

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

8TH LEGISLATIVE DAY

TUESDAY, FEBRUARY 27, 2001

12:00 O'CLOCK NOON

No. 8  
[Feb. 27, 2001]

The Senate met pursuant to adjournment.  
 Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.  
 Prayer by Pastor Donald Pritchard, Zion Lutheran Church, Pleasant Plains, Illinois.  
 Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, February 20, 2001, 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.

Senator Myers moved that reading and approval of the Journals of Wednesday, February 21, 2001 and Thursday, February 22, 2001 be postponed pending arrival of the printed Journals.  
 The motion prevailed.

#### REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

A report on Flexible Work Hours Plan submitted by the Department of Nuclear Safety as required by PA 87-552.

A report on the Flexible Work Requirements submitted by the Illinois Educational Labor Relations Board in accordance with PA 87-552.

A report "Promise for Illinois", Illinois Community College System Strategic Plan, submitted by the Illinois Community College System.

A Report on City of East Dubuque Hazard Mitigation Project, January 2001, submitted by the Department of Natural Resources pursuant to the Flood Control Act of 1945.

A report on the Financial Statements for the quarter ending December 31, 2000, submitted by the Metropolitan Pier and Exposition Authority as required in the Metropolitan Pier and Exposition Authority Act.

A Report of Flexible Work Schedule submitted by the Illinois Pollution Control Board pursuant to PA 87-552.

A report on Reducing Day Care Need submitted by the Prisoner Review Board in accordance with PA 87-552.

The 2001 Educational Mandates Report submitted by the State Board of Education as required by 105 ILCS 5/2-3.104.

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

#### REPORT FROM STANDING COMMITTEE

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred Senate Bills numbered 149, 370, 371 and 382 reported the same back with the recommendation that the

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bills do pass.

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

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred Senate Bill No. 168 reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

#### EXCUSED FROM ATTENDANCE

Senator Maitland was excused from attendance due to illness.

On motion of Senator Demuzio, Senators Hendon, Shaw and Trotter were excused from attendance due to personal business.

On motion of Senator Demuzio, Senator Smith was excused from attendance today, Wednesday, February 28, 2001 and Thursday, March 1, 2001, due to personal business.

#### 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 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. 10  
A bill for AN ACT in relation to vehicles.

HOUSE BILL NO. 32  
A bill for AN ACT concerning ethics.

HOUSE BILL NO. 126  
A bill for AN ACT in relation to controlled substances.

HOUSE BILL NO. 181  
A bill for AN ACT concerning government employee benefits.

HOUSE BILL NO. 196  
A bill for AN ACT to amend the Humane Care for Animals Act by adding Section 2.09 and by changing Sections 4.03 and 4.04.

HOUSE BILL NO. 205  
A bill for AN ACT in relation to nursing.

HOUSE BILL NO. 216  
A bill for AN ACT in relation to schools.

HOUSE BILL NO. 260  
A bill for AN ACT concerning higher education.

HOUSE BILL NO. 281  
A bill for AN ACT in relation to medical care.

HOUSE BILL NO. 289  
A bill for AN ACT concerning governmental ethics.

Passed the House, February 22, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 10, 32, 126, 181, 196, 205, 216, 260, 281 and 289 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 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. 333  
A bill for AN ACT in relation to property.

Passed the House, February 22, 2001.  
ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bill No. 333 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. 427  
A bill for AN ACT concerning corrections.  
HOUSE BILL NO. 442  
A bill for AN ACT concerning sanitary districts.  
HOUSE BILL NO. 447  
A bill for AN ACT concerning guide dogs.  
HOUSE BILL NO. 469  
A bill for AN ACT in relation to the Metropolitan Water Reclamation District Act.  
HOUSE BILL NO. 476  
A bill for AN ACT in relation to emergency telephone systems.  
HOUSE BILL NO. 494  
A bill for AN ACT concerning corrections.  
HOUSE BILL NO. 500  
A bill for AN ACT concerning mortgage foreclosures.

Passed the House, February 23, 2001.  
ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 427, 442, 447, 469, 476, 494 and 500 were 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 concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 11

Concurred in by the House, February 23, 2001.  
ANTHONY D. ROSSI, Clerk of the House

At the hour of 12:40 o'clock p.m., Senator Geo-Karis presiding.

PRESENTATION OF RESOLUTIONS

[Feb. 27, 2001]

SENATE RESOLUTION NO. 46

Offered by Senator O'Malley and all Senators:  
Mourns the death of Robert J. Bobb of Palos Park.

SENATE RESOLUTION NO. 47

Offered by Senator Halvorson and all Senators:  
Mourns the death of Edward W. Palmer of University Park.

SENATE RESOLUTION NO. 48

Offered by Senator Lightford and all Senators:  
Mourns the death of Mattie McCou Hoskins of Maywood.

SENATE RESOLUTION NO. 49

Offered by Senator Lauzen and all Senators:  
Mourns the death of James W. Reuland of Roswell, Georgia.

SENATE RESOLUTION NO. 50

Offered by Senator Smith and all Senators:  
Mourns the death of Pearl B. Washington of Chicago.

The foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator Molaro offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 51

WHEREAS, Convictions of persons sentenced to death in this State have been overturned due to inadequate representation of the defendant; and

WHEREAS, A major cause of this inadequate representation is the lack of financial resources for experienced counsel, investigators, expert witnesses, and scientific research on behalf of the defendant; and

WHEREAS, Additional funding for use in capital cases would improve the administration of justice in Illinois; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we request the Senate Appropriations Committee to investigate and recommend additional funding for the Office of the State Appellate Defender and the appellate division of the Cook County Public Defender's Office to assist those offices in representing appeals of capital cases; and be it further

RESOLVED, That a copy of this resolution be sent to the chairman and minority spokesman of the Senate Appropriations Committee.

Senator Molaro offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 52

WHEREAS, The Supreme Court Rules applicable to discovery in criminal trials create a framework that lacks some of the discovery tools integral to civil litigation, such as interrogatories and depositions; and

WHEREAS, With the addition of the ability to depose the State's expert witnesses, the defendant's counsel could determine if the defense needed to expend valuable resources by hiring its own expert to assist in dealing with those issues; and

WHEREAS, The ability to know the testimony of the State's experts in advance would assist the court in shepherding its resources by allowing the defendant's counsel to know whether an expert needed to

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be appointed for the defendant in a particular case, and the depositions of victims and other witnesses would allow an opportunity for their testimony to be known before trial, which would assist in guilty pleas and dismissal of cases before trial; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we respectfully urge the Illinois Supreme Court to adopt rules providing that the State and Defense provide each other with the identity of, and a complete set of reports for, all experts they have consulted, together with a list of all victims and other witnesses who have been interviewed, that the State and the Defense make all experts they have employed and other witnesses they have interviewed available for interview by the opposing party, and that trial courts be permitted to order, after a finding of reasonable grounds by a moving party, that an expert or other witness is subject to deposition prior to trial; and be it further

RESOLVED, That a copy of this resolution be sent to the Illinois Supreme Court.

Senator Molaro offered the following Senate Resolution, which was referred to the Committee on Rules:

**SENATE RESOLUTION NO. 53**

WHEREAS, Prosecutorial misconduct undermines public confidence in our criminal justice system; and

WHEREAS, While the incidence of prosecutorial misconduct is rare, it is in the public interest that the public have notice of actions taken to investigate and discipline those who engage in this conduct; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That we urge the Illinois Supreme Court to adopt rules that:

1. Require general notice to the public and personal notice to the alleged victim of public hearings of the Attorney Registration and Disciplinary Commission when the subject of the hearings is the alleged unethical conduct of prosecutors; and

2. Require that appellate court judges, when citing prosecutorial misconduct in their opinions, be specific and detail such conduct, and that all opinions citing prosecutorial misconduct be published in full; and be it further

RESOLVED, That a copy of this resolution be sent to the Illinois Supreme Court.

Senator Molaro offered the following Senate Resolution, which was referred to the Committee on Rules:

**SENATE RESOLUTION NO. 54**

WHEREAS, Many persons sentenced to death in Illinois have had their convictions overturned because of ineffective assistance of trial counsel; and

WHEREAS, Presently there are no minimum standards for counsel in death penalty cases; and

WHEREAS, Limiting counsel in capital cases to attorneys experienced in criminal law and death penalty cases would eliminate problems that now form the basis for avoidable appellate reversals and retrials; and

WHEREAS, The Illinois Supreme Court has rulemaking authority to address these issues; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That we respectfully urge the Illinois Supreme Court to adopt rules to provide the following:

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1. That each defendant charged with an offense where the State intends to seek the death penalty have two attorneys retained or appointed to represent the defendant, with one attorney designated as the lead attorney and the other designated as second chair;

2. That all attorneys who represent defendants in capital cases have a minimum of experience, such as, being licensed for at least 7 years; having participated in a minimum of 8 jury trials; having the recommendation of at least two circuit judges who presided at those jury trials; and having attended capital cases training programs;

3. That capital cases training programs be established for attorneys to improve skills necessary for representing defendants in capital cases; and that the training programs utilize individuals recommended by circuit judges experienced in criminal law, in consultation with bar associations, law school faculty, and other persons knowledge in criminal law; and

4. That a certification process for attorneys qualified to defend capital cases be established; and be it further

RESOLVED, That a copy of this resolution be sent to the Illinois Supreme Court.

Senator Molaro offered the following Senate Resolution, which was referred to the Committee on Rules:

**SENATE RESOLUTION NO. 55**

WHEREAS, Convictions of persons sentenced to death in this State have been overturned due to inadequate investigations of the facts surrounding the capital crimes; and

WHEREAS, A major cause of this inadequate investigation is the lack of financial resources for experienced investigators on behalf of the defendant; and

WHEREAS, Additional funding for investigators in capital cases would have substantial impact on the issues that are the basis for appeals and would uncover additional evidence that would have a substantial impact on capital verdicts; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we request the Senate Appropriations Committee to investigate and recommend additional funding for the Office of the State Appellate Defender and the appellate division of the Cook County Public Defender's Office to assist those offices in employing experienced investigators in appeals of capital cases; and be it further

RESOLVED, That a copy of this resolution be sent to the chairman and minority spokesman of the Senate Appropriations Committee.

Senator Molaro offered the following Senate Resolution, which was referred to the Committee on Rules:

**SENATE RESOLUTION NO. 56**

WHEREAS, Convictions of persons sentenced to death in this State have been overturned due to inadequate investigations of the facts surrounding the capital crimes; and

WHEREAS, A major cause of this inadequate investigation is the lack of financial resources for experienced investigators on behalf of the defendant; and

WHEREAS, Additional funding for investigators in capital cases would have substantial impact on the issues that are the basis for appeals and would uncover additional evidence that would have a substantial impact on capital verdicts; therefore be it

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RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we request the Senate Appropriations Committee to investigate and recommend additional funding for the Office of the State Appellate Defender and the appellate division of the Cook County Public Defender's Office to assist those offices in employing experienced investigators in appeals of capital cases; and be it further

RESOLVED, That a copy of this resolution be sent to the chairman and minority spokesman of the Senate Appropriations Committee.

Senators Molaro - E. Jones offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 57

WHEREAS, Convictions of persons sentenced to death in this State have been overturned due to inadequate investigations of the facts surrounding the capital crimes; and

WHEREAS, A major cause of this inadequate investigation is the lack of financial resources for experienced investigators on behalf of the defendant; and

WHEREAS, Additional funding for investigators in capital cases would have substantial impact on the issues that are the basis for appeals and would uncover additional evidence that would have a substantial impact on capital verdicts; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we request the Senate Appropriations Committee to investigate and recommend additional funding for the Office of the State Appellate Defender and the appellate division of the Cook County Public Defender's Office to assist those offices in employing experienced investigators in appeals of capital cases; and be it further

RESOLVED, That a copy of this resolution be sent to the chairman and minority spokesman of the Senate Appropriations Committee.

Senators Molaro - E. Jones offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 58

WHEREAS, Convictions of persons sentenced to death in this State have been overturned due to inadequate representation of the defendant; and

WHEREAS, A major cause of this inadequate representation is the lack of financial resources for experienced counsel, investigators, expert witnesses, and scientific research on behalf of the defendant; and

WHEREAS, Additional funding for use in capital cases would improve the administration of justice in Illinois; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we request the Senate Appropriations Committee to investigate and recommend additional funding for the Office of the State Appellate Defender and the appellate division of the Cook County Public Defender's Office to assist those offices in representing appeals of capital cases; and be it further

RESOLVED, That a copy of this resolution be sent to the chairman and minority spokesman of the Senate Appropriations Committee.

Senators Molaro - E. Jones offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 59

[Feb. 27, 2001]

WHEREAS, Prosecutorial misconduct undermines public confidence in our criminal justice system; and

WHEREAS, While the incidence of prosecutorial misconduct is rare, it is in the public interest that the public have notice of actions taken to investigate and discipline those who engage in this conduct; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That we urge the Illinois Supreme Court to adopt rules that:

1. Require general notice to the public and personal notice to the alleged victim of public hearings of the Attorney Registration and Disciplinary Commission when the subject of the hearings is the alleged unethical conduct of prosecutors; and

2. Require that appellate court judges, when citing prosecutorial misconduct in their opinions, be specific and detail such conduct, and that all opinions citing prosecutorial misconduct be published in full; and be it further

RESOLVED, That a copy of this resolution be sent to the Illinois Supreme Court.

Senators Molaro - E. Jones offered the following Senate Resolution, which was referred to the Committee on Rules:

#### SENATE RESOLUTION NO. 60

WHEREAS, When co-defendants are represented by the same attorney, that attorney is ethically required to provide the same defense to all defendants and cannot defend one of the co-defendants by implicating another co-defendant; and

WHEREAS, When the public defender is appointed to represent co-defendants in a capital case, the public defender may be unable to present the best defense for each co-defendant because of the possible harm to the defense of other co-defendants; and

WHEREAS, The Illinois Supreme Court has the authority to require separate counsel for each co-defendant in capital cases; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we respectfully urge the Illinois Supreme Court to adopt rules that require, in capital cases with co-defendants, that the public defender be appointed to represent only one co-defendant; that each co-defendant has his or her own counsel, either retained by the co-defendant or appointed by the court; and be it further

RESOLVED, That a copy of this resolution be delivered to the Illinois Supreme Court.

Senators E. Jones - Obama offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

#### SENATE JOINT RESOLUTION NO. 12

WHEREAS, Trains in Chicago and throughout the suburbs have created a nuisance and public safety hazard to residents; and

WHEREAS, Residents of the southwest side of Chicago and the south suburbs have been particularly plagued by problems of trains blocking intersections for long periods of time and the loud noises of trains that are a nuisance near their homes; and

WHEREAS, In the case of trains blocking intersections, some residents, such as those in Blue Island, are cut off from public safety services for long periods of time because trains are blocking the only entryway into their neighborhood; and

WHEREAS, In the case of loud noises of trains that are a nuisance

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near their homes, some residents, such as those in West Beverly, are subject to dangerously high train whistles which exceed decibel limits and train rattles which crack the foundations of their homes; and

WHEREAS, Congress has the authority to regulate train horns and trains stalled in intersections and the authority to pre-empt state and local governments in this area, but it has delegated its authority to the Secretary of Transportation; and

WHEREAS, The United States Code, Title 49, Section 20134, gives the Secretary of Transportation the power to "develop and carry out solutions to the railroad grade crossing problem and measures to protect pedestrians in densely populated areas along railroad rights of way"; and

WHEREAS, The United States Code, Title 49, Section 20153(e), specifically instructs the Secretary to "promote the quiet of communities affected by rail operations" in promulgating regulations, and the statute allows the Secretary of Transportation to suspend the sounding of the horn at railroad crossings if other, as effective, safety means can be developed and demonstrated in the case of loud noises of train that are a nuisance; and

WHEREAS, Section 20153(i) of Title 49 of the United States Code instructs the Secretary to "work in partnership with affected communities to provide technical assistance and...a reasonable amount of time for the local communities to install supplementary safety measures, taking into account local safety initiatives (such as public awareness initiatives and highway-rail grade crossing traffic law enforcement programs)"; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, That we petition the United States Secretary of Transportation to invoke this authority to prevent trains from blocking intersections, because the blocking of intersections poses safety hazards to residents and vehicles; and be it further

RESOLVED, That we urge the United States Secretary of Transportation to adopt regulations to protect residents from the nuisance of train noise and not to allow trains to blow their horns in "quiet zone" areas, and we urge the Secretary to develop alternative safety measures to supplant the use of the horn, such as helping to fund grade crossings and footbridges; and be it further

RESOLVED, That the United States Secretary of Transportation should convene soon a meeting of residents, local elected officials, and the railroad to address these concerns of residents of the southwest side of Chicago and the south suburbs; and be it further

RESOLVED, That a suitable copy of this resolution be sent to the United States Secretary of Transportation and to each member of the Illinois congressional delegation.

Senator Demuzio offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 13  
CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 2 of Article X of the Constitution as follows:

ARTICLE X  
EDUCATION

[Feb. 27, 2001]

(ILCON Art. X, Sec. 2)  
 SECTION 2. STATE BOARD OF EDUCATION - STATE SUPERINTENDENT OF  
 EDUCATION CHIEF-STATE-EDUCATIONAL-OFFICER

(a) There is created a State Board of Education to be elected or selected on a regional basis. The number of members, their qualifications, terms of office and manner of election or selection shall be provided by law. The Board, except as limited by law, may establish goals, determine policies, provide for planning and evaluating education programs and recommend financing. The Board shall have such other duties and powers as provided by law.

(b) A State Superintendent of Education shall be nominated at a general primary election and elected by the electors of the State at the general election every 4 years, beginning in 2004. The State Superintendent of Education shall hold office for 4 years beginning on the second Monday of January after his or her election. To be eligible to hold the office of State Superintendent of Education a person must be a United States citizen, at least 25 years old, and a resident of the State for 10 years preceding his or her election.

The names of the candidates for State Superintendent of Education shall be printed on the ballot directly below the names of the candidates for Secretary of State.

Any vacancy in the office of State Superintendent of Education shall be filled in the manner provided in Section 7 of Article V.

The State Superintendent shall be the chief educational officer of the State. The--State-Board-of-Education-shall-appoint-a-chief-state-educational-officer-

(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act, and when the State Superintendent of Education initially elected under Section 2 of Article X of the Illinois Constitution takes effect, the term of office of the chief state educational officer appointed by the State Board of Education shall expire.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Bowles, Senate Bill No. 8 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Shadid, Senate Bill No. 12 having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 12 by replacing everything after the enacting clause with the following:

"Section 5. The State Parks Designation Act is amended by changing Section 1 as follows:

(20 ILCS 840/1) (from Ch. 105, par. 468g)

Sec. 1. The following described areas are designated State Parks and have the names herein ascribed to them:

Apple River Canyon State Park, in Jo Daviess County;

Argyle Lake State Park, in McDonough County;

Beaver Dam State Park, in Macoupin County;

Buffalo Rock State Park, in La Salle County;

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Castle Rock State Park, in Ogle County;  
 Cave-in-Rock State Park, in Hardin County;  
 Chain O'Lakes State Park, in Lake and McHenry Counties;  
 Delabar State Park, in Henderson County;  
 Dixon State Park, in Lee County;  
 Dixon Springs State Park, in Pope County;  
 Eagle Creek State Park, in Shelby County;  
 Eldon Hazlet State Park, in Clinton County;  
 Ferne Clyffe State Park, in Johnson County;  
 Fort Creve Coeur State Park, in Tazewell County;  
 Fort Defiance State Park, in Alexander County;  
 Fort Massac State Park, in Massac County;  
 Fox Ridge State Park, in Coles County;  
 Frank Holten State Park, in St. Clair County;  
 Funk's Grove State Park, in McLean County;  
 Gebhard Woods State Park, in Grundy County;  
 Giant City State Park, in Jackson and Union Counties;  
 Goose Lake Prairie State Park, in Grundy County;  
Hazel and Bill Rutherford Wildlife Prairie State Park, in Peoria  
County;  
 Hennepin Canal Parkway State Park, in Bureau, Henry, Rock Island,  
 Lee and Whiteside Counties;  
 Horseshoe Lake State Park, in Madison and St. Clair Counties;  
 Illini State Park, in La Salle County;  
 Illinois Beach State Park, in Lake County;  
 Illinois and Michigan Canal State Park, in the counties of Cook,  
 Will, Grundy, DuPage and La Salle;  
 Johnson Sauk Trail State Park, in Henry County;  
 Jubilee College State Park, in Peoria County, excepting Jubilee  
 College State Historic Site as described in Section 7.1 of the  
 Historic Preservation Agency Act;  
 Kankakee River State Park, in Kankakee and Will Counties;  
 Kickapoo State Park, in Vermilion County;  
 Lake Le-Aqua-Na State Park, in Stephenson County;  
 Lake Murphysboro State Park, in Jackson County;  
 Laurence C. Warren State Park, in Cook County;  
 Lincoln Trail Homestead State Park, in Macon County;  
 Lincoln Trail State Park, in Clark County;  
 Lowden State Park, in Ogle County;  
 Matthiessen State Park, in La Salle County;  
 McHenry Dam and Lake Defiance State Park, in McHenry County;  
 Mississippi Palisades State Park, in Carroll County;  
 Moraine View State Park, in McLean County;  
 Morrison-Rockwood State Park, in Whiteside County;  
 Nauvoo State Park, in Hancock County, containing Horton Lake;  
 Pere Marquette State Park, in Jersey County;  
 Prophetstown State Park, in Whiteside County;  
 Pyramid State Park, in Perry County;  
 Railsplitter State Park, in Logan County;  
 Ramsey Lake State Park, in Fayette County;  
 Red Hills State Park, in Lawrence County;  
 Rock Cut State Park, in Winnebago County, containing Pierce Lake;  
 Rock Island Trail State Park, in Peoria and Stark Counties;  
 Sam Parr State Park, in Jasper County;  
 Sangchris Lake State Park, in Christian and Sangamon Counties;  
 Shabbona Lake and State Park, in DeKalb County;  
 Siloam Springs State Park, in Brown and Adams Counties;  
 Silver Springs State Park, in Kendall County;  
 South Shore State Park, in Clinton County;  
 Spitler Woods State Park, in Macon County;

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Starved Rock State Park, in La Salle County;  
 Stephen A. Forbes State Park, in Marion County;  
 Walnut Point State Park, in Douglas County;  
 Wayne Fitzgerald State Park, in Franklin County;  
 Weinberg-King State Park, in Schuyler County;  
 Weldon Springs State Park, in DeWitt County;  
 White Pines Forest State Park, in Ogle County;  
 William G. Stratton State Park, in Grundy County;  
 Wolf Creek State Park, in Shelby County.

(Source: P.A. 89-445, eff. 2-7-96.)

Section 10. The State Finance Act is amended by changing Section 6z-41 as follows:

(30 ILCS 105/6z-41)

Sec. 6z-41. Wildlife Prairie Park Fund. The Wildlife Prairie Park Fund is hereby created as an interest-bearing special fund in the State Treasury. Money in the Fund may be used, pursuant to appropriation, for the support and maintenance of the Hazel and Bill Rutherford Wildlife Prairie State Park Wildlife-Prairie-Park, or as otherwise provided by law.

(Source: P.A. 89-611, eff. 1-1-97.)

Section 15. The State Parks Revenue Bond Act is amended by changing Section 2 as follows:

(30 ILCS 380/2) (from Ch. 105, par. 490.02)

Sec. 2. As used in this Act, unless the context otherwise requires, the following terms have the following meanings:

"Commission" means the State Parks Revenue Bond Commission or any board or officer succeeding to the powers now conferred by law upon the State Parks Revenue Bond Commission.

The State Parks System shall mean and include the following areas and such additional areas as may be designated by or pursuant to statute:

Apple River Canyon State Park, in Jo Daviess County;  
 Argyle Lake State Park, in McDonough County;  
 Beaver Dam State Park, in Macoupin County;  
 Black Hawk State Park, in Rock Island County;  
 Buffalo Rock State Park, in La Salle County;  
 Cahokia Mounds State Park, in Madison County;  
 Cave-in-Rock State Park, in Hardin County;  
 Chain O'Lakes State Park, in Lake County;  
 Channahon Parkway State Park, in Grundy County;  
 Dixon Springs State Park, in Pope County;  
 Ferne Clyffe State Park, in Johnson County;  
 Fort Chartres State Park, in Randolph County;  
 Fort Creve Coeur State Park, in Tazewell County;  
 Fort Kaskaskia State Park, in Randolph County;  
 Fort Massac State Park, in Massac County;  
 Fox River Park, in La Salle County;  
 Fox Ridge State Park, in Coles County;  
 Gebhard Woods State Park, in Grundy County;  
 Giant City State Park, in Jackson County;  
 Grand Marais State Park, in St. Clair County;  
Hazel and Bill Rutherford Wildlife Prairie State Park, in Peoria County;  
 Illini State Park, in La Salle County;  
 Illinois Beach State Park, in Lake County;  
 Johnson Sauk Trail State Park, in Henry County;  
 Kankakee River State Park, in Kankakee County;  
 Kickapoo State Park, in Vermilion County;  
 Lake Le-Aqua-Na State Park, in Stephenson County;  
 Lake Murphysboro State Park, in Jackson County;

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Lincoln Log Cabin State Park, in Coles County;  
 Lincoln Trail Homestead State Park, in Macon County;  
 Lincoln Trail State Park, in Clark County;  
 Lowden State Park, in Ogle County;  
 Matthiessen State Park, in La Salle County;  
 Mississippi Palisades State Park, in Carroll County;  
 Nauvoo State Park, in Hancock County;  
 Lincoln's New Salem State Park, in Menard County;  
 Pere Marquette State Park, in Jersey County;  
 Prophetstown State Park, in Whiteside County;  
 Ramsey Lake State Park, in Fayette County;  
 Red Hills State Park, in Lawrence County;  
 Siloam Springs State Park, in Brown County;  
 Spittler Woods State Park, in Macon County;  
 Starved Rock State Park, in La Salle County;  
 Stephen A. Forbes State Park, in Marion County;  
 Weldon Springs State Park, in DeWitt County;  
 White Pines Forest State Park, in Ogle County;  
 William G. Stratton State Park, in Grundy County.

"Recreational facilities" shall mean and embrace cabins, lodges, marinas, fishing and boating facilities, swimming pools (including indoor and outdoor pools), putting greens, driving ranges, archery ranges, restaurants, commissaries and other like revenue producing facilities in any state park, whether presently existing or hereafter acquired, within the State Park System.

"Bonds" shall mean the revenue bonds issued by the Commission pursuant to this Act in an aggregate principal amount of not to exceed \$9,000,000 at any one time.

"Project" shall mean, in whole or in part, the acquisition of land, buildings, the acquisition or construction or reconstruction of any buildings, piers, docks or other works, including installation of lighting, heating, sanitary and water facilities, together with incidental approaches, structures, furnishings, equipment and facilities, reasonably necessary and useful in order to provide and maintain existing, new or improved recreational facilities.

"Cost of project" shall embrace the cost of all labor, materials, machinery and equipment, lands, property, rights, easements and franchises, financing charges, interest prior to and during construction and for 12 months after the estimated date of completion of construction, cost of plans and specifications, surveys and estimates of cost and of revenues, cost of architectural, engineering, trustees' and legal services, and all other expenses necessary or incident to placing the project in operation or necessary or incident to determining the feasibility or practicability of such project, administrative expense and such other expenses as may be necessary or incident to the issuance, sale and delivery of the bonds herein authorized.

(Source: Laws 1963, p. 2605.)

(20 ILCS 4029/Act rep.)

Section 90. Repeal. The Illinois Wildlife Prairie Park Act is repealed.

Section 99. Effective date. This Act takes effect upon becoming law."

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

On motion of Senator Silverstein, Senate Bill No. 37 having been printed, was taken up, read by title a second time and ordered to a

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third reading.

On motion of Senator Silverstein, Senate Bill No. 65 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Rauschenberger, Senate Bill No. 93 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peterson, Senate Bill No. 95 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sieben, Senate Bill No. 101 having been printed, was taken up, read by title a second time and ordered to a third reading.

#### SENATE BILL RECALLED

On motion of Senator Peterson, Senate Bill No. 95 was recalled from the order of third reading to the order of second reading.

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

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 95 on page 1, line 31, by replacing "parcels." with "parcels if the purpose of the consolidation or resubdivision is to bring a non-conforming parcel into conformance with local zoning requirements.".

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

#### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 10, sponsored by Senator Lauzen was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 31, sponsored by Senator L. Madigan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 32, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 111, sponsored by Senator Ronen was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 126, sponsored by Senator Dillard was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 127, sponsored by Senator Myers was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 171, sponsored by Senator Noland was taken up,

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read by title a first time and referred to the Committee on Rules.

House Bill No. 232, sponsored by Senator Clayborne was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 258, sponsored by Senator Clayborne was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 281, sponsored by Senator Donahue was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 333, sponsored by Senator Watson was taken up, read by title a first time and referred to the Committee on Rules.

#### COMMITTEE MEETING ANNOUNCEMENTS

Senator Parker, Chairperson of the Committee on Transportation announced that the Transportation Committee will meet Wednesday, February 28, 2001, in Room A-1 Stratton Building, at 9:30 o'clock a.m. instead of 9:00 o'clock a.m.

Senator Mahar, Chairperson of the Committee on Environment and Energy announced that the Environment and Energy Committee will meet Wednesday, February 28, 2001, in Room 400 Capitol Building, at 9:30 o'clock a.m. instead of 9:00 o'clock a.m.

Senator O'Malley, Vice-Chairperson of the Committee on Education announced that the Education Committee will meet Wednesday, February 28, 2001, in Room 212 Capitol Building, at 9:30 o'clock a.m. instead of 9:00 o'clock a.m.

At the hour of 12:55 o'clock p.m., on motion of Senator W. Jones, the Senate stood adjourned until Wednesday, February 28, 2001 at 9:00 o'clock a.m.

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