

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

85th Legislative Day

March 21, 1996

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? Our prayer today will be given by Pastor Ruth Everhard, Rock Creek Presbyterian Church, Tallula, Illinois. Pastor Everhard.

PASTOR RUTH EVERHARD:

(Prayer given by Pastor Ruth Everhard)

PRESIDENT PHILIP:

Will you please rise for the Pledge of Allegiance? Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Wednesday, March 20th, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Peterson, Chair of the Committee on Revenue, reports Senate Amendment 2 to Senate Bill 1378 Be Adopted.

Senator Raica, Chair of the Committee on Public Health and Welfare, reports Senate Amendment 2 to Senate Bill 1326 Be Adopted, Senate Amendment 2 to Senate Bill 1440 Be Adopted, Senate Amendment 3 to Senate Bill 1543 Be Adopted, and Senate Amendment 2 to Senate Bill 1661 Be Adopted.

And Senator Hawkinson, Chair of the Committee on Judiciary,

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reports Senate Amendment 2 to Senate Bill 1527 Be Adopted, Senate Amendment 3 to Senate Bill 1796 Be Adopted, and Senate Amendment 2 to Senate Bill 1805 Be Adopted.

PRESIDENT PHILIP:

...Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President. A point of personal privilege. It is my pleasure to introduce to the Illinois State Senate -- Dermot O'Callaghan, from Killarney, Ireland. He -- he was the grand marshal in the Springfield, Illinois St. Patrick's Parade this past weekend. Dermot has been on the city council for over twelve years in Killarney, Ireland - the sister -- proposed Sister City of Springfield, Illinois. He also is a businessman, and I understand is proprietor of one of Killarney's finest hotels. He and his wife, Eileen, have six sons. And he's been visiting many areas in the Springfield -- surrounding Springfield, and he's chosen to come to Illinois State Senate. Let's all welcome Dermot O'Callaghan in the Illinois State Senate. Please help me welcome him.

PRESIDENT PHILIP:

Thank you, Senator Bomke. Senator Walsh, for what purpose do you rise?

SENATOR WALSH:

Thank you, Mr. President. A point of personal privilege, please.

PRESIDENT PHILIP:

State your point.

SENATOR WALSH:

Thank you. Today is Music Education Day at the Capitol, and this morning I had the honor of listening to a terrific group who is here visiting us today in the President's Gallery. It's a group from my district, the Hillside School Chorus, from Hillside,

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and Marilyn Carson is their director. If you'd all stand up and be recognized, and welcome to Springfield.

PRESIDENT PHILIP:

It -- if I could have your attention for a minute. We're going to start on 2nd Readings and then go to 3rd Readings. So I hope that everybody would pay attention and be in their chairs.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...all Members please be in their seats. We will be going to the Order of Senate Bills 2nd Reading. It is not the -- it is the intent of the Chair not to go back to any bill, so if you are not in your seat when your bill is called, you will not be afforded the opportunity to go back to the -- the bill. So please be attentive. And if you'd turn your Calendars to the top of page 2, Senate Bills in the Order of 2nd Reading. Senate Bill 522. Senator Parker. Senator Parker. ...Bill 1246. Senator Madigan. Out of the record. Senate Bill 1266. Senator Maitland. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1266.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1320. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1320.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1322. Senator Rauschenberger. Out of the record. Senate Bill 1326. Senator Raica. Senator Raica. Out of the record. Senate Bill 1327. Senator Raica. Senator

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Raica? Out of the record. On the top of page 3 in the Order of Senate Bills 2nd Reading, Senate Bill 1335. Senator Peterson. Out of the record. Senate Bill 1363. Senator DeAngelis. Senator DeAngelis. Senate Bill 1365. Senator Jones. Senator Jones. Senate Bill 1370. Senator Mahar. Senator Mahar. Senate Bill 1378. Senator Woodyard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1378.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator Butler.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Mr. President, I'm -- I'm -- I apologize. Amendment No. 2 only came out of Revenue Committee this morning, and I doubt if we could move that to 3rd.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard, the bill -- the amendment has been read into the record. Senate Bill 1378, on Amendment No. 2. Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Senate Amendment No. 2 affects one organization. It affects their tax status and moves them to a -- a nonprofit status for purposes of local property tax.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Butler moves the

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adoption of Amendment No. 2 to Senate Bill 1378. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments that have been...

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1380. Senator Philip. Senator Philip. Senate Bill 1381. Senator Sieben. Senator Sieben. Senate Bill 1386. Senator Weaver. Mr. Secretary, read the bill. There has been a request for a fiscal note on Senate Bill 1386. Take it out of the record. Senate Bill 1419. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1419.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Higher Education 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.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1424. Senator Madigan. Senate Bill 1437. Senator Woodyard. Senate Bill 1442. Senator Parker. Senate Bill 1440. Senator Parker. Senator Parker. Senate Bill 1442. Senator Parker. Senator Parker. Senator Bill 1448. Senator Fawell. Mr. Secretary, read the bill.

SECRETARY HARRY:

...Bill 1448.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted

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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.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 4, Senate Bills on the Order of 2nd Reading, Senate Bill 1459. Senator Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1459.

(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 Woodyard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1473.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1490. Senator Lauzen. Senate Bill 1504. Senator Petka. Senate Bill 1511. Senator Syverson. Senate Bill 1515. Senator Madigan. I beg your pardon. Senate Bill 1513. Senator Maitland. Mr. Secretary, read the bill.

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SECRETARY HARRY:

Senate Bill 1513.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1527. Senator Barkhausen. Senator Barkhausen. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1527.

(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 approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Barkhausen, to explain the amendment.

SENATOR BARKHAUSEN:

Thank you, Mr. President and Members. Amendment No. 2, adopted in the Judiciary Committee this morning, is just a technical amendment. It provides for an immediate effective date, and it makes explicit what is already in the bill potentially giving guardians, with the permission of a probate court, the power to create irrevocable, as well as revocable, trusts. And I ask for your adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Barkhausen moves the adoption of Floor Amendment No. 2 to Senate Bill 1527. Those in favor, say Aye. The opposed, say Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1543. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1543.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Why thank you, Mr. President. Amendment No. 2 -- or Amendment No. 3 to Senate Bill 1543 just simply further clarifies what we did in Amendment No. 2. So I would just ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Donahue moves the adoption of Amendment No. 3 to Senate Bill 1543. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill -- 1556. Senator Palmer. Senator Palmer. Senate Bill 1578. Senator Mahar. On the top of page 5, on -- in the Order of Senate Bills 2nd Reading, Senate Bill 1604.

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Senator Walsh. Senator Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1604.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1633. Senator Woodyard. Senator Woodyard. Senate Bill 1640. Senator Weaver. Senate Bill 1643. Senator Dillard. Senator Dillard. Senate Bill 1645. Senator Dillard. Senator Dillard. Senate Bill 1687. Senate Bill 1645. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1645.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. ...Bill 1687. Senator Rauschenberger. Senator Rauschenberger. 1687. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1687.

(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)

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1696. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1696.

(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 approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1712. Senator Lauzen. Senate Bill 1749. Senator Woodyard. Senate Bill 1757. Senator Weaver. Senate Bill 1758. Senator Weaver. Senate Bill 1770. Senator Woodyard. Senator Woodyard. Senate Bill 1785. Senator Molaro. Senator -- Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1785.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted Amendments 1 and 4.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. We inadvertently skipped Senate Bill 1777. With leave of the Body, we'll return to Senate Bill 1777. Senator Donahue. Senator Donahue. On the top of page 6, in the Order of Senate Bills 2nd Reading, Senate Bill 1796. Senator Molaro. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1796.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Molaro.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro. Out of the record. Senate Bill 1805. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1805.

(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 approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you, Mr. President. Senate Bill -- Amendment

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No. 2 to Senate Bill 1805 is a technical amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Burzynski moves the adoption of Amendment No. 2 to Senate Bill 1805. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1823. Senator Syverson. Senator Syverson. Senate Bill 1883. Senator Rauschenberger. Mr. Secretary, read the bill. With leave of the Body, we'll -- we'll take Senate Bill 1883 out of the record so that the Secretary can read a report in. Senate Bill 1887. Senator Burzynski. Committee Reports.

SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Local Government and Elections, reports Senate Amendment 3 to Senate Bill 1288 Be Adopted, and Senate Amendments 2 and 3 to Senate Bill 1883 Be Adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

We will now be going to the Order of Senate Bills in the Order of 3rd Reading. It is the intent of the Chair to go through this Calendar one time today and one time only. So please, Members, if you wish to have your bill heard and voted upon on final action this morning, please be in your seats. Middle of page 6 in the Order of Senate Bills 3rd Reading. Senate Bill 542. Senator Watson. Senator Watson. Senate Bill 1237 {sic} (1239). Senator Cronin. Senator Cronin, do you wish this bill returned to the -- 2nd Reading for the purposes of an amendment? Senator Cronin seeks leave of the Body to return Senate Bill 1239 to the Order of

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2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1239. Mr. Secretary, are -- are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin. Out of the record. Senate Bill -- Bill 1251. Senator Hawkinson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Hawkinson leaves -- seeks leave of the Body to return Senate Bill 1251 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1251. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is a technical amendment to correct a drafting error in an earlier amendment. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1255. Senator Bomke. Mr. Secretary, read the bill.

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SECRETARY HARRY:

Senate Bill 1255.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Senate Bill 1256. Senator Bomke. Out of the record. Senate Bill 1259. Senator Parker. Senate Bill 1264. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1264.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 1264 amends the Use Tax Act, Service Use Tax Act to extend the manufacturer's purchase credit to graphic artists for a period of five years. It would sunset in five years. Under the current law, the Sales Tax Act provides for exemptions for the purchase of certain manufacturing equipment and machinery; however, current law does not include graphic art producers in the definition of manufacturer. This would include them, and I ask for an affirmative vote on Senate Bill 1264.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Yes. I understand that initially the Governor's Office and

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the Department was opposed to this bill. Are they now in favor of the -- of the legislation, and then could you tell me what revenue impact it's anticipated this would have on the State?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

At this time, I believe both the Governor's Office and the Department are neutral, and the impact would be one million dollars. Proponents of the bill estimate the annual revenue loss to the State about -- would be about one million dollars per year.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall Senate Bill 1264 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 54 Ayes, no Nays, none voting Present. And Senate Bill 1264, having received the required constitutional majority, is declared passed. Senate Bill 1268. Senator Syverson. Senate Bill 1278. Senator Geo-Karis. On the top of page 7, in the Order of Senate Bills 3rd Reading, Senate Bill 1279. Senator Madigan. Senate Bill 1288. Senator Klemm. Senator Klemm. Madam Secretary, read the bill. Senator Klemm, do you wish this bill returned to the Order of 2nd Reading for the purposes of an amendment? Senator Klemm seeks leave of the Body to return Senate Bill 1288 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1288. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Amendment No. 3 to Senate Bill 1288 requires that the aggregate number of applicants for absentee ballots be posted along with the number of registered voters so that you could see a comparison between how many are -- been asked for absentee and those that are registered, and do ask for your adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill -- on the Order of Senate Bills 3rd Reading, Senate Bill 1296. Senator O'Daniel. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1296.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. Senate Bill 1296 increases the penalty for selling a controlled substance near a church or synagogue. And it was initiated in Jefferson County - the State's attorney and the mayor and -- and law enforcement - and some of the ministers felt that this would help control the sale of drugs near these -- these facilities. I don't know of any

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opposition, and...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1296 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 1296, having received the required constitutional majority, is declared passed. Senator Bill 1298. Senator Weaver. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1298.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1298 would allow any county to impose a sales tax of one-quarter percent increments up to one percent if approved by a front-door referendum at any election. These funds shall be used to retire bonds issued to build or repair county facilities for judicial or correctional purposes. If imposed, the county clerk shall abate a like amount from the county property tax levy for these bonds. All these taxes would end when the bonds are retired. If anyone has any questions, I'll be happy to answer them. I'd be -- I think all counties are having problems maintaining and rehabilitating jails and correctional facilities. This would just be an -- one way to retire those bonds and reduce real property taxes throughout the State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall

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Senate Bill -- Senate Bill 1298 pass. All 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 29 Ayes, 11 Nays and 11 voting Present. And Senate Bill 1298, not having received the required constitutional majority, is declared failed.

Senator Weaver.

SENATOR WEAVER:

Postponed Consideration. There's several who had misunderstandings, weren't able to vote. I count three right here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver seeks -- seeks leave to have the bill on Postponed Consideration. Leave is granted. Senate Bill 1300. Senator Parker. Senate Bill 1303. Senator Bowles. Senator Bowles. ...Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1303.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President. I'm asking for this bill on 3rd Reading to give us an opportunity to continue to negotiate with some of the agencies and groups that have some questions on the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1303 pass. All 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

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record. On that question, there are 38 Ayes, 12 Nays, 1 voting Present. And Senate Bill 1303, having received the required constitutional majority, is declared passed. Senator Bill 1312. Senator Barkhausen. Senator Barkhausen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1312.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. Senate Bill 1312 deals with Article 5 of the Uniform Commercial Code. It revises and updates it, in part to recognize that the customs and practices have changed considerably since the last time this Article was written. It also takes into account the fact that much of the commerce dealing with letters of credit is done by electronic means these days. I would be glad to answer your questions and, otherwise, ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1312 pass. All 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 1312, having received the required constitutional majority, is declared passed. Senator Bill 1315. Senator Jacobs. Senator Bill 1316. Senator Klemm. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1316.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 1316 amends the Fire Protection District Act, and it provides that employees, along with trustees which are currently allowed to do under current law, may have a contract to provide services up to a maximum of one thousand dollars or an aggregate amount in a year's time of two thousand dollars. Right now trustees can do that and they are the ones who do the voting, but many of the volunteer fire people who work in the small fire departments and the volunteer rural fire departments aren't able to do that. And this would at least give them a little bit of assurance that they can participate in that. So I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1316 pass. All 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 51 Ayes, 2 Nays, none voting Present. And Senate Bill 1316, having received the required constitutional majority, is declared passed. Senator Bill 1319. Senator Weaver. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1319.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

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Thank you, Mr. President. This bill would amend the Downstate Public Transportation Act by increasing the percentage of operating expenses for which participating public mass transit systems receive reimbursement. Basically there's been a cutback in federal funds. This would over a period of -- it would increase two percent a year over a five-year period. So this affects basically the losses at Peoria, Rockford, Champaign-Urbana, Rock Island, Pekin, Loves Park, and districts in southern Illinois receive from this fund. Now, this is generated by a two/thirty-seconds sales tax to the Department of Transportation to offset these subsidies. If anyone has any questions, there are several districts statewide that would be affected. It's not going to fully fund them from what their losses have been, but it will certainly be a help. If there are any questions, I'll -- be happy to explain it further.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I stand in strong support of this measure, especially for downstate districts who are in desperate need of funds to keep their transportation systems going, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I was just reading the analysis. And would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

According to the analysis, it says that this fund will be coming from IDOT. The participating systems receive IDOT grants

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for the reduced fares for the elderly, the handicapped and the students. Is this an increase from the funds from IDOT for downstate transit?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

This tax is collected from the districts, and it's handled by IDOT. Actually, there's about fourteen million dollars more collected than is ever disbursed. So IDOT's using about fourteen million dollars for other purposes, rather than to subsidize local districts where the tax is collected.

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:

What effect does this have upon the City of Chicago or the collar counties regarding its transportation needs?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

It would have -- have no effect, Senator Berman.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Well, it -- our analysis says that there's going to be some federal cuts. If there's going to be some federal cuts, then everybody is going to be looking at the pot. This gives more of a pot, more of the piece of the pie, to the downstate districts. I would think that that will lessen the pie that would be available

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once we know what that -- those cuts will be, as far as the whole State is concerned. Could you comment on that, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Well, I think -- we're just dealing with the downstate districts. I think we're going to have to look at the whole program again in the future, when we know exactly what the federal cuts are going to be. This is money collected from these various districts through the sales tax that is then again distributed back to the district on their operating deficits - based on their operating deficits.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1319 pass. All 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 38 Ayes, 13 Nays, 1 voting Present. And Senate Bill 1319, having received the required constitutional majority, is declared passed. Senate Bill 1323. Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1323.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 1323 is a piece of legislation which basically prohibits a -- an inmate who is incarcerated in the Department of Corrections from having visitation with minors. An attorney who

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practices and specializes in family law in Will County contacted my office, said in his opinion this was a loophole. In my opinion, that's exactly what it was. What this legislation does is basically make a lot of sense in precluding child sex offenders from having visitation from children. There's...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any -- is there any discussion? If not, the question is, shall Senate Bill 1323 pass. All 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 54 Ayes, no Nays, none voting Present. And Senate Bill 1323, having received the required constitutional majority, is declared passed. Senate Bill 1338. Senator Weaver. Senate Bill 1353. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1353.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill comes as a suggestion from the Illinois Coalition Against Sexual Assault. It involves victim impact statements at the time of sentencing and clarifies that a victim impact statement may be presented orally or in writing and also adds a provision to allow a representative of a victim to read the statement at sentencing if, for some reason, the victim is too distraught. I know of no opposition and would ask for the passage of Senate Bill 1353, as amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall

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Senate Bill 1353 pass. All those in favor will vote Aye. Opposed will -- 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 54 Ayes, no Nays, none voting Present. And Senate Bill 1353, having received the required constitutional majority, is declared passed. Senate Bill 1354. Madam -- Senator Hawkinson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Hawkinson seeks leave of the Body to return Senate Bill 1354 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1354. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DUDYCAZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Amendment No. 3 is a technical amendment designed to correct a drafting error in Amendment No. 2, which is a suggestion from Senator Bowles, and I would ask for the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DUDYCAZ)

Is there any -- is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCAZ)

3rd Reading. In the Order of Senate Bills 3rd Reading at the top of page 8, Senate Bill 1360. Senator Luechtefeld. Senate

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Bill 1361. Senator Luechtefeld. Senate Bill 1385. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1385.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation comes from the Capital Development Board and deals with their revolving -- Revolving Fund. The legislation would extend for four more years the existing administrative fee that they're able to assess on projects administered by the Capital Development Board. It would also delete a provision from the Statute that allowed some transfers of their surplus fund under the Emergency Budget Act of 1982, and I would move for its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator -- the question is, shall Senate Bill 1385 pass. All 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 1385, having received the required constitutional majority, is declared passed. Senate Bill 1388. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1388.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

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SENATOR GEO-KARIS:

Thank you, Mr. President, Members of the Senate. This bill amends the State Officers and Employees Money Disposition Act and the Food Handling Regulation Enforcement Act. Provides that all fees collected by the Department of Public Health under the Food Handling Legislative (sic) Enforcement Act shall be deposited in the Food and Drug Safety Fund and allows the Director of the Department of Public Health to return fees submitted too late for renewal under the Enforcement Act directly to the persons submitting fees. And it amends the Public Aid Code, Vital Records Act, Parentage Act and State Finance Act. Makes various provisions relating to establishment of paternity and allows the Department of Public Aid to make line item transfers of savings attributable to discontinuance of grants increases for -- grant increases for additional children into employment and social service programs. It's an administration bill, combined from the Department of Public Aid and Department of Public Health, and I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1388 pass. All 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 54 Ayes, no Nays, none voting Present. And Senate Bill 1388, having received the required constitutional majority, is declared passed. Senate Bill 1389. Senator Sieben. Do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Sieben seeks leave of the body to return Senate Bill 1389 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1389. Madam Secretary, are there any Floor amendments that have been approved

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for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. Floor Amendment No. 3 is a -- a technical amendment to correct a drafting error that was discovered in the bill by staff, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of Senate Bills 3rd Reading, Senate Bill 1390. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1390.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Senate Bill 1391. Senator Mahar. Senate Bill 1394. Senator Luechtefeld. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1394.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Senate Bill 1394 amends the Obscene Phone Call Act. It increases -- it increases the penalties. First -- a first offense would be a Class B misdemeanor, second and third offense a Class A misdemeanor, and the fourth offense would be a Class 4 felony. This particular Act or -- or amendment was brought to my attention by the State's Attorney in -- in Perry County. They have had a situation in which one individual has harassed people for a period of, like, seventeen years and would like to be able to put this person away and other people like them for longer periods of time. I would be willing to answer any questions and would ask for your favorable vote on this issue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Yes. Thank you. Would the sponsor yield for questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, in the bill it talks about obscene, lewd or immoral. Would you define those terms?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, from -- I understand that the Supreme Court has defined that very loosely, depending a lot on the different localities, different locations and what their standards are in those locations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Jacobs.

SENATOR JACOBS:

Do you have a -- a personal problem with things that are obscene, lewd or indecent?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

No, but I -- I have no problem with that, but if I could get your phone number, I could maybe work on that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

You know, I would be more than happy to do that, but then we'd probably have to be involved in some new legislation which was already -- which is already being presented in regards to gay marriages. But -- I'm not going to give you my phone number, but if I did, I would hope that you would not be lewd, obscene with that phone call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further -- any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- I don't have any quarrel with what you're doing here, but if my wife is angry with me and she calls up and - which is daily - she calls up and she gives me a bad time of sorts and does some of the things that are in the criteria in this bill, then I could turn her into the State's attorney and she can be held to be accountable under this legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

I think that if you take that up with the State's attorney, it could be worked out, yes.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Yeah, but the State's attorney might be a Republican. Then -- then what am I going to do?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Yes, thank you, Mr. President, Members. Senator, is this your first bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it is.

SENATOR MOLARO:

On 3rd Reading. Okay. Thank you. What -- what you might want to do next time - you have what the offense would be the first time, third time and if you committed it a fourth time - maybe you could get an amendment to tell us what would happen the fifth, sixth, seventh, eighth, and if he just kept it up, 'cause I'm not sure what happens after all these times. I don't know if you'd like to make a comment to that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, I think any time past the fourth time would be a felony, as it was on the fourth time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, this is initiated by the Perry County State's Attorney's Office, as I understand it, and they feel that the current law is not strong enough. Is that the -- the background?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes. This one individual has been doing this for seventeen years, seems to be obsessed with it, has harassed one person in particular for all those seventeen years. In one situation - in fact, she runs a beauty parlor - he made four hundred phone calls in one day's time to the -- in over -- over a twelve-hour period to her office.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

And, Senator, what is the current penalty for this offense, and -- and if you know, what did this individual receive as a penalty for this offense?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

On second and third and fourth offenses, it stays with a misdemeanor, and the person would be out within about ninety days.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, has that been the case, that this person has been sentenced to the maximum time in -- in jail each time and -- and they -- they've been sentenced to the maximum, they get out and they continue to do this?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it has been. In fact, if given the opportunity to call from jail, he doesn't call his family; he calls these people again.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton. Any further discussion?

SENATOR CULLERTON:

Yeah. Yeah, I do. Maybe we'd be better off if we just said that we took away that one free phone call from the guy when he went to jail, and -- and that might be more effective. Do you -- do you think that would be a -- something you'd take up in -- in the House, a potential amendment in the House?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

That has already been done with this individual on -- on every occasion lately that he's been in jail, that his phone privileges have been pulled.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

What county are you doing this for the State's attorney?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Perry County.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Does -- does Perry County have rotary-dial phones still, or do they have push-button phones?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Perry County put in electricity two years ago, and they now have push-button phones, yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

You mean they no longer have to go through the switchboard operator, so she isn't a party to the obscene phone call, or would this -- would this have any impact on her?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

That is correct. That only happens in your county.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator -- Senator Berman.

SENATOR BERMAN:

Thank you. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Berman.

SENATOR BERMAN:

Senator, I'm -- I'm concerned about the word "harass." Our analysis says that if the call harasses the person, it constitutes the crime. Are you aware of any definition of the word "harass"?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

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SENATOR LUECHTEFELD:

Well, I'm -- I'm sure that legal minds would have a pretty good idea. I'm certain that if you show it me, I'm certainly that -- certain that they would recognize it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Well, let me ask another question. We're talking about a second offense, third offense, fourth offense. Does each of those offenses have to be directed to the same person to constitute the fourth offense?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

No, it does not.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Let me give you a hypothetical, and you tell me whether this isn't within the framework of this. If I work for a collection agency and I call a debtor, and on any one day I call five debtors, they consider my phone call harassment, couldn't I be charged under this for five harassing phone calls and be jeopardized with a felony conviction? Now -- I'm -- I'm telling you that as I read this, this is within the -- the realm of what I'm reading in this bill. I'm not talking about the guy that calls one person four hundred times. And I see that you're getting good legal advice there. I would appreciate an answer to my -- to my question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

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Well, first of all, I would -- I would think that if you used obscene language in your -- in your harassment - is that what you're talking about?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

I'm -- no, I'm not talking about obscenity; I'm not talking about lewdness. I'm just talking about the word "harass." And harass, you know -- if you call me and want -- want money from me and I don't have money and you keep saying, "Well, let's -- you know, you owe this bill; you've got to pay it; we're going to garnish your wages; we're going to take your house," that sure sounds like harassment to me. And this bill makes that a felony for four times to -- to four different people. That's what I want to know. Isn't that the interpretation that could be given to this -- to this Statute?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, first of all, I'm not real sure that that would be considered by the courts, harassment. Would it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Berman.

SENATOR BERMAN:

Well, Senator, I'm reading from the Statute, the Criminal Code, 720 ILCS, Section 135/1-1, and it talks about harassment by telephone. And paragraph (2) says "Making a telephone call, whether or not conversation ensues, with intent to abuse, threaten or harass any person at the called number". And -- and I've just got to tell you that harassment is when I'm upset with your call. That's harassment. And I'm -- I understand it's your first bill, but I'm just very apprehensive that somebody, especially in the

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collection business, is going to get nailed with this, and you're talking now about a felony. I've got serious problems with this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. I rise in support of this bill. It does not in any way change the definition as interpreted by the courts over many years of the definition of harassing phone calls. This provision has been in the law for years and I don't believe has been stretched to the kind of situation described by Senator Berman. And it would require a fourth conviction, not a single course of conduct which might be involved in four separate, rapid-fire phone calls. So, it doesn't in any way change the definition of what is an harassing phone call, and I don't believe the example given falls into that picture.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Luechtefeld, to close.

SENATOR LUECHTEFELD:

Yes. We would certainly like your favorable vote on this particular issue. I think it -- I think it's a good law. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1394 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, 2 Nays, none voting Present. And Senate Bill 1394, having received the required constitutional majority, is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1402. Senator DeAngelis. Senate Bill 1403. Senator Klemm. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 1403.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Current law allows in the County Code for counties that have a population of two hundred and fifty thousand or more to be -- have permissive legislation to allow them to charge up to ten dollars a filing of a civil court case. Senate Bill 1403 allows all counties to have that same latitude. We find many of the smaller counties having difficulties being able to keep up with the new additions in the law library, and since it's required by Statutes to provide a law library for the -- for the counties, that this bill would at least offset some of their costs. And I do ask for your support on Senate Bill 1403.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

Well, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Klemm, who wants this bill? Because my county, nobody's asked me for it. Is this a rural -- a suburban county request?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Yes, it originated in McHenry County, actually, from the Chief of the Circuit Court. Last year alone, it was -- it was extremely

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expensive in trying to computerize, in trying to get the information that they needed in the law library. It was costing the county out of their general funds a great deal of dollars in order to provide this. It was felt that as long as counties with two hundred fifty thousand or more could have it -- and McHenry County happens to be a -- just underneath -- just below that level. Then other counties came to me and said, "Well, you know, it's more difficult even for us." A county such as Cook County has so many cases, they have so many opportunities to collect these funds. Actually, they have usually a surplus of funds, and they don't have to access as much. A smaller county in downstate has a problem because they don't have as many cases, and yet, they still have to supply the Statutes, all the information for all the circuit court judges, the State's attorney, the public defender and all others that wish to use it. So this is a way to make it a level playing field for not only just the larger counties, but even for the smaller counties.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, you know, the reality of the situation, Senator, is this: The judges love to have all the newest books, all the computer hookups to West Law Library in Minnesota, and it ends up that the people paying for this are the people who file small claims, those that many of us here encourage to go to court without lawyers. They end up paying sixteen or eighteen dollars to file a small claim suit. They end up paying -- they would pay an additional ten dollars now for a library that they will never use. They will never be in that library. In fact, they think it's restricted to attorneys only. They pay an additional six-dollar fee to the circuit clerk for computerizing his records. They pay more in fees than they do for actual cost of running that office.

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And this, to me, is just another burden on our voters back home. Why do -- why do they have to pay more money so the judges can have a better library? Because those are the ones who use it. The only other ones to use it are the lawyers, who have libraries in their offices, but if they happen to be in the courthouse, they use that library there. Why should individuals pay that? Because, particularly in small claims cases, that's who ends up paying it. In the other cases, the cost is passed on to the person filing the lawsuit or defending the lawsuit. It's also the people defending who pay this. So if you're sued and you didn't do anything wrong, you're paying ten bucks to the library. It seems to me that we've been raising these fees every two years for the last decade, and I think it's -- it's gone high enough. I don't think we need any more law library fees so the lawyers can have free books at the library. Tell them to bring the books with them from their law office. I urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the law library is not just for the judges or the lawyers. You know and I know, Senator, that that is probably the more comprehensive library than any lawyer ever has, and consequently, it's more up-to-date and has more, more law books than ours -- my library has at my office. So I don't think it's a -- a bad expense. I think it's a needed expense to maintain a good law library in the county.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Klemm, to close.

SENATOR KLEMM:

Well thank...

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Whoa! I beg your pardon. Senator Jacobs.

SENATOR JACOBS:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator Klemm, how does this different -- differentiate itself from a tax increase? If you -- if you have a fee increase going from six dollars to ten dollars, to me that's a pretty healthy increase of -- of two-thirds. And I just think that that's a pretty healthy increase, number one. And, number two, it appears to be a tax increase, which I think most of us are in the position we don't want to vote for any tax increases. So how -- how do you differentiate that between the two?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

I really look at it more as a user fee, I guess, if you call it that, those who are using the facilities of the court. Certainly I think it's a little more easier and should certainly play a more significant role than, say, Mr. and Mrs. Smith who are retired and have to pay it through their real estate taxes. So in some cases, we're trying to say, if we're going to take general funds from the taxpayers to supplement the costs of the law library, wouldn't it be better for those who use it, who are the ones who are in the courts, the ones who are filing and creating the problems, if you will, that we should charge them, rather than raising taxes all the time to do it. You know, it's kind of interesting because current law allows and it's permissive. If a county doesn't feel they need to, they don't have to raise it. Right now they are using six dollars, is what the law allows at the present time. So if you're looking at it, you're raising it

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from six dollars to four dollars {sic} only if the county feels they need it. Now, maybe not all counties do. The counties that have contacted me said, "Yeah, I'd rather have a user fee than have taxpayers have to pick up the difference." And since the Statutes do require that the county board provide all the equipment and the necessary materials for both the courts, the State's attorney, the public defender, if we didn't have a law library created at one time, we would end up having three different sets of Statute books and everything else, because each one is required by law to provide that by the county. And as a former county board chairman, we thought it was a lot easier to have one set that everybody could go and use, rather than a set for every office in the courthouse. So this certainly was a money-saving area. I had a couple of legislative aides that were studying law, and they didn't go to the public libraries as much; they went to the county law library, which was -- had a more extensive -- volumes and more extensive use. And so, therefore, many people use this besides just lawyers. In fact, it's not made -- really, it wasn't intended just for the lawyers themselves. And I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1403 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? ...the record. On that question, there are 18 Ayes, 32 Nays, 1 voting Present. And Senate Bill 1403, having not received the required constitutional majority, is declared failed. Senate Bill 1404. Senator Klemm. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1404.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. 1404 is a -- is a provision that would allow distribution of erroneously received taxes back to the county treasurer if an erroneous disbursement was made. What happened in McHenry County, the treasurer had inadvertently sent some dollars of tax distribution to a township that should have gone to municipalities. It was determined that that was an error and that they wanted to return it to the county treasurer so they could give it to the proper taxing authorities. But we found out that the Statutes doesn't allow that. In fact, what it would do is require that the township would have to have a public hearing, amend its appropriation ordinance in order to allow them to return the dollars back to the -- the taxing authority, which was the county. In checking with the Attorney General, they said there's no other way of doing it but changing the law or going to court. In that particular case, they did go to circuit court. It took several weeks, or several months, actually, before it was resolved. What we're trying to do is allow in 1404 the provisions that if the funds were erroneously given to a taxing district and everybody agrees it should have been returned, that they can do that without having to amend an appropriation ordinance. And I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 1404 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 55 Ayes, no Nays, none voting Present. And Senate Bill 1404, having received the required constitutional

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majority, is declared passed. Senate Bill 1408. Senator Luechtefeld. Senator Luechtefeld. Senate Bill 1410. Senator Dunn. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1410.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. This bill is a bill that would establish a Medicaid Suggestion Awards Program, and that passed last year by 57 to nothing. The Department of Public Aid is neutral on the bill. The second provision of the bill would permit AFDC recipients to establish accounts to accumulate wealth for activities which help them become self-sufficient. That passed last year by a vote of 57 to nothing and is identical to Iowa, Michigan, Vermont, Florida and Wisconsin waivers that have been received and are used in their particular states.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1410 pass. All 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 1410, having received the required constitutional majority, is declared passed. Senate Bill 1414. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1414.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, under the current law, the aggregate prize limit for bingo is twenty-two hundred and fifty dollars, and there are exceptions for other counties. All we're asking is that Lake County be added to those exceptions so that the games held in any of these jurisdictions may hold two additional games with prizes up to five hundred dollars each for a total aggregate price -- prize limit of thirty-two hundred and fifty dollars. The bill came out on the Agreed Bill List from Revenue, and I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, you know I have the utmost respect for you, and this is for your county, and I'm going to vote for you. But my concern is that -- that we're doing this piecemeal, that we have allowed some of the other counties, as you indicate, in the State to do this. The State of Iowa, as an example, just went blanket increase in their bingo. If -- I wasn't aware that this bill was coming up today, but would you have any adversion {sic} if in the House we could, perhaps, change this to where it's a blanket provision, rather than just county-by-county? Because it does cause some problems, I think, under those circumstances.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

I have no objection, Senator Jacobs.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1414 pass. All 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 33 Ayes, 14 Nays, none voting Present. And Senate Bill 1414, having received the required constitutional majority, is declared passed. Senate Bill 1416. Senator Raica. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1416.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Under current law, certain drivers of motor vehicles are exempt from wearing headsets, such as safety engineers, on-duty law enforcement and amateur radio operators. Currently, emergency medical personnel and firefighters throughout the State are not allowed to wear headsets while operating their emergency vehicles two and from alarms. This would exempt emergency personnel, such as firefighting equipment and ambulances throughout the State, because they do wear headsets when responding to and returning from alarms. This is supported by the Illinois State Police, the Illinois Fire Chiefs and the DuPage County Managers, and I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall

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Senate Bill 1416 pass. All 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 54 Ayes, no Nays, none voting Present. And Senate Bill 1416, having received the required constitutional majority, is declared passed. Senate Bill 1418. Senator Watson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1418.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCAZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This piece of legislation contains two provisions. It was amended in committee to deal with the interscholastic activities in which we allow districts to use a fifteen-passenger van. There's been some confusion in regard to this, and this clears up, hopefully, that -- that confusion. The other provision, which is really -- was the original legislation, what it does is the regional superintendents -- right now we have forty-five. And if you'll recall, in 1993 when we passed the consolidation, we -- we put the educational service center responsibilities with the regional superintendent of schools, we reduced the number of regional superintendents of this State from fifty-six to forty-five. Part of the provisions was that during this next -- in 1999, it would go from forty-five to thirty-five. This provision just simply leaves it at forty-five, as it currently is.

PRESIDING OFFICER: (SENATOR DUDYCAZ)

Is there any discussion? If not, the question is, shall Senate Bill 1418 pass. All those in favor will vote Aye. Opposed

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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 55 Ayes, no Nays, none voting Present. And Senate Bill 1418, having received the required constitutional majority, is declared passed. On the top of page 9, the Order of Senate Bills 3rd Reading, is Senate Bill 1420. Senator Butler. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1420.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, this bill addresses a serious problem in at least one township in Cook County. Several years ago, the township passed an ordinance requiring that a garbage pick-up service be employed in the unincorporated area, obviously. That makes the residents responsible for contracting with private scavengers. The problem is -- that's getting more and more serious is that many residents do not have garbage pick-up contracts, and as a -- as a -- as a consequence, they dump their garbage anywhere in that whole area. Now there are -- somewhere between thirty thousand and thirty-five thousand people in this -- in this unincorporated area, so you can appreciate how that problem can multiply as it is. This bill authorizes the township to appoint a township enforcement officer. Last year we ran this bill, and frankly, it was a little -- it went beyond, I think, a reasonable -- a reasonable power for an enforcement officer. So we backed down the -- the amount of power given this -- this enforcement officer. So I would appreciate your favorable consideration in this. It is a serious problem and

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could be in other townships also. Keep in mind it applies only to Cook County, because all other counties have a similar -- have that power now. So we are simply bringing Cook County up to speed with all other counties in the State. So I would appreciate your consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, I'm just -- I'm just trying to understand the difference between the current law and what this law does. Does this add Cook County to the list of townships that can have enforcement officers?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

And does it require that every township in Cook County have an enforcement officer? And...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Butler.

SENATOR BUTLER:

No, it's -- it is permissive.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Trotter.

SENATOR TROTTER:

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Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Trotter.

SENATOR TROTTER:

Are these gun-carrying enforcement officers?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

No. Absolutely not.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

What -- what kind of training, if any, will these enforcement officers have?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

It would be the intention of this township, at least, to work with the county sheriff. Remember: All they can do is issue simple summons. They can't enforce -- or, all they can enforce is township ordinances.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

I guess I'm a little confused. Township ordinances such as what?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Such as the one I just -- that created the problem. This one requires residents to contract with a scavenger service, and since they aren't, the problem of garbage piling up is growing. So --

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remember: A township power to -- to create ordinances is very, very limited.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1420 pass. All 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 49 Ayes, 3 Nays, 1 voting Present. And Senate Bill 1420, having received the required constitutional majority, is declared passed. Senate Bill 1425. Senator Madigan. Madam Secretary, read the bill.

END OF TAPE

TAPE 2

ACTING SECRETARY HAWKER:

....(microphone cutoff)...Bills 1425.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 1425, as amended, was -- is designed to protect the victims of domestic abuse by amending the Illinois unfair trade practices provisions in the Insurance Code. It prohibits life and health insurers from restricting the availability of coverage, charging different rates for the same coverage or denying claims because a person was, in the past, a victim of abuse. Would prohibit

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insurer inquiry about their status as being the subject of abuse. We've got this bill written so that the aim of the bill is to prevent insurers from making unfair assumptions about people simply because of their status of having been the past subject of domestic abuse. I'd be glad to answer any questions on Senate Bill 1425, as amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1425 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1425, having received the required constitutional majority, is declared passed. Senator Bill 1428. Senator Butler. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1428.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, this bill is very narrowly defined to provide that a municipality can unilaterally - and it must be unilaterally - abate taxes on -- on parcels as part of an annexation agreement. And I emphasize that it applies only to municipal property tax levies, and it applies to all parcels, including residential. I would appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1428 pass. All those in favor will vote Aye. Opposed

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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, 1 Nay, no voting Present, and Senate Bill 1428, having received the required constitutional majority, is declared passed. Senate Bill 1456. Senator Raica. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1456.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senate Bill 1456 was -- or asked -- or introduced by the Fraternal Order of Police of the City of Chicago. According to Senate Bill 1456, currently if there's a deceased police officer and he has no surviving spouse or children, no one gets that money, or -- or, rather, his parents do not get that money, if they were still living. What this bill would do, would allow a deceased police officer's parents to receive his annuity should he have no spouse nor children. This passed out of the Insurance and Pensions Committee on a roll call of 10 to 0, and there is no fiscal impact, and I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1456 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1456, having received the required constitutional majority, is declared passed. Senate Bill 1465.

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Senator Dillard. Senate Bill 1467. Senator Donahue. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1467.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1467 deals with the filing of what I would term "bogus liens" against property that are not necessarily recognized by the State of Illinois or the courts of the United States, and I would ask for your favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1467 pass. All 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 55 Ayes, no Nays, no -- none voting Present, and Senate Bill 1467, having received the required constitutional majority, is declared passed. Senate Bill 1470. Senator Philip. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1470.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank -- thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1470 amends the Adoption Act to provide

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for the appointment of a private attorney, rather than an assistant State's attorney, to act as the guardian ad litem for the child for adoption. In most cases the judges have the -- the authority. In most cases they do appoint a private attorney. In some cases they do not, and they use a assistant State's attorney. Now, this idea came from my State's attorney from DuPage County. I understand that the State's attorney in Cook County agrees with this. And he says this: "We don't have the expertise, and we do not have the manpower to take care of these legal matters for legal adoption. And so I'll be happy to answer any questions. I happen to think it's a good idea, and -- and, very honestly, I don't know any objections to it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1470 pass. All 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 54 Ayes, 1 Nay, none voting Present, and Senate Bill 1470, having received the required constitutional majority, is declared passed. Senate Bill 1471. Senator Barkhausen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1471.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. Senate Bill 1471 make various technical changes to a variety of banking Acts, including the Savings and Loans Act. It is more or less the annual request from the Commission on Banks and Trusts. I'd be glad to answer any

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questions, and otherwise urge your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1471 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1471, having received the required constitutional majority, is declared passed. Senate Bill 1472. Senator Raica. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1472.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senate Bill 1472 is sponsored by myself and Senator Smith. It's an attempt to reduce welfare fraud, and it does basically three things. It makes fugitive felons ineligible for federal food stamps and federal food stamp benefits. The second thing it does is, currently under law, there are certain regulations regarding food stamp fraud; however, when it comes to what -- where the State is going to go to in the near future - electronic benefit transfer card - there are no provisions currently for any type of offenses under that category, and this just makes this equal with what we have now. And third, it requires an administrative review board to review the applications of any convicted felon or -- or any person who has broken the law regarding public assistance or medical assistance. This passed out of the Public Health Committee on a vote of 10 to 0, and I would just ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand to support this bill with my cosponsor, and ask for a favorable vote, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Any further discussion? If not, the question is, shall Senate Bill 1472 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1472, having received the required constitutional majority, is declared passed. Senate Bill 1486. Senator Raica. Senate Bill 1501. Senator Garcia. Senate Bill 1503. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1503.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. Senate Bill 1503 amends the Illinois Tax Act {sic} to extend the investment tax credit for a period of seven years. The Act sunsets on December 31st of this year, and we'd like to extend it for seven years, and I would appreciate your affirmative vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall

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Senate Bill 1503 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1503, having received the required constitutional majority, is declared passed. Senate Bill 1516. Senator Geo-Karis. Senator Bill 1518. Senator Shadid. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1518.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. Chairman. This -- what this legislation will do, it will create a pilot program that will require the Prisoner Review Board, with the cooperation of CMS and the Department of Corrections, to create a pilot program to perform certain hearings -- certain parole hearings via interactive video from three institutions. It will require the Parole Board, with the cooperation of CMS and DOC, to report to the Governor and the General Assembly six months after the pilot program has been instituted regarding its effectiveness. This will be a cost saving in future use of interactive video for future hearings.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 1518 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1518, having received the required constitutional

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majority, is declared passed. Senate Bill 1546. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1546.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. There has been some past confusion on the use tax about who's responsible to pay between dentists or dental labs. I believe that this also affects printing and optometrists. It's been worked out with the Department of Revenue that this bill clarifies that as long as one or the other party certifies that they'll pay, the Department of Revenue will respect that agreement. What this bill does is avoids a double tax. There's no opposition that I'm aware of.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 1546 pass. All 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 1546, having received the required constitutional majority, is declared passed. Senate Bill 1564. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1564.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

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SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 1564 shortens the tax buyer's take notice filing to four and a half months, giving the owner a better chance of redeeming his taxes before the six-month rollover. This bill is an initiative of the Cook County Clerk's Office. I'd appreciate your affirmative vote for 1564.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1564... All 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 1564, having received the required constitutional majority, is declared passed. On the top of page 10, on the Order of Senate Bills 3rd Reading. Senate Bill 1594. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1594.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of Senate. Senate Bill 1594 combines the Illinois Environmental Barriers Act and the American Disabilities Act to bring Illinois into compliance with federal standards contained in the American with Disabilities Act. Merging the accessibility standards of the EBA and the ADA will eliminate confusion and reduce the potential for litigation for all parties involved in building or altering public facilities. I would ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1594 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1594, having received the required constitutional majority, is declared passed. Senator Syverson, what purpose do you rise? On the Order of Senate Bills, 1599. Senator Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1599.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Senate Bill 1599 provides that the MWRD may transfer a hundred percent of the actual or estimated amount of taxes from the working cash fund to fund the corporate and construction fund in anticipation of taxes levied for the following year, and I'd ask for a favorable -- vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1599 pass. All 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 54 Ayes, no Nays, none voting Present, and Senate Bill 1599, having received the required constitutional majority, is declared passed. Senate Bill 1624. Senator Trotter. Madam Secretary, read the bill.

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Senate Bill 1624.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. Senate Bill 1624 amends the Clerks of the Circuit {sic} Courts Act. It grants a waiver from court filings fees for housing authorities in counties having a population of three million or more, unless the court orders another party to pay the fee on the housing authority's behalf. Just has a brief history, in 1988 all municipal corporations within the State of Illinois were exempt from paying court filing fees to their respective county clerks. In 1988, the General Assembly rescinded this waiver with court filing fees for all municipal corporations, and that's including in the Chicago Housing Authority. But unlike other municipal corporations, Chicago Housing Authority has no means in which to recoup those fees, and this remedies that problem.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1624 pass. All 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 1624, having received the required constitutional majority, is declared passed. Senate Bill 1648. Senator DeAngelis. Senator Bill 1650. Senator Dunn. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1650.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. This bill would add another sanction for inmates who violate probation by adding into it home confinement. It would also provide that a felon who knowingly fails to abide by the terms of his confinement would be guilty of a Class 3 felony. As to misdemeanants, the same thing would apply, except it would make it a Class B violation to violate his home confinement.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1650 pass. All 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 54 Ayes, no Nays, none voting Present, and Senate Bill 1650, having received the required constitutional majority, is declared passed. Senate Bill -- Senate Bill 1661. Senator Clayborne, do you wish this bill returned to the Order of 2nd Reading for the purposes of an amendment? Senator Clayborne seeks leave of the Body to return Senate Bill 1661 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1661. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Palmer.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. This is an amendment that was on

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the Agreed Bill List in the Committee and came out 10 to nothing. It was also a bill that passed out of this house last year 57 to nothing. What it does, very simply, is to provide that all child care center licensees and employees who are required to report child abuse or neglect under that Act must attend training on recognizing child abuse and neglect, as prescribed by DCFS rules. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of Senate Bills on the Order of 3rd Reading, Senate Bill 1664. Senator Watson. Senator Watson. Senate Bill 1665. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1665.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This bill creates the Life Tenancy in Farmland Leasing Act, and as amended, provides that when a lessor holds a life tenancy in farmland that is leased from year to year and the life tenancy terminates, the lessee's rights shall continue until the end of the current lease year, unless otherwise provided in writing. If the life tenancy terminates not more than six months before the end of the lease but before the next crop

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year, the lessee is entitled to field preparation costs. This is initiative of the Illinois Farm Bureau, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1665 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1665, having received the required constitutional majority, is declared passed. Senate Bill 1666. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1666.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This bill also is a Farm Bureau initiative and provides that the representative or executor of an estate may continue a farm lease executed before the representative began his duties until the estate is closed, the wardship terminates or the lease is ended by a court order; provides that fiduciary is not violated by the representative making profits from the lease.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1666 pass. All those in favor will vote Aye. Opposed, 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 55 Ayes, no Nays, none voting

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Present, and Senate Bill 1666, having received the required constitutional majority, is declared passed. Senate Bill 1673. Senator Mahar. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1673.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate.. This extends the boundaries of the Water Reclamation District to a parcel of property contiguous to the Village of Matteson, also another contiguous to the Village of Richton Park. The Water Reclamation District is in support. I know of no opposition, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1673 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1673, having received the required constitutional majority, is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1681. Senator Bomke. Senate Bill 1684. Senator Fitzgerald. Senator Fitzgerald. Senate Bill 1686. Senator Watson. Senate Bill 1688. Senator DeAngelis. Senate Bill 1691. Senator Petka. Senator Petka, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Petka seeks leave of the Body to return Senate Bill 1691 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd

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Reading is Senate Bill 1691. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President. Amendment No. 2 is a technical amendment that simply makes the bill have some sense. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. ... (microphone cutoff) ... Graumenz and Lori Cearlock have -- or, have requested permission to tape the guests that are going to be introduced shortly. Hearing no objection, leave is granted. The Chair will be now turned over to Senator Watson for the introduction of the very special guests.

SENATOR WATSON:

We're trying to get everybody on the Podium. It's tough to do. This is a wrestling team, and we've got some bulk up here. But this is -- I'm pleased to have Vandalia High School with us today. Vandalia High School located in Fayette County, of course, former home of the State Capitol. Their wrestling team this year finished first in the State in Class A. It's the first team championship for Vandalia High School, ever. So we're very pleased that they're here with us here today. They ended up with a record of twenty-four and two and came back in several of their

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events. They were behind, came back and -- and won, and of course, they're the pride of Vandalia now, the Vandalia Vandals. So I'd like, at this particular point in time, to introduce Darrell Gummert, who is the Principal of Vandalia High School, and he will make further introductions.

PRINCIPAL DARRELL GUMMERT:

(Remarks by Principal Darrell Gummert)

COACH GLENN EXTON:

(Introductions by Coach Glenn Exton)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Turn your Calendars to the top of page 11. Senate Bills on the Order of 3rd Reading. Senate Bill 1719. Senator Mahar. Senate Bill 1727. Senator Walsh. Senator Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1727.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Senate Bill 1727 creates the Automated Teller Machine Security Act requiring financial institutions that deploy outside ATMs to follow a standard of care. In particular, this legislation requires that each outdoor ATM, the surrounding areas and the accompanying parking area is to be lighted in accordance with the Act's requirements, and that financial institutions inform their customers of safety precautions in using ATMs. This bill is supported by all the major banking and savings and loan groups, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, in the definition of "outdoors," many automated teller machine are really outdoors, but they may have glass around them so that you walk up from the outside and go through a door. Are those machines covered, or just those that -- that are truly out in the weather?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

It is my understanding that it's -- it's those that are truly outdoors. You know, 'cause there are ATM machines that are also inside of buildings and -- and such, and those would not be included in there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. I rise in support of Senate Bill 1727. This bill was modeled after a Chicago city ordinance. It was drafted by the Chicago Finance Committee. I supported that effort, and I support this legislation. What we're trying to do here is make it uniform across the State of Illinois so every village, every town, every city has the same guidelines in which they would have an ATM, and we -- we ask for a favorable roll call on 1727.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Trotter.

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SENATOR TROTTER:

Thank you very much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Trotter.

SENATOR TROTTER:

Senator Walsh, does this preempt home rule?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Yes, it does. I think that Senator DeLeo did a good job of outlining the reason for that, though. It's because we do want it to be uniform throughout the State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

But wasn't the whole idea of home rule was to give those individuals -- municipalities the authority to make those decisions. So why do we want to now preempt them? I mean...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Well, as -- as was pointed out, this bill is -- is patterned after an ordinance that was passed by -- by Alderman Burke in the -- in the City Council, and we do need to have -- if we're going to have these requirements, they have to be the same requirements throughout the entire State, and that's the reason that it has to preempt the home rule is because we don't want anyone to -- to be able to do more or less than -- than would be required by State law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Trotter.

SENATOR TROTTER:

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Just -- just for the record: Again, I'm not just speaking for the City of Chicago when I say home rule. There are other municipalities that have home rule jurisdiction as well. So, again, I'm not just asking for Chicago, which you -- you might just assume, because I'm from the City of Chicago. But I do understand the intent now that you've explained it me. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. I rise in support of this bill. This bill will go a long way in securing the security of the more than two hundred and fifty million users of ATMs annually, particularly those most vulnerable, our seniors. And I would ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senator, I just want to make sure I'm reading the analysis and understanding what my analysis indicates. My analysis indicates that the purpose of this bill is to limit liability of ATM operators, number one. Number two, that it also -- because it preempts home rule, it then would not allow municipalities to establish stricter measures for security. Is that what this bill does? In other words, if -- for example, if a local municipality decided that they wanted to put in panic buttons, this bill indicates that they would not be able to do that. In other words, they would not be able to provide for more security than what this bill calls for. Is that correct? Is that what we're doing with this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

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SENATOR WALSH:

That -- that's right. What it does also require, however, is that the financial institution keep track of any type of crime or any type of incidence of crime that take place at individual ATM machines, and they will start to have to report that. And this way we'll be able to compile a list of machines and a list of different situations around ATM machines that might be dangerous.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR dEL VALLE:

Well, my understanding is that this evaluation in Chicago, under the current ordinance, they'd have to do it every year, and under your bill, they'd only have to do it once. So we're, in effect, diluting and watering down what the local ordinances do right now.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Yes. I stand in support of this legislation, but I -- I think that we might have a little discrepancy on whether or not -- one of the questions that was asked. Normally for municipalities - and, Senator Butler, I think you can confirm this with me - State law doesn't prohibit you from going stricter; it just doesn't allow you to go any less lenient. And I think -- in response to the question that was asked, Senator del Valle, I think that cities still could do stronger security than what is provided.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Walsh, to close.

SENATOR WALSH:

Thank you. It was pointed out to -- Senator Hawkinson's question that it does include indoor machines, and otherwise I would just ask for a favorable roll call. And also, Senator

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del Valle, I might want to point out that a financial institution can do more also, but these are setting minimum requirements under State law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1727 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1727, having received the required constitutional majority, is declared passed. Senate Bill 1746. Senator Parker, do you wish this bill returned to the Order of 2nd Reading for purposes of an amendment? Senator Parker seeks leave of the Body to return Senate Bill 1746 to the Order of Reading -- 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1746. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Yes. There's just a drafting change that we've done with this. Nothing substantial, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bills on the Order of 3rd Reading, Senate

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Bill 1747. Senator Hawkinson. Madam -- Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1747.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Senate Bill 1747, as amended, comes as a recommendation from Attorney General Ryan's Violence Against Children Task Force, on which I and Senator Penny Severns serve. This amendment came to the Task Force really as a suggestion from Paul Logli in Rockford right -- and it amends the -- the Act, which now allows children's advocacy centers to be created and protocols for sexual abuse cases. In Rockford and some of our counties, the State's attorneys and providers would like to also involve the centers in cases of physical abuse. This language would allow them to do that, if they choose. It would also require then, if they choose, that there be a protocol for the prosecution of these cases. I'd be happy to try and answer any questions. Otherwise ask for the passage of Senate Bill 1747, as amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1747 pass. All 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 54 Ayes, no Nays, none voting Present, and Senate Bill 1747, having received the required constitutional majority, is declared passed. Senate Bill 1748. Senator Hawkinson. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 1748.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is the second of the two recommendations from Attorney General Ryan's Violence Against Children Task Force. And this -- this deals with the developing of a genetic marker bank for those delinquents who are found guilty of sex offenses. Right now if they're tried as adults, they, along with others who are convicted, give the DNA sample and this is retained in the bank for the solving of future cases, because all too often the evidence has shown that sex offenders tend to be repeat offenders. This would provide that those who are found delinquent for these sex offenses would also submit the DNA sample, which would then not be expunged, but would remain part of a DNA bank. Again, I'd be happy to try and answer any questions. Otherwise, ask for the passage of Senate Bill 1748.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1748 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1748, having received the required constitutional majority, is declared passed. Senate Bill 1759. Senator Philip. Senator Bill 1761. Senator Philip. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1761.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1761 amends the General Assembly Act {sic}, and quite frankly, simply stated, it is a vehicle that we may need later on this Session. So I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1761 pass. All 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, 1 Nay, none voting Present, and Senate Bill 1761, having received the required constitutional majority, is declared passed. Senate Bill 1762. Senator Syverson. Senator Syverson. Senate Bill 1763. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1763.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

As -- thank you, Mr. President. As the -- this is a Secretary of State bill. It resolves a conflict between the Statute and administrative rule concerning the imposition of audit fees. According to the Secretary of State, their past practice is to charge audit fees only in cases where the person or business being audited opts to be audited on-site. What this allows the

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Secretary of State to do is not charge a fee if the person who's being audited comes into their offices. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1763 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1763, having received the required constitutional majority, is declared passed. Senate Bill 1764. Senator -- Senator Beverly Fawell. Senate Bill 1765. Senator Philip. Senate Bill 1766. Senator Philip. Senate Bill 1769. Senator Philip. Senate Bill 1772. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1772.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 1772 amends the State Comptroller Act to require an annual report detailing the effect of specific tax expenditures on the intended beneficiaries. In many of our committee meetings we've talked about how exemptions and other tax credit stimulate business in Illinois and if, in fact, it does stimulate business. This bill, which is an initiative of the Comptroller's Office, would give them the authority to analyze these exemptions and credits to see if, in fact, they are benefitting the State. I'd ask for your support of Senate Bill 1772.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I just wanted to stand in support of this bill. We have discussed it frequently, and this will give us more information, especially in these critical economic times.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1772 pass. All 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 54 Ayes, no Nays, none voting Present, and Senate Bill 1772, having received the required constitutional majority, is declared passed. Senate Bill 1773. Senator Fitzgerald. Senator Fitzgerald. Senator Bill 1780. Senator Barkhausen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1780.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. Senate Bill 1780 involves quick-take legislation for two narrow circumstances, one of which is in my district. The Village of Deerfield has requested quick-take powers for a limited period of time for the sole purpose of downtown business redevelopment. Secondly, and perhaps more noteworthy, the municipality of Harvard has requested quick-take to resolve a small problem that has, to some extent, stymied progress on the Motorola -- plant location in that municipality, which, as we know, is a major economic development

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project and initiative of the administration. I'd be glad to answer your questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

What is the -- I know the reason, but what is the difference in time here? I know that we normally don't like to give quick-take authority to municipalities, and I understand that this may affect Motorola and it may affect economic development. But, yet, at the same time, we are giving away a lot here whenever we give away quick-take, which we normally don't allow most municipalities to have. And you're still not taking into consideration, as it appears to me, the needs of -- of the constituents of that area, let alone what may be happening from the standpoint of giving quick-take for some -- one project. That becomes a little difficult at times, and I just wondered if he could explain the difference in time that would be made up by going to the quick-take.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I'm -- I'm not sure I'm going to answer your question, Senator, but I'm sure you're familiar with quick-take, and it's -- it's designed, you know, not to compensate anybody any less than they would otherwise get or than they deserve, but simply to allow progress on whatever project is in question to proceed imminently without being held up by a protracted court procedure. If you

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have a more specific question than that, let me know.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, I don't know if I have a more specific question, but I have an observation that even though you state that normally it doesn't make any difference in the dollars received by the -- the homeowner or the property owner, but in many cases it can, because you don't have the real recourse of saying, "No, you can't have my property." So here the property is already taken, and therefore, you -- you work those details out afterwards. Yeah, I don't have a lot of problem because it is individually to one city, but I just think it's something that we should look at in the future on -- on these quick-take.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, Senator Barkhausen, to close.

SENATOR BARKHAUSEN:

Well, I think there's an understanding of what this is, and I would emphasize how narrow is its application, and especially in the case of Harvard and Motorola, how important that particular project is to -- really, to the whole State's economy, and would urge your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1780 pass. All 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 42 Ayes, 7 Nays, 1 voting Present, and Senate Bill 1780, having received the required constitutional majority, is declared passed. On the top of page 12 of your regular Calendar is the Order of Senate Bills 3rd Reading, Senate Bill 1781. Senator Burzynski.

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Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1781.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This is the first bill that we've introduced trying to really clean up the appointments process, and basically what this bill does: provides that gubernatorial appointees to various boards and commissions may not remain in office longer than thirty days after the expiration of their term, or -- may not remain in office past ten Senate Session days.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1781 pass. All 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? ...the record. On that question, there are 55 Ayes, no Nays, none voting Present, and Senate Bill 1781, having received the required constitutional majority, is declared passed. Senate Bill 1783. Senator Viverito. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1783.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito.

SENATOR VIVERITO:

Members of the Senate, this bill really will -- will be adopted the same as the federal law, as pertaining to senior

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citizens, and will encourage more housing and more participation. And I just wanted to say that I have been involved in senior citizen housing for the past ten years. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1783 pass. All 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1783, having received the required constitutional majority, is declared passed. Senate Bill 1799. Senator Trotter. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1799.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. This is an issue that's being advanced by the City of Chicago that provides that when a municipality acquires abandoned property, that the rights of a holder of a certificate of purchase are limited to a sale in error. It also provides that a municipality shall not proceed with demolition of a residential building if any person with a legal or equitable interest in a property has sought a court hearing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1799 pass. All 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

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Present, and Senate Bill 1799, having received the required constitutional majority, is declared passed. Senate Bill 1800. Senator Trotter. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1800.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYČZ)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. This also is a City initiative which provides that a municipality may demolish a residential or commercial building that is two -- two -- three or more stories -- three - excuse me - three stories or less, if that building is open and vacant and if it is an immediate and continuing hazard.

PRESIDING OFFICER: (SENATOR DUDYČZ)

Is there any discussion? If not, the question is, shall Senate Bill 1800 pass. All those will -- all 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 55 Ayes, no Nays, none voting Present, and Senate Bill 1800, having received the required constitutional majority, is declared passed. Senator Bill 1811. Senator Bomke. Senator Bill 1812. Senator Bomke. Senator Bill 1814. Senator Dillard. Senator Bill 1820. Senator Clayborne. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1820.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYČZ)

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Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. This arises out of a district in my -- District 175 in my district that requests the ability to be able to rent out certain property that, in the evening, caters and has banquets. It's not opposed by the State Liquor Commissioner. It's just a measure which will allow them to be able to use this facility.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1820 pass. All 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 1820, having received the required constitutional majority, is declared passed. Senator Bill 1853. Senator Karpiel. Senator Bill 1854. Senator Sieben. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1854.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the School Code, and it effectively doubles the debt ceiling for school districts that receive front-door referendum approval for the issuance of bonds. It'll give those districts until January 1st of 1998 to issue such bonds.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall

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Senate Bill 1854 pass. All 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 48 Ayes, 3 Nays, 2 voting Present, and Senate Bill 1854, having received the required constitutional majority, is declared passed. Senate Bill 1877.

Senator del Valle. Senator Berman, what purpose do you rise?

SENATOR BERMAN:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BERMAN:

We just passed, with a very nice vote, a bill that addressed a need of the Mount Carroll school district on one of their particular problems. It was a local problem and we responded to them, and I just want the Senate to note that there is a shopping list of about three or four items, including one that is under a deadline, involving Chicago schools and the Legislature -- the Senate has refused to even consider them. I don't think that's very fair, but I wanted everybody to understand the difference in -- in addressing problems of children, for example, that live in Mount Carroll versus children that live in Chicago. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bills -- Senate Bill 1877. Senator del Valle. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1877.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

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SENATOR dEL VALLE:

Thank you, Mr. President. Senate Bill 1877 amends the Child Curfew Act. This bill was amended in committee to take out the provision changing the times. What is left in the bill is allowance for the court to sentence community service time to a parent or legal guardian who knowingly permits a person of seventeen years of age or -- or in his control to violate curfew, and it also increases the fine.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1877 pass. All 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 54 Ayes, no Nays, none voting Present, and Senate Bill 1877, having received the required constitutional majority, is declared passed. Senate Bill 1902. Senator Karpiel. Senate Bill 1912. Senator Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1912.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Senate Bill 1912 provides that a person is considered to have actually received a motor vehicle if listed as owner on the certificate of title and retail goods or services, when the goods or services either physically received by the person or the person signs a separate written authorization for another person to receive the goods or services. And I'd be happy to answer questions, and ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator Walsh, according to my analysis, this bill would change the liability for cosigners. In other words, it would make cosigners subject to primary liability even though they have not received the goods and services. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Then I strongly oppose this bill, and I suggest that our side look very closely at this bill, because what happens is that with small loan companies, finance companies, used car dealers and other companies that people who are living marginally or are low-income use, you are putting them in a position -- or for that matter, if you buy a car for a son or daughter, you are putting yourself in jeopardy and changing the law, which, at this point, protects those who are cosigners. I think this is a very bad bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

A prior Senator made the statement that -- what your bill does then is make it equally responsible for anyone who co-signs an obligation. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, what your bill says, if I'm going to go in and co-sign for someone to get a car, I presume that party's going to be responsible; otherwise, I'm taking the same risk as that party is taking. Isn't that right?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

So what your bill is trying to do is equate the responsibility, which I think it should, because if you're going to co-sign for someone to get a car, you better be sure that they're responsible for it or you're going to be responsible. How else are you going to protect that person who is willing to help that person get the car, 'cause that party couldn't get the car without my signature, for example. So I think it's a good bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Berman.

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SENATOR BERMAN:

Thank you, Mr. President. Well, contrary to what the previous speaker has said, I think this is an outrageous bill. And let me just tell you that this bill is going to affect every one of your voters. This is a consumer-attack bill. And let me explain to you the difference, before and after the passage of this bill. If I'm asked by a friend of mine or a relative of mine to co-sign when they buy a car, for example, before the creditor -- the automobile dealer can chase me, they've got to get a judgment against the person who bought the car, they've got to try to collect against that person and fail to collect, and they can go against me if they can't collect from the original signer, or that person declares bankruptcy, or the person skips out and cannot be found. But there's threshold there of obligation that the creditor has to pursue against the person who got the car. I didn't get the car. He's either a friend or a relative. I co-signed. Under this bill, the car salesman, the car company, the creditor, does not have to go against the person who got the car, doesn't have to get a judgment against them, doesn't have to try to collect against them. They can go against me. Now, I'll tell you what's going to happen. Either you're going to have a much more intelligent consumer group that's not going to co-sign, and therefore, sales of cars are going to plummet. And I don't think that's going to happen. What you're going to do is people are going to think it's like under the old law, they're going to co-sign, and then they're going to be held responsible. And if they're going to be held responsible without going against the person who should be primarily liable - the first person, the person who got the car - you who vote for this bill ought to be held responsible, because you're sticking it to somebody who got nothing in return, and you're not even requiring the creditor to go against the primary debtor before they go against me. I think

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this is outrageous. I -- I would like to hear from the sponsor as to what -- what gives rise to this. Has there been such an outrageous fraud perpetrated that -- that we ought to give up the requirement of going against the person who got the goods, who got the benefit of that car, before you go against the cosigner?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in support of this bill, and -- and I think a little explanation. We had an extensive hearing, on this bill in the Judiciary Committee. It wasn't on any Agreed Bill List. We had an extensive hearing, and then it passed out of committee 11 to nothing. And the reason the bill isn't as has been described, as a couple of the past speakers, as outrageous, is because of the following factor: Before a creditor can go after a debtor, that debtor not only has to be the cosigner, but has to be listed on the title as an owner. It's not just any cosigner, which might make your -- might make your argument valid. The creditor has no way of knowing which of these persons listed on the title is primary and secondary, or who has the title. This only applies to cosigners who are also on the title as owners. When you sign as a cosigner, you know you're going to be liable if the primary owner isn't. And secondly, there's nothing in this bill that prohibits that cosigner, if sued, from bringing the primary - the arguably primary - party into the same suit and resolving it all in the same -- in the same lawsuit. So I don't think that this raises the fears that some of the prior speakers have mentioned.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fitzgerald.

SENATOR FITZGERALD:

Yes. I rise in support of this bill. I happen to write loan

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documents for a living, and -- and collect them as well, but I -- I don't do it under this Act. I do it for banks, which don't fall under this Act. But I -- I've got to say, Senator Berman, what you said was totally and completely inaccurate. If you just sign -- if you just co-sign the note, you will not be primarily liable on this bill. However, if you co-sign the note and you have your name put on the certificate of title saying that you own the car, then you will be primarily liable. And that makes sense. You did get a benefit if your name's on the title, because that means you own the car. You got the benefit; you got the car. It makes sense that that person who owns the car or is the co-owner of the car be primarily liable with the other co-owner. Makes complete sense. That was misleading for you to say that if you just co-sign you'll be primarily liable, because nothing in this bill says that. It seems like a good bill, and it makes sense to me.

Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. I think that Senators Hawkinson and Fitzgerald have done a good job of clarifying how really narrow is the scope of this bill, but I feel compelled to rise on this occasion anyway when I hear those on the other side alleging what is or is not in the consumer interest. To state what should be obvious, it is no benefit or boon to consumers when creditors have to incur high costs of litigation, attempting to go after somebody they have reason to know is not good for paying the debt. As -- as an example, if a father is a co-owner of a car with his eighteen-year-old son and the creditor has reason to know that the son is not capable of paying that debt, why then should the creditor have to file suit against the co-owning son, get a judgment against the son, haul him into court to discover that he

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has no assets and incur, perhaps, thousands of dollars in legal fees, ultimately paid by consumers through higher finance charges, in order to realize that fact, before the creditor can go after the father? There is, in the expense of -- of loans, the cost of litigation, which some people in this Body over the years have not readily recognized as a -- as an undue burden on society and our economy, and I just wanted to point that out.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. Chairman -- I mean, Mr. President and Members. I thought I understood it, 'cause I voted Yes, and I know that two -- three previous speakers tried to clarify it and then just confused me a little more. It certainly makes sense that if you're listed as a co-owner on a car -- I go there and I'm the co-owner and I sign for any one of these Senators, I'm putting myself at risk. Seems to make sense. Well, what is the law now that we're changing? What -- what exactly does this bill change? I mean, so -- so if you're a co-owner now and you're a co-owner of a car now, and a co-borrower now, and there -- I've seen bills of sales on cars or I've seen titles. It doesn't list primary and secondary now. So what are -- what are we changing? Can the sponsor answer that question? I -- I thought I knew what we were changing; now I don't.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Senator, the courts have said that the -- that the -- some courts have said that the person -- the only person who is liable is the person who actually receives the goods or the vehicle.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

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SENATOR MOLARO:

And that's whether or not they're on the title? So even though myself and you might be on the title of the car, the question is whoever has possession of the car. And that's -- is that the way the law is or the way the courts are interpreting it? I -- I -- I don't understand.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

That -- that's the way the courts are interpreting it, and that's why we're clarifying it in the law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

I guess what I'm saying is, do we think right now that people don't understand what the law is, or is it that the judges don't understand what the law is? Because it seems to make sense to me, and I don't know what Senator -- you know, maybe Senator Berman, if his light's on, he can explain his objection. It would seem to me that if I'm a co-owner of the car, and I knew I was signing for someone, and I'm on the -- I'm on the title and I signed as a co-borrower - not a guarantor, 'cause obviously that's a different status altogether; not as a hypothecator, that's a different status altogether - but as co-owner and cosigner, I certainly would be liable. At least I would think that. So you're saying the law -- you're changing it just to make it what the -- what everybody interprets it to be. Well, if that's the case, then I certainly would be for it, but if the interpretation by people out there now that that's not the case, then maybe we should change the law and add language that these people like Senator Fitzgerald, who do this for a living, that they should go out and warn the consumer of what's coming down. And that would be my

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comment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

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

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

I thought I was getting the hang of this here, too. And, now all of a sudden I'm getting confused. Senator Hawkinson got up and made a -- a good pitch, and then Senator Fitzgerald got up and repeated it. I thought you done it better, Carl. But there does appear to be one difference to me in -- in this whole scenario, and that is that the owner versus the co-owner, and -- or the cosigner, the owner has control of the vehicle. The vehicle is an asset. It appears to me that the owner could say, "The hell with it; I'm not going to pay." Then the co-owner's got to come along, and he pays, and the owner's got the car.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...Jacobs.

SENATOR JACOBS:

I -- am I correct, or am I incorrect?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

I -- I think you're correct, but I think that that should be part of the responsibility of being -- being a cosigner.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

I don't disagree with that, and I think we're getting into

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responsibility here. Of course, when you co-sign, you -- you assume a responsibility, but also it would appear to me that you could also scam a lot of people, and perhaps even some very elderly people, who may be willing to co-sign. And you come along and you co-sign for your -- your grandson or your neighbor's kid or whatever, and the kid's got the car and then they come after grandma and after the -- the lady next door and says "You pay for the car," and the kid's still got the car. And then there's -- it seems to me that we are -- we are adding to the liability of the cosigner, taking away less -- taking away responsibility from the principal owner, the principal purchaser.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Any further discussion? Senator del Valle.

SENATOR DEL VALLE:

Mr. President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDY CZ)

State your point.

SENATOR DEL VALLE:

I'd like to welcome to Springfield the GED Class from the Youth Service Project. They're in the gallery with their teacher, John Thompson.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Will our guests please rise and be recognized. Welcome to Springfield. Any further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. I, too, was somewhat confused until Senator Hawkinson clarified it. However, I saw another point of view that hasn't been touched upon. Now the bank will make sure that all cosigners are on the title, and they have no choice. And the problem is that this is subject to abuse because most people that need cosigners obviously don't have the capital, don't have the resources to get a loan based upon their own credit or their

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own value. Therefore, what I -- the way I see this is that most of the banking institutions now will require that cosigners be on the title, will require that they be a substantial part of the transaction. And because of that, it doesn't matter whether it's secondary. Everybody will be primary. And I just see too much abuse, and for the -- the poor, and the elderly, and the working people, they will be punished -- the consumer will be punished by this piece of legislation. I think the attention -- intent probably was good, but one of the problems is it's subject to too much abuse and not enough discretion.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Shadid. Any further discussion? Senator Berman, for a second time.

SENATOR BERMAN:

Thank you, Mr. President. I apologize, because I did not know about the requirement to be put on the title, but let me point out to all of you, there are two provisions in this bill. One deals with automobiles, and that addresses the question of title. The second part of this bill deals with all other kinds of goods and services that are sold and there all that that provides, because there is no title for all these other kinds of goods and services, is that the person is going to be signing a document that's going to make them primarily liable even though they are only cosigners. Now, I would just suggest to Senator Walsh that there ought to be some safeguards built into this bill, and until there is, I'm going to vote No. Now let me tell you what the safeguards are. You're going to have, in all automobile deals where there's two -- where there's a cosigner, the seller - the dealer - is going to put the cosigner's name on that title, and the cosigner isn't going to know why or what it means. To put your name on the title, I've got to tell you, in my opinion, doesn't make a hill of difference. You're changing here -- most cosigners feel that

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when they're co-signing, you've got to go against the first person before you come against me. That's the impression that the public has. This -- this changes it. And I've just got to tell you, because of the control of the documents, just putting the cosigner's name on the title doesn't tell them what they're signing for. There ought to be a requirement telling the cosigner: a) that his or her name is going to be on the title, what that means; and b) they can be held responsible without going against the person who's actually driving that car for this debt. That's what -- that would be fair. That's not in this bill. And I've got to tell you, the second part about just the authorization 'cause there is no title: Again, you want to skip going against the person that actually got the goods, give them a written notice and explain to them that by co-signing, they're going to be first in line. I respect the recommendation of Senator Hawkinson who says you can bring in that first person if you're sued, but I've got to tell you: Again, you're talking about fancy legal procedures that the ordinary person who co-signs isn't capable of doing. This is a bill, if you want to make corrections, you ought to make the person that's signing -- let them know what we're doing to them by this bill. It's not provided for here. What you're doing is exposing good people that want to help that purchaser, you're exposing them to a liability that they don't think they're going to have. I urge a No vote, unless the consumer is protected with additional provisions in here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. And let me suggest this: that in a lot of cases, these young, irresponsible people talk their guardians, their neighbors, their grandparents, their mothers and fathers to be -- co-sign, and they

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have a real difficult time saying no. But once this becomes law and people come to the conclusion that they may be liable for this irresponsible person they didn't want to sign for in the first place, that you're going to find grandparents, guardians, neighbors and friends aren't going to sign anymore. It's going to take a while for that to happen, but I happen to think that's a good result, and I think we ought to vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Walsh, to close.

SENATOR WALSH:

Thank you. And I appreciate the President's comments, because I think that this is common sense, and I think that this will bring a responsibility to co-sign -- cosigners. I also want to point out for Senator Palmer that under the current law, parents and spouses are responsible. And for Senator Berman, I just want you to know I'm buying a new color TV and I'll have the papers tomorrow. I'd ask you to be a cosigner. I'll have them in the car tomorrow morning. I'd ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 1912 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 36 Ayes, 15 Nays, 4 voting Present. Senate Bill 1912, having received the required constitutional majority, is declared passed. Senator Bomke, on Senate Bill 1917. Out of the record. ...are now going to proceed to the Order of House Bills 3rd Reading, on top of page 13. Senator... Okay. Senator Dudycz, on House Bill 115. Senator Dudycz. All right. Senator Butler, on Senate Bill 682. Read the bill, Madam Secretary. House Bill 682. Excuse me.

ACTING SECRETARY HAWKER:

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House Bill 682.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

Thank you very much. Ladies and Gentlemen, House Bill 682 is in two parts. I'm going to ask Senator Watson and/or Senator Clayborne to -- Clayborne to take the second part. My portion deals with the disannexation of a piece of property that is the international headquarters of United Airlines, disannexed from the fire district so that it may be annexed to the City of Mount Prospect. This is the classical hole in the doughnut, because Mount Prospect completely surrounds the United Airline headquarters. We have drawn up a bill that is very narrow. It will apply only to Mount Prospect, and -- and it, in general, creates six conditions which must be met before a disannexation can take place of a fire district, and an annexation to a municipality. It is -- it is totally supported by United Airlines, who are concerned about their fire protection, and I would appreciate your favorable vote, and I would yield to Senator Watson or Senator Clayborne. Senator Clayborne.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank -- thank you, Madam President and Senator Butler. The second portion of this bill allows for the East St. Louis Park District to transfer property -- or, sell property to a not-for-profit for the purpose of creating a recreational program. In this particular instance what is going to happen: There is an agreement set up by a not-for-profit to build a fifteen-million-dollar recreational center in a park that is not

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currently -- in a portion of a park that's not currently being used. There is a reverter clause in there that if the not-for-profit ceases to use this property for public purposes, then the property reverts back to the East St. Louis Park District. This is a classic example of private monies being used to improve a public facility, and I request a favorable vote on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 682 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Take the record. On that question there are 51 Ayes, 2 Nays, none voting Present. House Bill 682, having received the required constitutional majority, is declared passed.

Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Referred to Agriculture and Conservation Committee - Senate Amendment No. 2 to Senate Bill 1633, Senate Amendment No. 2 to Senate Bill 1749, and Senate Amendment No. 2 to Senate Bill 1777; Referred to the Education Committee - Senate Amendment No. 1 to Senate Bill 1240, and Senate Amendment No. 3 to Senate Bill 1853; referred to the Environment and Energy Committee - Senate Amendment No. 3 to Senate Bill 1390 and Senate Amendment No. 2 to Senate Bill 1811; referred to the Executive Committee - Senate Amendment No. 1 to Senate Bill 1486, Senate Amendment No. 1 to Senate Bill 1522, Senate Joint Resolution 77, House Joint Resolutions 20 and 26; referred to the Insurance, Pensions and Licensed Activities Committee - Senate Amendment No. -- pardon me -- No. 2 to Senate Bill 1243 and Senate Amendment No. 1 to Senate

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Bill 1256; referred to Judiciary Committee - Senate Amendment No. 1 to Senate Bill 1684; referred to Local Government and Elections Committee - Senate Amendment No. 3 to Senate Bill 1278, Senate Amendment No. 2 to Senate Bill 1402, and Senate Amendment No. 2 to Senate Bill 1759; referred to Revenue Committee - Senate Amendment No. 1 to Senate Bill 1258; and referred to State Government Operations Committee - Senate Amendment No. 4 to Senate Bill 1389.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. If I could have your attention, we are going to go back to page 2 to the Order of Senate Bills 2nd Reading. I would ask that all of you be in your chair, and let's -- we can dispatch with these pretty quickly if you are there.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DONAHUE)

So we'll start at the top of the page 2 with Senate Bill 552. Senator Parker. Senate Bill 552, Senator -- 522? Out of the record. Senator DeAngelis. No. Sorry. Senator Madigan, on -- no. Out of the record. Senator Rauschenberger, on Senate Bill 1322? No? Senator Raica, on Senate Bill 1327. Senate Bill 1327. No. 26, Senator Raica? 27? 26. Senate Bill 1326. Senator Raica. Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 1326.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Raica.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Raica, on Amendment No. 2.

SENATOR RAICA:

Thank you, Madam President. Well, what this amendment basically does is -- this bill was the result of the heat crisis that happened in Cook County, and all it does is state that if there's any type of bypass policy issued by a hospital, that it be investigated and it apply statewide versus just Cook County. And there was no objection to the amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Raica moves the adoption of Amendment No. 2 to -- Senate Bill 1326. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Raica, on Senate Bill 1327. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1327.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Peterson, on Senate Bill 1335? Senator Peterson. Out of the record. Senator Dudycz, on 1357? Read the

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bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 1357.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz. Oh! Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Amendment No. 2 to Senate Bill 1357 removes the words "except for a term of probation or conditional discharge". This language was requested by the probation officers of Illinois, and everybody agreed to it. And I would ask that we approve -- we adopt Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Dudycz moves the adoption of Amendment No. 2 to Senate Bill 1357. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Fitzgerald, for what purpose do you rise?

SENATOR FITZGERALD:

Point of personal privilege, Madam President.

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PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR FITZGERALD:

In the visitor's galley {sic} above the Democratic side, I have a number of constituents from my district that are visiting. It's the Community Education Travel Advisory Board of High School District 214 in the northwest suburban Cook County area. And I'd appreciate a warm welcome.

PRESIDING OFFICER: (SENATOR DONAHUE)

Would you please rise and be recognized? Senator DeAngelis, -- Senate Bill 1363. Senator DeAngelis? Out of the record. Senator Jones, on Senate Bill 1365. Do we have leave of the Body to be handled by Senator Smith? Leave is granted. Senator Smith, on Senate Bill 1365. Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 1365.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

...there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Mahar, on Senate Bill 1370. Senator Mahar? Out of the record. Senator Sieben, on Senate Bill 1381. Out of the record. Senator Madigan, on Senate Bill 1424. Out of the record. Senator Woodyard, on Senate Bill 1437? Out of the record. Okay. Senator Parker, on Senate Bill 1440? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1440.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Amendment No. 2.

SENATOR PARKER:

Thank you, Madam President. It is -- what we have done is just add in the words "subject to appropriations for such purpose". I would ask for favorable acceptance.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator -- Senator Parker moves the adoption of Amendment No. 2 to Senate Bill 1440. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments...

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on Senate Bill 1442? Out of the record. Senator Lauzen, on Senate Bill 1490. Senator Lauzen? Out of the record. Okay. Senator Fitzgerald. Senator Fitzgerald? Senate Bill 1494? Senator Fitzgerald, on Senate Bill 1494. Out of the record. Senator Petka, on Senate Bill 1504. Senator Petka? Out of the record. Senator Syverson, on Senate Bill 1511? Out of the record. Senator Madigan, on Senate Bill 1515. Out of the record. Senator Palmer, on Senate Bill 1556. Out of the record. Senator Mahar, on Senate Bill 1578. Senator

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Mahar? Senator Woodyard, on Senate Bill 1663. Senator Woodyard? 1633, Senator Woodyard? Out of the record. Senator Weaver, on Senate Bill 1640? Out of the record. Senator Dillard, on Senate Bill -- out of the record. Senator Lauzen, on Senate Bill 1712. Senator Lauzen? Out of the record. Senator Woodyard, on Senate Bill 1749. Out of the record. Senator Weaver, on Senate Bill -- out of the record. Out of the record. Senator Woodyard, on Senate Bill 1770? Out of the record. Skip that one. Senator Molaro, on Senate Bill 1796? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1796.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Molaro.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro, on Senate Bill -- or, Amendment No. 3.

SENATOR MOLARO:

Thank you, Madam Chairman, Members of the Senate -- Madam President, Members of the Senate. All that Amendment 3 does is make this bill -- applicable to Chicago only. So everyone else is out except Chicago.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Molaro moves the adoption of Amendment No. 3 to Senate Bill 1796. All those in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Are there any other amendments approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. ...Rauschenberger, on Senate Bill 1883? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1883.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any other Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Garcia.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia, on Amendment No. 2.

SENATOR GARCIA:

Thank you, Madam President. Amendment No. 2 to Senate Bill 1883 essentially brings standard of ethics and conduct to the office of ward committeeman in the Election Code. It is intended to prevent individuals who become incarcerated from being able to function in that office. This stems from a recent experience in my district where someone was elected to that post knowing that this person has to serve time. It is intended to prevent this in the future. And I would urge favorable passage.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, Senator Garcia -- Senator Garcia moves the adoption of Amendment No. 2 to Senate Bill 1883. Those in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Are there any other amendments approved for consideration?

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SECRETARY HARRY:

Amendment No. 3, offered by Senator Palmer.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer, on Amendment No. 3.

SENATOR PALMER:

Thank you, Madam President. Amendment No. 3 passed out of the committee unanimously, and I know of no opposition. This is an amendment that would require the Board of Election Commissioners in Chicago after a canvass, as was conducted recently, during the ten-day grace period, to publish in a newspaper or newspapers of general circulation the names and addresses of voters who were subject to having registration canceled, and that would then allow them to know that they were at risk of losing their registration. I know of no opposition, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Palmer moves the adoption of Amendment No. 3 to Senate Bill 1883. Those in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Are there any other amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Madam President. Like the record to reflect that Senators Collins, Hendon and Shaw are absent today, as they were yesterday, due to illness.

PRESIDING OFFICER: (SENATOR DONAHUE)

Record will so reflect. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. I'd like the record to reflect that our colleague, Senator Patrick O'Malley, is absent today, as he is recuperating from illness.

PRESIDING OFFICER: (SENATOR DONAHUE)

Record will so reflect. We're going to just stand as ease for just a minute. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank you, Madam President. Purpose of an announcement, so people know what's going on. And I would suggest that we have a Republican Caucus as soon as we adjourn. We're going to adjourn -- tomorrow, till 10 a.m. The Governor has asked for a Joint Session between the House at noon. Now regarding next week: It's the intention that we come in Session on Monday at 4 p.m.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. Just to clarify, the Governor has requested a Joint Session between the House and Senate at noon tomorrow, so we will be adjourning today till 10 o'clock tomorrow morning. And we will be coming back Monday at 4 o'clock, instead of on Tuesday.

Senator Jacobs.

SENATOR JACOBS:

There will be a Democratic Caucus after adjournment in Senator Jones' Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate Democrat Caucus in Senator Jones' Office immediately following. ...also a Republican Caucus immediately. Senate will stand adjourned -- excuse me. Senator Woodyard, for what purpose do you rise?

SENATOR WOODYARD:

I apologize, Madam President, but it looks like we are going to have a Senate Ag/Conservation Committee meeting at 8 o'clock tomorrow morning. There's not -- there's very little time to

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serve notification. So, those of you who are on the Ag Committee, kind of be prepared to get a notice, because as of right now, we're looking at 8 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR DONAHUE)

There will be a Senate Ag Committee meeting in Room 212 at 8 o'clock tomorrow morning. You will be getting your notices. So forewarning. Any further business to come before the Senate? Any further business? The Senate stands adjourned until Friday morning at 10 p.m. -- or, 10 a.m. Excuse me.

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