 2000.

ANTHONY D. ROSSI, Clerk of the House

**READING BILL FROM THE HOUSE OF REPRESENTATIVES
A FIRST TIME**

House Bill No. 3054, sponsored by Senator Syverson was taken up, read by title a first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

SENATE BILL NO. 1837. Introduced by Senator Clayborne, a bill for AN ACT concerning taxes.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1838. Introduced by Senator Cullerton, a bill for AN ACT to amend the Open Meetings Act by changing Section 1.02 and adding Sections 2.03-5 and 2.03-10.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1839. Introduced by Senators Watson - Demuzio, a bill for AN ACT making appropriations to the State Board of Elections.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1840. Introduced by Senator Parker, a bill for AN ACT to amend the Illinois Criminal Justice Information Act by changing Section 4.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1841. Introduced by Senator T. Walsh, a bill for AN ACT to codify State statutes to conform those statutes to existing State agency administrative practices in order to remedy audit findings made by the Auditor General.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1842. Introduced by Senator Halvorson, a bill for AN ACT concerning the use of drug forfeiture moneys and proceeds, amending named Acts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1843. Introduced by Senators Sullivan - Radogno - Noland - W. Jones, a bill for AN ACT to amend the Illinois Public Aid Code by adding Section 4-1.6b.

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The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1844. Introduced by Senator Radogno, a bill for AN ACT to amend certain Acts in relation to mental health.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1845. Introduced by Senator Demuzio, a bill for AN ACT to amend the Unemployment Insurance Act by adding Section 500.1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1846. Introduced by Senator Trotter, a bill for AN ACT making appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1847. Introduced by Senators Molaro and L. Walsh, a bill for AN ACT to amend the Illinois Vehicle Code by adding Section 18c-7405.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1848. Introduced by Senator Link, a bill for AN ACT to amended the Public Utilities Act by adding Section 13-517.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1849. Introduced by Senator Molaro, a bill for AN ACT in relation to public employee benefits.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1850. Introduced by Senator Molaro, a bill for AN ACT in relation to public employee benefits.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1851. Introduced by Senators Maitland - Philip, a bill for AN ACT to amend the State Finance Act by changing Section 6z-43.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1852. Introduced by Senator Weaver, a bill for AN ACT in relation to higher education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1853. Introduced by Senators Maitland - Klemm, a bill for AN ACT in relation to tobacco settlement proceeds.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1854. Introduced by Senators Dillard - Philip, a bill for AN ACT in relation to local governments.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

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SENATE BILL NO. 1855. Introduced by Senator Philip, a bill for AN ACT in relation to the General Assembly.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1856. Introduced by Senators Weaver - Philip, a bill for AN ACT to amend the Civil Administrative Code of Illinois.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1857. Introduced by Senators Rauschenberger - Philip, a bill for AN ACT in relation to State purchasing.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1858. Introduced by Senator Silverstein, a bill for AN ACT concerning legal holidays.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1859. Introduced by Senator Trotter, a bill for AN ACT concerning indigent senior citizens and disabled persons.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1860. Introduced by Senator Philip, a bill for AN ACT concerning membership, duties, rights, and obligations of authorities, boards, commissions, and committees.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1861. Introduced by Senator Bomke, a bill for AN ACT concerned with driving while under the influence of alcohol or other drugs.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1862. Introduced by Senator Watson, a bill for AN ACT to amend the State Treasurer Act by changing Section 16.5.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1863. Introduced by Senator Geo-Karis, a bill for AN ACT to amend the Criminal Code of 1961 by changing Section 12-4.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1864. Introduced by Senator Maitland, a bill for AN ACT concerning State finances.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1865. Introduced by Senators Maitland - Philip - O'Malley - Radogno - Sullivan, W. Jones, a bill for AN ACT concerning assistance to senior citizens.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1866. Introduced by Senators Maitland - Philip -
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O'Malley - Radogno - W. Jones, Sullivan, a bill for AN ACT to create the Year 2000 Tax Relief Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1867. Introduced by Senators Maitland - Philip - O'Malley - Radogno - W. Jones, Sullivan, a bill for AN ACT concerning taxation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1868. Introduced by Senator Peterson, a bill for AN ACT to amend the Toll Highway Act by adding Section 36.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1869. Introduced by Senator Dillard, a bill for AN ACT in relation to executive agencies.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1870. Introduced by Senator R. Madigan, a bill for AN ACT in relation to rivers.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1871. Introduced by Senator Viverito, a bill for

AN ACT concerning State contracts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1872. Introduced by Senator Clayborne, a bill for AN ACT to amend the Sanitary Food Preparation Act by adding Section 10.05.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1873. Introduced by Senator Clayborne, a bill for AN ACT to amend the Illinois Pension Code by changing Section 4-121.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1874. Introduced by Senator Dudycz, a bill for AN ACT concerning the exercise of police powers by State employees.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1875. Introduced by Senator Geo-Karis, a bill for AN ACT to amend the Telephone Solicitations Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1876. Introduced by Senator Noland, a bill for AN ACT to amend the Illinois Farm Development Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1877. Introduced by Senator Luechtefeld, a bill for AN ACT to amend the Illinois Pension Code.

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The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1878. Introduced by Senator Rauschenberger, a bill for AN ACT concerning education, amending named Acts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Hawkinson, **Senate Bill No. 1387** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 1388** having been printed, was taken up, read by title a second time and ordered to a

third reading.

On motion of Senator O'Malley, **Senate Bill No. 1393** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1393 as follows:
on page 1, by replacing line 2 with the following:

"Sections 18c-1703, 18c-7401, and 18c-7402."; and

on page 1, by replacing line 6 with the following:

"changing Sections 18c-1703, 18c-7401, and 18c-7402 as follows:

(625 ILCS 5/18c-1703) (from Ch. 95 1/2, par. 18c-1703)

Sec. 18c-1703. Investigations and Arrests. (1) Enforcement Officers and Investigators. Enforcement officers and investigators appointed by the Commission shall have, and may exercise throughout the state, all the powers of police officers when enforcing provisions of this Chapter, subject to the regulations and orders of the Commission.

(2) Investigations.

(a) General Provisions. The Commission, through its employees, shall conduct such investigations as are necessary for the enforcement of this Chapter.

(b) Examination, Audit and Production of Records. Authorized employees of the Commission shall have the power at any and all times to examine, audit, or demand production of all accounts, books, records, memoranda, and other papers in the possession or control of a license or registration holder, its employees or agents. In addition, every person other than a license or registration holder and every officer, employee or agent of such person shall permit every authorized employee of the Commission, upon administrative subpoena issued by the Chairman or his designee or the Attorney General, to inspect and copy any accounts, books, records, memoranda, letters, checks, vouchers, telegrams, documents, or other papers in its possession or control which the Commission deems necessary to the proper conduct of an investigation to determine whether provisions of this Chapter, Commission regulations or orders, have been violated.

(c) Inspection of Equipment and Facilities. Authorized employees of the Commission shall have the power at all times to inspect the equipment, facilities, and other property of the licensee in the possession or control of a carrier or broker, its employees or

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agents.

(d) Special Investigations. The Commission may also conduct special investigations as necessary for the enforcement of this Chapter. Where such person is found by the Commission to have violated this Chapter, and where the Commission imposes a sanction for such violation under Section 18c-1704 of this Chapter, the Commission may impose on such person an assessment of reasonable expenses incurred by the Commission in the investigation and subsequent proceeding. Such assessment shall not exceed a fee of

\$100 per work day or \$50 per half work day, per employee, for the payroll costs of the Commission staff, plus actual transportation (in accordance with applicable state employee travel expense reimbursement regulations) and all other actual expenses incurred in the special investigation and subsequent proceeding.

(3) Arrests and Citations. The Commission shall make arrests and issue notices of civil violations where necessary for the enforcement of this Chapter. No rail carrier employee shall be arrested for violation of this Chapter, except that a rail carrier employee who is not exempt from prosecution under subdivision (1)(d) of Section 18c-7402 may be arrested and prosecuted for a violation of subdivision (1)(d) of Section 18c-7402. No person operating a motor vehicle in violation of the licensing or safety provisions of this Chapter shall be permitted to transport property or passengers beyond the point of arrest unless, in the opinion of the officer making the arrest, it is necessary to transport the property or passengers to another location to insure their safety or to preserve or tend cargo carried in the vehicle.

(Source: P.A. 85-553.); and
on page 11, line 6, by replacing "subsection" with "subdivision"; and
on page 15, line 24, by replacing "subsection" with "subdivision".

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

INTRODUCTION OF BILLS

SENATE BILL NO. 1879. Introduced by Senator Watson, a bill for AN ACT to amend the Public Utilities Act in relation to telecommunications regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1880. Introduced by Senator Peterson, a bill for AN ACT to amend the School Code by adding Section 18-8.4a.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1881. Introduced by Senator Mahar, a bill for AN ACT to amend the Sanitary District Act of 1936 by changing Section 1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 280

Offered by Senator Lauzen and all Senators:
Mourns the death of Kenneth A. Sprott.

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SENATE RESOLUTION NO. 281

Offered by Senator Lauzen and all Senators:
Mourns the death of Lieutenant Commander Michael E. Dunn.

SENATE RESOLUTION NO. 282

Offered by Senator Dillard and all Senators:
Mourns the death of Charles G. Carroll of Willowbrook.

SENATE RESOLUTION NO. 283

Offered by Senators Demuzio - E. Jones and all Senators:
Mourns the death of Bernadine A. Nichelson.

The foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator L. Madigan offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 284

WHEREAS, The Illinois State Board of Education offers teacher certification in the following foreign languages: Spanish, French, German, Hebrew, Italian, Latin, and Russian; and

WHEREAS, There are approximately 403,247 Asian Americans in the State of Illinois; and

WHEREAS, Asian American residents contribute to the cultural diversity of the State, and

WHEREAS, Asian language programs, including instruction in Chinese, Korean, and Japanese, have successfully enriched the cultural experiences for students and expanded educational opportunities for students so that they may compete more effectively in the global economy; and

WHEREAS, Asian language instruction programs have been popular at public schools in Illinois at both the elementary and high school level; and

WHEREAS, In Chicago alone Japanese is offered at Burr, Langston Hughes, Jackson, Murray, and Vanderpoel elementary schools and Kenwood and Northside College Prep high schools, and Chinese is offered at Bell and Healy elementary schools and Kelly and Northside College Prep high schools, and Korean is offered at Budlong elementary school; and

WHEREAS, In the fall of 2000 an additional ten elementary schools and three high schools in Chicago anticipate offering Asian language programs; and

WHEREAS, In order to enter the public school system instructors of Asian languages must receive certification in alternate subjects or transitional bilingual instruction, thereby discouraging qualified teachers from applying for potential positions; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois State Board of Education, in conjunction with the State Teacher Certification Board, the Joint Education Committee, and the public universities of the State of Illinois to establish teacher education and certification programs for Asian languages being taught in Illinois public schools; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the State Superintendent of Education, the Chairperson of the State Board of Education, the Secretary of the State Teacher Certification

Board, the members of the Joint Education Committee, and the chairpersons of the Boards of Trustees of each public university in the State of Illinois.

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SENATE BILL NO. 1882. Introduced by Senator O'Malley, a bill for AN ACT concerning railroad pedestrian walkways.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1883. Introduced by Senator Peterson, a bill for AN ACT to amend the Property Tax Code by changing Sections 10-245 and 10-250.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1884. Introduced by Senator O'Malley, a bill for AN ACT concerning corporate fiduciaries.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1885. Introduced by Senators Maitland - Philip, a bill for AN ACT to amend the Attorneys Lien Act by changing Section 1 and adding Section 2.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

At the hour of 12:54 o'clock p.m., on motion of Senator Peterson, the Senate stood adjourned until Wednesday, February 9, 2000 at 12:00 o'clock noon.

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