

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 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 Father Gerald Bunse, St. Mary's Catholic Church, Edwardsville, Illinois. Father Bunse.

FATHER GERALD BUNSE:

(Prayer by Father Gerald Bunse)

PRESIDENT PHILIP:

Please rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Tuesday, April 30th, 1996.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

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

PRESIDENT PHILIP:

Senator Butler moves to approve the Journal just read. There being no objection, so ordered. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 1st and Thursday, May 2nd, in the year 1996, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcripts.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Woodyard, Chair of the Committee on Agriculture and Conservation, reports Senate Resolution No. 202 Be Adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 615, with House Amendments 1 and 4.

We have a like Message on Senate Bill 1766, with House Amendment 1, and Senate Bill 1388, with House Amendment 1.

All passed the House, as amended, May 2nd, 1996.

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

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

Senate Joint Resolution Constitutional Amendment No. 3, with House Amendments 1 and 2.

Passed the House, May 2nd, 1996, by a three-fifths vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President. Point of order: Senator Dillard is absent today because of official business.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect. Will the Members be in their seats? We will be going to the Order of House Bills 2nd Reading. Following, we will be going to the Order of House Bills 3rd

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Reading. So, those Members who are still in your offices, please come to the Floor. We will -- begin on the bottom of page 8 in the Order of House Bills 2nd Reading. Will Senators Madigan, O'Malley, Cronin, Hawkinson and Bomke get ready? Okay. On the bottom of page 8 of your regular Calendar, in the Order of House Bills 2nd Reading, House Bill 322. Senator Madigan. On the top of page 9, House Bill 431. Senator O'Malley. House Bill 545. Senator Cronin. Senator Cronin? House Bill 548. Senator Cronin. Senator Cronin? House Bill 739. Senator Hawkinson. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 739.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 885. Senator Cronin. Senator Cronin? House Bill 1056. Senator Bomke. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1056.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1290. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1290.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1798. Senator Burzynski. Senator Burzynski? Mr. Secretary, read your bill.

SECRETARY HARRY:

House Bill 1798.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy 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. House Bill 2206. Senator Philip. Senator Philip? House Bill 2230. Senator Cronin. Senator Cronin? House Bill 2515. Senator Weaver. House Bill 2571. Senator Rauschenberger. Senator Rauschenberger? ...the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2571.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2593. Senator Cronin. Senator Cronin? On the top of page 8 {sic} (10), in the Order of House Bills 2nd Reading, Senate {sic} Bill 2596. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2596.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2695. Senator Klemm. House Bill 2697. Senator Parker. Senator Parker? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2697.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2703. Senator Woodyard. House Bill 2725. Senator Raica. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2725.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2737. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2737.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any Floor amendments approved for consideration?

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2747. Senator Mahar. Senator Mahar?  
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2747.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill -- House Bill 2794. Senator Walsh.  
Senator Walsh. House Bill 2860. Senator Walsh. Senator Walsh.  
House Bill 2900. Senator Fitzgerald. Senator Fitzgerald. Move  
-- or, read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2900.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2927. Senator Madigan. House Bill  
3041. Senator Klemm. House Bill 3048. Senator Dillard. House  
Bill 3128. Senator Butler. Senator Butler. On the top of page  
11, in the Order of House Bills 2nd Reading, House Bill 3161.  
Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3161.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3165. Senator Mahar. Read the bill,  
Mr. Secretary.

SECRETARY HARRY:

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

House Bill 3165.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy 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. House Bill 3166. Senator Walsh. Senator Walsh. House Bill 3167. Senator Maitland. Senator Maitland. House Bill 3204. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3204.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3282. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3282.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3380. Senator Philip. House Bill 3426. Senator Parker. House Bill 3436. Senator Klemm. Senator Klemm. House Bill 3447. Senator Bomke. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3447.

(Secretary reads title of bill)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3520. Senator Parker. House Bill 3546. Senator DeAngelis. Senator DeAngelis. House Bill 3548. Senator Mahar. Senator Mahar. With leave of the Body, we will return to House Bill -- 3546. Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3546.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 12, in the Order of House Bills 2nd Reading, House Bill 3549. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3549.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3625. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3625.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3637. Senator Sieben. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3637.

(Secretary reads title of bill)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3658. Senator Sieben. House Bill 3662. Senator Dillard. We'll now be going to the Order of House Bills 3rd Reading. On the middle of page 3, in the Order of House Bills 3rd Reading, House Bill 22. Senator Rauschenberger. House Bill 24. Senator Karpel. House Bill 346. Senator Hawkinson. House Bill 347. Senator Hawkinson. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 347.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 347 came to us from the House as the agreed Illinois State Bar Association clean-up bill for the year. Passed unanimously in the House. Does a number of things and was further amended with four amendments in the Senate. The first one was an agreement between the Department of Public Aid and the Bar Association regarding the restoration of the two-year Statute of Limitations for claims against non-probate estates. The second amendment is at the request of the Administrative Office of Illinois Courts and implements a Supreme Court rule change allowing attorneys to organize as limited liability companies and for the court to collect fees for limited liability companies. Amendment No. 4 was offered by Senator Cullerton and provides that any real property or interest in a land trust held in tenancy by the entirety shall not be liable to be sold upon judgement entered against only one of the tenants unless the property was transferred into tenancy by the entirety in order to defraud creditors in violation of the Uniform

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Fraudulent Transfer Act. Amendment No. 5, by Senator Cronin, was a proposal of the Illinois Credit Union League, which provides that the two-thousand-dollar debtor's personal property exemption does not apply against wages withheld pursuant to a garnishment order. Be happy to answer questions about any other provisions of the bill, if there are any. I know of no opposition and would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 347 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, 1 voting Present. And House Bill 347, having received the required constitutional majority, is declared passed. House Bill 379. Senator Jacobs. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 379.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 379, as amended, permits for off-site sales and exhibitions, and it changes the powers of condominium complex unit owners to be included in -- in dealing with municipalities contracting for regulating parking and traffic in parking areas owned by those persons. It excludes emergency medical services and fire service personnel from the prohibition against wearing headset receivers while driving, and eliminates the prohibition of the transportation of an implement of husbandry with a width

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

greater than eight -- eight feet six inches on another vehicle on a road that is under construction or repair. I know of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 379 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 House Bill 379, having received the required constitutional majority, is declared passed. On the top of page 4 of your regular Calendar, House Bills on the Order of 3rd Reading, House Bill 427. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 427.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 427, as amended, allows a credit against personal property tax replacement income tax for investment in qualified property. We've already passed this bill out once to the House. We have an amendment from Senator Dunn which would require companies to return certain tax benefits if the terms of an agreement are violated. High-impact businesses would have to return income tax breaks if the entire facility relocates before the term is completed, and all companies would have to return property taxes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 427 pass. All those in favor will vote Aye. Opposed will

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

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 House Bill 427, having received the required constitutional majority, is declared passed. House Bill 456. Senator Rauschenberger. House Bill 527. Senator DeAngelis. House Bill 907. Senator Fitzgerald. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 907.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 907, as amended, would allow municipalities in Cook County to regulate or prohibit the keeping of carrier, racing, hobby or show pigeons. This arose from a problem that we had in the Village of Schaumburg where somebody was raising carrier pigeons and the village was not able to regulate the raising of these pigeons. I talked to Senator Madigan, who I guess is the defender of the Carrier, Racing, Show, Hobby Pigeon Act of 1983 {sic}, and he said he didn't mind what I did in my own county. So I have introduced this bill. There is also an amendment on this bill, supported and sponsored by Senators Rea and Woodyard, which changes the configuration of the -- one of the coal development boards, and I would defer to Senator Rea for any questions with respect to that amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 907 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

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 House Bill 907, having received the required constitutional majority, is declared passed. Senator Shadid, what purpose do you rise?

SENATOR SHADID:

Yes. I rise, Mr. Chairman, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SHADID:

I'd like to announce -- and by the way, we drew straws as to who would announce this, and I apparently lost. Yeah. I have to announce that Senator Demuzio is - how old are you, Vince? Sixty what? - hey, fifty-five years old today. And he did not bring a cake over. So if you want a piece of cake, I guess you've got to go all the way to his office. But happy birthday to Senator Demuzio.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Happy birthday, Senator Demuzio. ...House Bills on the Order of 3rd Reading, House Bill 995. Senator Cronin. House Bill 999. Senator Cronin. House Bill 1249. Senator Hawkinson. House Bill 1286. Senator Clayborne. Senator Clayborne. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1286.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes. Thank you, Mr. -- Mr. President. This bill, House Bill 1286, comes out of a vote that took place in November of 1994,

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

where State Community College determined that it would be locally controlled and locally -- financed. And what this bill does: One, it allows the College to start up, instead of July 1st of 1996, June 1st, where the trustees can come on board and begin making the decisions that are needed to begin implementing educational programs, hiring staff, and making other administrative decisions. Also what this -- this bill does: It allows the transfer of the current property from Illinois Community College Board to -- to the new College for one dollar. I would ask for a favorable vote. This takes State Community College out of being an experimental college into being locally owned {sic} and controlled.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1286 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 House Bill 1286, having received the required constitutional majority, is declared passed. House Bill 1645. Senator Luechtefeld. Senator Luechtefeld. House Bill 2250. Senator Hawkinson. Beg your pardon. Senator Walsh. House Bill 2294. Senator Mahar. Senator Mahar. House Bills -- 2338. Senator Cronin. Senator Cronin. On the top of page 5 of your regular Calendar, in the Order of House Bills 3rd Reading, House Bill 2347. Senator Madigan. Senator Madigan. Senator Jacobs, what purpose do you rise?

SENATOR JACOBS:

Just a matter of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR JACOBS:

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

It's my understanding, beings we're on birthdays here, that we had another gentleman on this side of the aisle who had a birthday yesterday. Unfortunately, he won't let us know how old he is. He looks like he's forty-five years old, but we'll let him guess at any age from there, and that's Senator Louis Viverito.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Happy birthday, Senator Viverito. Top of page 5 of your regular Calendar, in the Order of House Bills 3rd Reading, is House Bill 2347. Senator Madigan. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2347.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. House Bill 2347, as amended, first of all on the overlying language, bring -- it's a DP -- Department of Professional Regulation administration bill, bringing the -- all of the various professions under the same responsibility with regards to civil penalties. Committee added two amendments. The first one is technical, dealing with the previous transfer of the real estate regulation to the Office of Banks and Trusts (sic) (Real Estate), and replaces all references under DPR with the new Office of Banks and Trusts (sic). And the second committee amendment is a technical clean-up amendment also. I'd be glad to answer any questions on House Bill 2347.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2437 pass. I beg your pardon. Senator Demuzio, what purpose do you rise?

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

SENATOR DEMUZIO:

I just thought I'd come by and maybe talk about some of these bills that I had some questions about, and I would ask the sponsor, if I may.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

Senator, can you tell me what we did to this bill now, by virtue of Amendment No. 2?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Well, it contained two provisions, Senator Demuzio. The first provision dealt with the -- the Professions Indirect Cost Fund, which allows that Fund to retain any interest that would accrue in that Fund, and that would be retained by that Fund. And the second provision dealt with Meals on Wheels, insofar as people who are working on those diet or nutritional support provisions needed to be licensed with an -- one exemption, that those people working in diet or nutrition support positions in hospitals would be regulated by the Department of Public Health, rather than DPR or the Department on Aging.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you. I was just curious as to what authority that the Department of Professional Regulation was going to be receiving here. Apparently this is a -- a necessary authority that they need, because their audits over the last couple of terms have been -- they've been very negligent in enforcing the Act as it is now. But I would certainly suggest that support of this bill at -- in this particular form is -- is perhaps necessary.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 2347 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 House Bill 2347, having received the required constitutional majority, is declared passed. House Bill 2413. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2413.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. House Bill 2413 provides that the MWRD may transfer a hundred percent, which is now ninety percent, of the actual or estimated amount of taxes from the working cash fund to the fund -- to the corporate fund and the construction funds in anticipation of taxes levied for the following year. This is a bill that passed out of here without any opposition, and it also passed out of the House without any opposition. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2413 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 House Bill 2413, having received the required constitutional

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

majority, is declared passed. House Bill 2421. Senator Peterson.  
Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2421.

(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. House Bill 2421 is composed of several recommendations from the County Clerks' Association, from County Clerk David Orr, and from the State Board of Elections. It extends the filing periods for nominating petition objections, withdrawals and campaign disclosure reports by one day if the first or last day for filing such documents falls on a Saturday, Sunday or State holiday. It provides that write-in votes shall be counted only for the persons who have filed a declaration of intent to be a write-in candidate not later than 5 p.m. on the Tuesday, currently Friday, before the primary or the election. Deletes language. Would -- now provides that if a candidate dies later than 5 p.m. on Friday before the primary or election, write-in votes shall be counted for persons who have filed a declaration of intent to be a write-in candidate for the office for which the deceased was a candidate. Specifies that the close of registration is extended through the first business day after the close of registration if such days fall upon a Saturday, Sunday, or State holiday and provides language change to specify that registration closes during the twenty-eight days preceding any election. This language change is consistent with other Election Code provisions. Ask for your support of House Bill 2421, as amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Is there any discussion? If not, the question is, shall House Bill 2421 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 56 Ayes, no Nays, and none voting Present. And House Bill 2421, having received the required constitutional majority, is declared passed. House Bill 2516. Senator DeLeo. Senator DeLeo. House Bill 2524. Senator Bomke. House Bill 2529. Senator Hawkinson. House Bill 2557. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2557.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. House Bill 2557, as amended, is the House version of Senate Bill 1246, or the drive-through delivery bill. Basically the same language that we passed previously in Senate Bill 1246 with the exception that House Bill 2557 includes language dealing with the School Code. I would be glad to answer any questions on House Bill...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2557 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 56 Ayes, no Nays, none voting Present. And House Bill 2557, having received the required constitutional majority, is declared passed. House Bill 2616. Senator Maitland. Senator Maitland. House Bill 2618. Senator Syverson. Mr.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Secretary, read the bill.

SECRETARY HARRY:

House Bill 2618.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. House Bill 2618 follows last year's legislation which simplified property tax protests. This would allow that just one fee be paid for objection complaint, as opposed to objection. It passed the House 104 to 0. I know of no opposition and be happy for a -- answer any questions or a favorable...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2618 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 House Bill 2618, having received the required constitutional majority, is declared passed. Senate will stand at ease for a few minutes.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - Senate Amendments 2, 3 and 4 to House Bill 2664; Committee on Executive - Motion to Concur with House Amendment 1 to Senate Bill 1783; Committee on Insurance, Pensions and Licensed Activities - Motion to Concur with House Amendment 1 to Senate Bill 1143; to the Judiciary Committee - Senate Amendment 1 to House Bill 548, Senate Amendment 4 to House Bill 1249, Senate Amendment 1 to House Bill 2621, Senate Amendment 2 to House Bill 3455; to the Committee on Transportation - Motion to Concur with House Amendment 1 to Senate Bill 1315, Senate Amendment 1 to House Bill 739, and Senate Amendment 5 to House Bill 3436; and Be Approved for Consideration - Senate Amendment 2 to House Bill 2799.

PRESIDING OFFICER: (SENATOR DUDYCZ)

In the middle of page 5 of your regular Calendar is House Bill on the Order of 3rd Reading, House Bill 2631. Senator Lauzen. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2631.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. House Bill 2631 adds a new Section to allow a trustee to terminate a trust when the small size of the trust makes its continued administration impractical or when circumstances have changed to adversely affect the purpose of the trust. This bill requires the Attorney General's consent. It provides mechanisms for the transfer of trust assets to charitable

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

foundations. Passed out of the Senate Judiciary Committee on the Agreed Bill List. There's no known opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2631 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 House Bill 2631, having received the required constitutional majority, is declared passed. House Bill 2649. Senator Petka. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2649.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President, Members of the Senate. House Bill 2649 would -- would permit a sheriff to disclose information pertaining to certain airborne communicable diseases to the presiding judge in the -- where the case is being heard. This arose out of a situation in Kane County, where the sheriff of Kane County was held in contempt for refusal -- refusing to turn over information dealing with TB. The Statute did not permit this. This would remedy that situation. The bill came out on the Agreed Bill List. It is supported by the Illinois Sheriffs' Association. I know of no opposition, and I urge its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2649 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 2649, having received the required constitutional majority, is declared passed. House Bill 2651. Senator Hawkinson. House Bill 2658. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2658.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President, Members of the Senate. House Bill 2658 provides that if a defendant is sentenced to death, a -- a petition for post-conviction relief or execution (sic) clemency, or an application for habeas corpus, may be commenced only with the defendant's consent, unless the defendant because of a mental or physical condition is unable to understand the nature and purpose of the proceedings. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2658 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 46 Ayes, 5 Nays, and 3 voting Present. And House Bill 2658, having received the required constitutional majority, is declared passed. On the top of page 6, in the Order of House Bills 3rd Reading, House Bill 2664. Senator Karpiel. House Bill 2691. Senator Syverson. Senator Syverson. House Bill 2702. Senator Syverson. House Bill 2735. Senator Klemm. Madam Secretary, read the bill.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

ACTING SECRETARY HAWKER:

House Bill 2735.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2735 clarifies that the compensation of elected township and municipal officers shall be fixed at -- least one hundred and eighty days prior to the commencement of their terms. It also has the elected officials of the multi-township assessment districts, to require that their compensation be fixed at least a hundred and fifty days prior to their election. It authorizes the township suburban supervisors within Cook County to serve on the Cook County Townships Public Aid Committee, which hears all the appeals for public aid. They currently do that, and this would clarify that they may continue to do so. It also allows the election at an annual town meeting to add additional agendas to that agenda by a three-fifths vote. It changes some of the provisions that are now given to the trustees, and it deletes some obsolete language in the Township Code. And I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Just -- just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

When would be the -- when would be the deadline that this would have to be decided in this upcoming election? I mean, when

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

would be the final day for this law applying in the next round of township elections?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

The next elections in townships are next April, 1997, and if the Governor signs the bill, they would have to count back a hundred and eighty days before the beginning of that term. So I don't know how many days that would be; I haven't figured it out.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

So are you saying that the -- that deadline then would be one week before or a couple of weeks before the main -- before the November general election?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, in order to get the hundred and eighty days, it would appear, as if I was told, about the first week in November. So they would have to set that prior to that time. The reason we want that is so that we don't find out who's elected and then they set the election to take care of their friends or take care of their enemies. This makes it an impartial method so that everybody knows beforehand what the term and the -- of the salary would be, so it's a fair playing field.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Karpziel.

SENATOR KARPIEL:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Karpziel.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

SENATOR KARPIEL:

Senator Klemm, are township assessors still sworn into office almost a year after the election - township election?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, about eight months after, and that's the reason we have the different dates, so that they can be between a term of office and when they are elected, so that we can take care of the multi-township organizations and township assessors for that reason.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further -- Senator Karpiel.

SENATOR KARPIEL:

In here it said -- it said that it's a hundred and eighty days before the terms commence of -- of the officers. So how is the township assessor fit into that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, in multi-township districts, it's a hundred and fifty days prior to their election, and their election is normally in April and they don't take office till -- till January, I think it is. Otherwise, it's still a hundred and eighty days prior to going to their term of office. So we covered both multi-township, and we covered both those that are normal.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Berman.

SENATOR BERMAN:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Sponsor indicates he will yield. Senator Berman.

SENATOR BERMAN:

Does this bill prevent the City Council of Chicago from raising its own salaries or the Mayor's salary any earlier than six months before the election?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

I'm told it has nothing to do with that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR KLEMM:

Well, it's -- it's some changes that we feel are necessary. The Township Officials like to close a loophole on the setting of salaries of township assessors, and I think it needs your support. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2735 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 House Bill 2735, having received the required constitutional majority, is declared passed. House Bill 2738. Senator Clayborne. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2738.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Thank you, Mr. President. House Bill 2738 basically changes the law as it relates to when a police dog bites a person. Currently the law requires that a dog be confined for ten days under the observation of a veterinarian. The -- what House Bill 2738 does: It allows the dog to be kept under the supervision of the police handler. The dog would be locked in a kennel. The dog will continue to perform its official duties in a police vehicle, and the dog will remain under constant supervision. Basically what this bill does, just allows the -- the dog to be kept with the police officer instead of being held in the -- a facility with a veterinarian. I would ask for a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Trotter.

SENATOR TROTTER:

Yes. Senator Clayborne, why are we doing this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

The reason why we're doing this is because this allows -- I have a -- a situation in my district where a police -- dog bit someone, and basically the dog is held by the veterinarian. He's not kept -- he's not kept in -- in a similar or same environment. He's taking him out -- out of his environment. And basically all this does is to allow him to stay in his capacity with the person who's responsible for him.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

But as I read through the legislation, you don't distinguish between if the dog bites someone in the line of duty or if he just bites someone who happens to be the next-door neighbor. So why are we exempting them on this broad basis?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr... We're really not exempting him. At the end of the observation period, the veterinarian will still determine whether this is -- as it relates to rabies and other things. But as -- as it relates to this dog, because you've spent so much money on him, because he's gone through all this training, we want to keep him in a same or similar environment. He's still observed; he's just -- he's just kept by the same people who -- who keep him under control all the time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR CLAYBORNE:

Again, thank you, Mr. President. I would ask for a favorable vote. This allows a police -- police force that has invested large sums -- amount of money into police dogs where they can keep the dog in a friendly environment, and he can be observed. It's just to -- to make sure that the dog is protected. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2738 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 House Bill 2738, having received the required constitutional majority, is declared passed. House Bill 2836. Senator Burzynski. House Bill 2916. Senator Raica. Senator Raica. House Bill 3050. Senator Maitland.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Senator Maitland. House Bill 3052. Senator Raica. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3052.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. This amends the School Code and requires certain expulsions and suspensions to follow the student if they transfer to another district. I'd just ask for everyone's support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3052 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 House Bill 3052, having received the required constitutional majority, is declared passed. House Bill 3057. Senator Klemm. House Bill 3141. House Bill 3157. Senator Weaver. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3157.

(Secretary reads title of bill)

3rd Reading of the law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is just a shell bill I'd like to send over to the House for a possible use in the conference

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

committee on revisionary bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3157 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 House Bill 3157, having received the required constitutional majority, is declared passed. House Bill 3186. Senator Madigan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3186.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. House Bill 3186 is the CHIP administration bill. Makes some changes with regards to the legislation dealing with the Comprehensive Health Insurance Plan Act. It basically is a liberalization of some benefits that would be available to CHIP members. I'd be glad to answer any questions on House Bill 3186.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3186 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 House Bill 3186, having received the required constitutional majority, is declared passed. On the top of page 7, in the Order of House Bills 3rd Reading, House Bill 3193. Senator Butler.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Madam -- out of the record. House Bill 3199. Senator Walsh.  
House Bill 3227. Senator O'Malley. Madam Secretary, read the  
bill.

ACTING SECRETARY HAWKER:

House Bill 3227.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. House Bill 3227 is a committee bill  
of the House Committee on Registration and Regulation. It  
includes numerous provisions. What I want to bring everyone's  
attention to is the Committee Amendment No. 1 that was offered in  
-- in committee, and explain it in some detail. It deletes a CHA  
provision from the bill which exempted housing authorities from  
the requirement of paying required fees to the respective circuit  
clerks. This is the same provision that has already passed the  
Senate in the form of Senate Bill 1624, which my last report  
indicated was on 2nd Reading in the House on Short Debate.  
Committee Amendment No. 1 also changed the CHA summons language in  
House Bill 3227. As it arrived from the House, this language  
permitted members of a housing authority police force to serve  
summons for forcible entry and detainer actions upon tenants.  
Committee Amendment No. 1 changes the language by permitting  
police forces and housing authorities in counties with three  
million or more inhabitants to serve process for forcible entry  
and detainer actions commenced by the housing authority while also  
permitting the housing authority to execute orders of possession  
for the authority. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Bill 3227 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 House Bill 3227, having received the required constitutional majority, is declared passed. House Bill 3230. Senator Watson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This piece of legislation is an attempt to clarify the current law to require the Department of Public Aid to give to -- to give client address information to any law enforcement agency which requests the information. This is, in many cases, being done now, but we want to clarify the current language. And I know that most of you have been hearing from your law enforcement community in support. The Department of Public Aid supports.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3230 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, 1 voting Present. And House Bill 3230, having received the required constitutional majority, is declared passed. House Bill 3233. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

House Bill 3233.

(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 the Senate. Senate {sic} Bill 3233 prohibits a person from raising, soliciting or collecting material support or resources or providing material support or resources to a person or organization intending that the material support or resources shall be used to plan, prepare, carry out, or escape from acts of international terrorism. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3233 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 House Bill 3233, having received the required constitutional majority, is declared passed. House Bill 3238. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3238.

(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 the Senate. House Bill 3238 provides that a facility in compliance with a supported congregate living arrangement demonstration project may

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

apply for a waiver from the Nursing Home Care Act. The primary beneficiary is a facility being developed by the Council for Jewish Elderly in Deerfield, a model for assisted living. A significant portion of the residents will be stage-one Alzheimer's disease patients. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3238 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 House Bill 3238, having received the required constitutional majority, is declared passed. House Bill 3271. Senator Peterson. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3271.

(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. House Bill 3271 bans "ultimate fighting" exhibitions. Prohibits holding, promoting, and participating in such exhibitions. Prohibits broadcasting depictions of ultimate fighting exhibitions and distribution of such depictions over cable or pay-per-view television. Ultimate fighting contests are a violation -- would make it a violation of the Professional Boxing and Wrestling Act. Ultimate fighting is something of a no-holds-barred contest in which contestants are free to use whatever style or method of hand-to-hand combat they wish with little or no restrictions or illegal blows. I ask for your support on 3271.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Peterson, does -- does this include professional hockey?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

I think the adage is, "I went to an ultimate fighting contest and a hockey game broke out." Is that what you're saying?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, have -- in your testimony before your committee, were there anyone testifying as to more serious injuries that have happened in ultimate fighting than has happened in boxing or some of our other sports, including football or anything else? Because in our area they have the ultimate fighting, and I've -- they had it televised; I've seen it. Some may classify it as brutal. I think it's less brutal than boxing myself. But do you have any information as to serious injuries?

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Senator Peterson.

SENATOR PETERSON:

Well, I have watched some of the exhibitions that were put on one of the programs, I believe it was 20/20 or Dateline, where you actually see the man's arm being broken in the ultimate fighting, or dislocations. It does happen. You see them. I couldn't understand why they didn't stop the fight, because they were so bloody. They stop everything else. If it's a basketball game and you see blood, they stop, take the man out of the arena or off of the playing field. And also, the Medical Society supports this. But, yes, there -- the injuries are much more serious than in other types of sports.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

To that point, Senator: It appears to me, if one has watched football, we have seen worse injuries than that. We have had people that are -- are maimed. We go into boxing, we've had people that have been killed in boxing. You know, that's a chance that most athletes take whenever they step on a field to play, and it can even happen on a basketball court. I think, again, it's one of those issues where we're preempting the individual right of what a person may want to do with their own lives. And if they want to do that as a sport, to me, that's their prerogative.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, I just want to make it clear with regard to this

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

bill. As I understand it, it does not ban pay-per-view television of these events. It simply bans the event from being staged in the State of Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

It does prevent cable or pay-per-view television.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, I'm just wondering if you wouldn't mind, since I think that's kind of a -- of a major part of the bill -- I think that the Cable Association did not oppose the bill because it was their understanding and my understanding that this bill banned ultimate fighting from taking place in the State of Illinois, but it didn't ban the actual televising of it. So if you could point to the -- that Section of the bill that -- that bans that, I would appreciate it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

We're checking the bill right now. On my analysis it does say that it would prohibit broadcasting depictions of ultimate fighting exhibitions and distribution of such depictions over cable or pay-per-view television, and we'll check the -- the bill to see if, in fact, there is that language in there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

You know, I could understand, certainly, how you would like to ban it in this State, and it makes sense, and I commend you on the bill. However, you start banning it on pay-per-view, that would be to the broadcaster or is there something in the bill that -- what if somebody had a satellite pickup and was able to pick it up? Would they then be breaking the law? Would they then become criminals for allowing it to be received in the home?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

If they can pick it up from a satellite, other than it being through a distribution system through a cable company, they can do it. But a cable company in Illinois would be prohibited from using this for pay-per-view.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

You know -- thank you. You know, I -- I just don't know what -- what that does to your bill, and I'm not talking about constitutionality. I mean, I think you can understand it's a little bit of a problem, in that we ban it in the State, you can't watch it in the State. Unless you have a few more dollars and you can buy a satellite, then you could watch it in the State. I -- I -- you know, banning -- banning it from happening in Illinois certainly makes sense to me. But when you start getting into whether it can be broadcasted, free TV, cable TV, but if you have a satellite dish it's okay, if you have a cable TV it's not okay, I think it mucks up the bill a little bit, and it would be wise to think about it. Thanks.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Senator Peterson.

SENATOR PETERSON:

Senator, in most cases that would be scrambled and that person, if they did receive it, I would assume would be receiving it illegally, but they would certainly not be, you know, distributing it to somebody else. But I want to get back to Senator Cullerton's comments on the prohibition of cable TV broadcasting. We're looking at page 5, line 24, and basically we're using the language: Holding or promoting an ultimate fighting exhibition, or participating in an ultimate fighting exhibition as a promoter, contestant, second, referee, judge, scorer, manager, trainer, announcer, or timekeeper, after the effective date of the rules required to be adopted under this Act. So we're saying that that -- in fact, that language would prohibit the cable TV usage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Cullerton, for a second time.

SENATOR CULLERTON:

Yes. I apologize. I -- well, first of all, Mr. President, there was a House amendment - House Amendment No. 1 - that specifically deleted that portion of the original House Bill that banned the cable television broadcast of ultimate fighting. That was taken out. This language that you just cited is number 20 on the list of things that the Department can take disciplinary action against someone for performing. There's no mention in this bill about cable television. That was taken out. And I -- I really think that to clarify the intent of this bill, it really ought to be, perhaps, taken out of the record. And you can confer with the House sponsor just to verify what it is that you want to -- what you want to say in the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

SENATOR PETERSON:

Well, we're told by the Department that this, in fact, would give them the power to ban it. I mean, this -- this language was looked at by the Department of Professional Regulation and they felt that this would give them the authority to do that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 3271 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 32 Ayes, no Nays, none voting Present. And House Bill 3271, having received the required constitutional majority, is declared passed. House Bill 3300. Yes. Senator Cullerton, what purpose do you rise?

SENATOR CULLERTON:

Wanted to ask for a verification on the last bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

That request is in order. ...all Members please be in their seat? Senator Cullerton has requested a verification. The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Bomke, Burzynski, Butler, Clayborne, Cronin, DeAngelis, DeLeo, del Valle, Donahue, Dudycz, Fawell, Fitzgerald, Geo-Karis, Hawkinson, Karpiel, Klemm, Lauzen, Mahar, Maitland, O'Daniel, O'Malley, Palmer, Parker, Peterson, Shadid, Sieben, Syverson, Viverito, Walsh, Weaver, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Does -- does Senator Cullerton question the presence of any Member voting in the affirmative?

SENATOR CULLERTON:

Yes. I'd like to ask if Senator Walsh is in the Chamber.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh is in his seat.

SENATOR CULLERTON:

Senator DeLeo?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeLeo? Senator DeLeo? Strike his name.

SENATOR CULLERTON:

Senator Rauschenberger?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger is in -- did not vote.

SENATOR CULLERTON:

Senator del Valle?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle? Senator del Valle is in the Chamber.

SENATOR CULLERTON:

Senator Welch?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch? Senator Welch? Strike his name.

SENATOR CULLERTON:

...further questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Okay. Having received the required constitutional majority -- on a verified roll call, the Ayes are 30, the Nays are none (sic) (7), 7 voting Present. And the bill is declared passed. House Bill 3300. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill -- or, House Bill 3300 corrects a -- some confusion and problems in the township School Code. It allows that people -- that elections held to fill unexpired terms be precedent on the ballot and be filled before new members are seated in a township school district. It's kind of a complex part of the School Code. It refers to residency requirements in those few school districts that have township election qualifications. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3300 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 House Bill 3300, having received the required constitutional majority, is declared passed. House Bill 3396. Senator Barkhausen. Senator Barkhausen. House Bill 3414. Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3414.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 3414 expands the authority of municipalities to regulate certain billboards which are on vacant property or on buildings, regarding obscene or adult entertainment advertisements that are within a thousand feet of schools, day care centers, cemeteries, public parks, and places of

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

religious worship. As amended, it allows the Illinois Department of Transportation to nominate certain scenic byways to the U.S. Department of Transportation. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Would the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

What is considered, in this bill, to be obscene when we're talking about a billboard? I know that there is one that has some question that's going around the State now which shows a couple of gals and a -- a guy adoring the sun, and -- and that's considered, in some areas, to be obscene or offensive, and in some areas they've been asked to remove that, but that's done on the local option basis. What -- what in -- is the terminology in your bill, Senator?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

It's adult entertainment, which is provided by either an adult bookstore, a striptease club, or a pornographic movie theater.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

So if -- if one were to advertise an adult bookstore, even though everything on the outdoor sign is -- is in good taste, they could not do that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Not if it's within a thousand feet of the facilities that I described.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

I guess one of the things in the bill, which to the bill, which sort of surprised me is we have cemeteries in there. Are we concerned that those people in the cemeteries are -- are going to see something lewd and vivacious and obscene, or what is the situation there?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Was he kidding, or did he really want to ask that question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 3414 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 56 Ayes, no Nays, none voting Present. And House Bill 3414, having received the required constitutional majority, is declared passed. On the bottom of page 7 in your regular Calendar, on the Order of House Bills 3rd Reading, House Bill 3448. Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. House Bill

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

3448 is known as the Streetgang Racketeering Bill. As the bill left the House, it contained forfeiture and eavesdropping procedures and provisions. Those have been deleted, so that the underlying bill now contains basically penalty enhancements dealing with sixty-five felonies that are committed while persons are members of streetgang. Mr. President, Members of the Senate, I move for the -- House Bill 3448's adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3448 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, and 2 voting Present. House Bill 3448, having received the required constitutional majority, is declared passed. On top of page 8 of your regular Calendar, in the Order of House Bills 3rd Reading, House Bill 3451. Senator Bomke. House Bill -- House Bill 3510. Senator Palmer. Parker. I beg your pardon. House Bill 3510. Senator Parker. House Bill 3532. Senator Maitland. Senator Maitland. House Bill 3547. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3547.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is a very simple bill. It simply requires the Department of Aging, through the thirteen areas -- area agencies on aging, to distribute information alerting seniors on safety issues regarding

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

emergency weather conditions. I certainly ask for a favorable vote, considering what we had last couple of weeks with the tornado.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Geo-Karis, who wants this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I do.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 3547 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 56 Ayes, no Nays, none voting Present. And House Bill 3547, having received the required constitutional majority, is declared passed. House Bill 3578. Senator Raica. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3578.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. This creates the offense of aggravated intimidation. Provides that a streetgang member who commits the offense of intimidation in furtherance of activities of organized gang or when the intimidation was motivated by the defendant's membership in the organized gang commits the offense

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

of aggravated intimidation. It passed out of committee on the Do Pass motion. Passed out of the House on a roll call of 107 to 0.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Trotter.

SENATOR TROTTER:

Yes. Senator Raica, specifically, I guess I'm confused here in this -- this sentence - the phrase actually - "in furtherance of activities of an organized gang". That means what?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

There -- there's potential for gang members who are on trial to intimidate witnesses, and because of the -- because of that intimidation, that activity could prone the offender to further gang activity when on the streets, Senator Trotter.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

Yes. Present already on the Illinois Statutes, there is language similar to this, dealing with aggravated -- the aggravation of a crime for organized crime members. Why are we specifically designating or -- or factoring out streetgangs in -- in your language.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

Senator Trotter, there's a specific problem with gang members, and therefore the word "gang member" was put into the legislation

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

specifically.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

But wouldn't they be inclusive in the already language there for organized crime? Haven't we already stated, or at least defined, that gang members are part of some organized network? So why do we need this language to -- to further define what we already have in the Statutes?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Trotter, in current language, there's -- "streetgang member" is in the Statutes. What we're doing is adding intimidation to an existing Statute.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter. Senator Trotter.

SENATOR TROTTER:

Hello? Yes. What -- what I have in the Statutes is specifically that being a member of an organized gang is presently defined as a factor in aggravation under Illinois law. This provision in aggravation includes all types of organized gangs. And that -- that's why it's presently reading as such. So it seemed like this is just some duplication, if nothing -- worse, just some more redundancy that we're putting in the Statutes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Trotter this was at the request of prosecutors that we add the offense of aggravated intimidation. That's the reason that we're putting the legislation in.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Just to add that it's my understanding this was amended to make it conform exactly with Senate Bill 1805, which has already passed this Body 53 to nothing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 3578 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 House Bill 3578, having received the required constitutional majority, is declared passed. House Bill 3601. Senator Palmer. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3601.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. This bill is in response to a

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

tragic apartment fire in Chicago, in the district next to mine, in which seven persons were killed because a resident of the apartment building had kept flammable material, such as tires, gasoline and so forth, and had not allowed an inspection that was required by law. What this bill does is to add Sections to emergency subsidized housing eviction proceedings. It has due process, and it sets out the circumstances in which the amendment to the Code of Civil Procedure applies. It was on the Agreed Bill List in committee. I'm happy to answer any questions, and I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3601 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 House Bill 3601, having received the required constitutional majority, is declared passed. House Bill 3613. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3613.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This permits the Departments of Public Aid, Public Health and Alcoholism and Substance Abuse to put together a public awareness campaign directed at reducing the number of drug-affected infants born to recipients of medical assistance. Currently, there's no such program. There's also an amendment on the bill which is part

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

of language that we passed out in the past, as well, Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3613 pass. All those in favor will... Senator Berman.

SENATOR BERMAN:

Thank you. I'm sorry. I would point out that the amendment that the sponsor referred to, I think is something that we ought to pay attention to. It, in my opinion, is a breach of the physician/patient confidentiality, because if you are brought into a hospital and they conduct -- your doctor or the emergency room doctor conducts a blood test on you, they can turn over to the State Police or to local law enforcement the results of that test. Now, I would appreciate -- I'm not sure why that amendment is on this bill. It is the amendment, and it -- it bothers me because you're encouraging a breach of a very, very important civil protection that everyone enjoys, and that is a patient/physician confidentiality. What you tell your doctor, what your doctor finds with you, you know, in all cases, stays between you and your doctor. In this bill, by the amendment, the doctor or their staff can turn over that information to law enforcement people. Now, we're all in favor of law and order, but I point out to you that you're choosing law and order over a very important confidential right that every citizen enjoys. I would respectfully request to the sponsor that I don't think this amendment ought to be there. Now, I'll leave it up to him to decide whether -- if it goes back to the House and they can nonconcur. The rest of the bill is fine, but I'm just disturbed by this breach of confidentiality. If the sponsor would address that. But that's my concern, and it's a -- it's a sincere concern.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I -- I certainly can understand Senator Berman's comments and concerns. This is similar to a bill that we passed out of the Senate before. The language, as I understand it, is permissive in the bill. If there are additional questions though, I would be more than happy to let the committee amendment sponsor, Senator Raica, answer those.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What the amendment does, basically, Mr. President, is allows a nurse or a physician to report to either the State Police or local enforcement when an individual is brought into an emergency room and there's -- and that patient has been involved in a motor vehicular accident, and there is suspect of -- of alcohol or narcotics. Current -- under current Statutes, there are five provisions which this is already done. First is, Illinois law already allows police access to hospital blood-alcohol results; however, they are usually not subpoenaed, because no ticket has been written as the police are unaware that the driver/patient was intoxicated. Second point, Illinois law already requires reporting of communicable diseases, such as TB, syphilis, et cetera, and child abuse. Third, Illinois law already considers a driver's license to constitute consent of breath or blood tests to approve the holder's right to be behind the wheel. Fourth, Illinois law requires physicians to report an injury resulting from discharge of a firearm. A car in the hands of a drunk driver is more lethal, or potentially more dangerous. And fifth, Illinois law already allows a physician's reporting of chronic alcoholics and patients with syncope the Department of

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

State, specifically the Secretary of State's Office. This bill -- or, this amendment was brought to our attention by Dr. Scott Plantz, from Mt. Sinai Hospital. It is supported by numerous associations throughout the State of Illinois, such as the Illinois Med society, Illinois Metropolitan Trauma Society, the Illinois National Trauma Society, Association of Emergency Physicians, American Academy of Emergency Physicians, and there's about seven or eight more, Mr. President. And I would just ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it's just as Senator Raica said, and I think we better keep in mind that if these injuries -- automobile-related injuries result -- could have resulted from drug or alcoholic impairment, I don't think anyone should drink or be under drugs and drive a car. I think the paramount consideration is the safety of other people. If someone wants to drink or take drugs and go ahead and drive a car and not know what the heck they're doing, they don't care about anyone else. And I think this is a good bill, and I support it wholeheartedly.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of this great Body. I stand in favor of this bill. It's great legislation. It was debated at length in committee. What the intent is, is certainly to get those offenders, those alcoholics and drug abusers, off the highway. Too often, these individuals, because of current law, go right through our system. And what happens, when they don't get the treatment that they need, they go right

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

back out in the streets and, unfortunately, kill some of -- innocent individuals. This is a great bill, and I ask everyone in this Chamber to vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR BURZYNSKI:

Thank you. I'd just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 3613 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, and 3 voting Present, and House Bill 3613, having received the required constitutional majority, is declared passed. House Bill 3617. Senator Raica. House Bill 3618. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3618.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This creates the Good Samaritan Act. Actually combines everything that we've done along the lines of good samaritan into one Section of the Statute. Be more than happy to answer any questions individuals might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Molaro.

SENATOR MOLARO:

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

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

I'm looking at the analysis. I don't have the whole bill in front of me, but when we talk about immunity provisions, the good samaritan bills most of the time we give immunity, if I remember good samaritan laws, because if there's an emergency what we'd like to do is have, whether they be medical people, nonmedical people, just jump in and help them. Now, is this talking strictly about emergency situations, or did you expand it to include nonemergency?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. No, Senator, this is exactly what is already in Statute. We're just merely combining them under one. We've not expanded the definition at all.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 3618 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 56 Ayes, no Nays, none voting Present, and House Bill 3618, having received the required constitutional majority, is declared passed. House Bill 3629. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3629.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

SENATOR FAWELL:

Thank you very much. This is a bill requested by the Secretary of State. Requires a driver to report to the Secretary of State any medical condition that is likely to cause loss of consciousness or loss of ability to safely operate a motor vehicle within ten days of the driver's becoming aware of the condition. Also authorizes the Secretary of State to cancel a license or permit because the holder failed to submit the report. Beginning July 1st, 1997, requires the police to notify Secretary of State when the accident was the result of the driver's loss of consciousness or medical condition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, what procedure will -- will follow the report of this condition or accident? Will there be a temporary suspension of a license, and -- and if so, how does the person go about getting the license back?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

They will have to go through the driver's license Medical Review Board, and the driver's license medical review is set up by the Secretary of State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

As I understand that procedure, and I know through my office, and I assume a number of Members have had this situation, where because of the delay in the physician on that Medical Review Board getting to something even though a person's own physician and maybe multiple physicians provide affidavits that they are okay to drive, it sometimes takes months before they can get the license back. So this is the same procedure that we have now for all these medical reviews. There's no expedited review at all?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Well, first of all, if -- if a doctor says that it is okay for that person to drive, that's acceptable. It's only if the doctor says it's an iffy-type situation that the Medical Board of Review starts coming into play. There will be rules and regs that will be set up by the Secretary of State to expedite this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I think the bill is a good idea, but the problem is right now these hearings take far too long in many cases, and I would hope that when we're promulgating rules that we would make sure that once physicians determine that -- that the person can drive, that they don't have to wait an extraordinarily long period before they get their privileges reinstating. And hopefully with that condition, I'll support the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Sponsor indicates he {sic} will yield. Senator Jacobs.

SENATOR JACOBS:

According to our analysis, Senator, it says it requires a driver of a vehicle to report to the SOS any medical condition that is likely to cause loss of consciousness or loss of ability to safely operate a motor vehicle. Now, if someone has some affliction which is controllable by medication or whatever, do they have to report that even though they've had no prior problem, and have no problem as long as they remain on -- on medication?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Right now the law requires -- has the same provision when somebody renews their driver's license. It's not changed, except that now it's when somebody becomes aware of that condition between the time that they originally applied for their driver's license and then replied -- applied for the renewal. So it's the same -- it's actually the same provision.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR FAWELL:

I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 3629 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 56 Ayes, no Nays, none voting Present, and House Bill 3629, having received the required constitutional majority, is declared passed. House Bill 3638. Senator Klemm. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3638.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3638 makes three changes. It adds, which is modeled after the authority already given in municipalities statewide, the authority for county boards to demolish, repair or enclose the dangerous and unsafe buildings and uncompleted or abandoned buildings in unincorporated territory only. It authorizes the county board to enter into agreements with financial institutions to allow them to put automatic teller services or cash -- check-cashing facilities, as long as there is not a -- a credit union or currency exchange located in that building. And it also changes some terminology that was requested by the Association of the Community of Mental Health Authorities eliminating the words "mentally retarded" to one of the county committees that serve the disabilities of people in their district. So these are the changes it makes, and I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3638 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, and 2 voting Present, and House Bill 3638, having received the required constitutional majority, is declared passed. House Bill 3670. Senator Fitzgerald. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3670.

(Secretary reads title of bill)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3670 changes the period of time from two years to ten years that must elapse after completion of sentence before felons and certain misdemeanor sex offenders may file petitions to change their names, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Senator, this Act refers to the Sex Offenders {sic} Act. It's my understanding that the courts have ruled that that Act is unconstitutional. And so, what are we in reference to when, in fact, this law has been considered unconstitutional?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

I've just been informed the case just came down today, and what I think I'm going to do is take the bill out of the record, and we'll come back and discuss this when I've had a chance to read this case. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Turn your Calendars to the top of page 13. We will go to the Order of Secretary's Desk, Resolutions. Senator Donahue, do you wish your resolution considered? Senator Donahue. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 190, offered by Senator Donahue. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 190 asks and urges and pleads with the United States Environmental Protection Agency to review their -- as they are reviewing their Ambient Air Quality Standards for the ozone, to look at economic development impacts, the health impact, all these types of figures, also the -- the unfunded mandate aspect of this and how it would affect our local communities, 'cause they're looking to expand this from about seventy-five areas in our country today to about two hundred to three hundred. And the areas that would be affected if they expand this -- these Standards would be the Rock Island area, Moline, Decatur, Springfield, Effingham County, Livingston County, Logan County and Adams County. And this simply asks them to look at what they're doing and keep the Standards, basically, as they are today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. Senator Donahue, could you just be a little more specific about what the intent of this resolution is? Are you asking them to cut back -- to cut back on the oversight? No? Okay.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you. No. We're just urging them to not expand their Standards and to make it more strict, which would bring in a whole bunch of other areas of our State. We're not trying to deal with what is existing today. We just don't want it to be expanded, which would bring in all those counties and other parts of Illinois that I mentioned.

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. This, of course, is one of my very favorite topics because of the fact that, first of all, even Argonne National Lab has recently informed me that the present Standards has no -- has absolutely no scientific basis behind it, and that the USEPA has gone absolutely crazy. The -- under the present Standards last year, which was the worst year in the history of the State of Illinois as far as weather was concerned, State of Illinois was out of compliance a total - the entire State - a total of twelve hours, and for that, we will be spending approximately seventy million dollars in a program. Now the USEPA, I guess because they have lack of nothing else better to do, has decided to lower these Standards even further so that pretty soon the entire State will be having little rods stuck up their tailpipes and we will be spending probably four to five times as much as the seventy million dollars. My only wish is that this resolution would have gone further and told the USEPA, since the year before the State was in compliance, we should just forget this whole darned program. Seventy million dollars is a lot of money. We ought to think seriously about spending that money in other ways besides having people run around and stick little rods up tailpipes, which does nothing for the environment. So I certainly support this resolution, but I -- I sure wish it would have gone farther and told the USEPA to go take a jump in the lake.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR DONAHUE:

Thank you very much, Mr. President. I would simply say that Senator Fawell said it the best of any of us, and I just ask for

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue moves the adoption of Senate Resolution 190. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR GEO-KARIS:

We're delighted to have today visiting us, Joyce Jeffries, J-E-F-F-R-I-E-S, who's the Director of Development for Condell Medical Center, a fine hospital in my district. And Mrs. Jeffries is a constituent of -- of Senator Peterson's district. I'd like you to help me welcome her here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest please rise and be recognized? Welcome to Springfield. Secretary's Desk, Resolution, HJR 85. Senator Burzynski. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution 85, offered by Senator Burzynski. The Committee on State Government Operations adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Basically what we're trying to do is take a look at the Illinois State Police, the management of their scales - they have about twelve sets of portable scales throughout the State - and to set aside a task force to study that and really come back with us with a recommendation of the

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

continued use of those scales.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Burzynski moves the adoption of House Joint Resolution 85. 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 the resolution is adopted. Senator Jacobs, what purpose do you rise?

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR JACOBS:

In the President's Gallery behind us on the Democratic side we have George Kirk, Director of our Quad-City Metropolitan Airport Authority, and his guest. I'd like to have them rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized? Welcome to Springfield. Senator Watson, what purpose do you rise?

SENATOR WATSON:

Yes. Thank you, Mr. President. Just for announcement. Just want to remind everybody that a week from tomorrow the game takes place. I know you're all excited about it. We're all looking forward to it. We're -- always ask every Member to contribute ten dollars each, and John Cullerton or I will be coming around with tickets to the game. We're -- always give that to a local charity, and we want Senator Bomke to identify maybe a local charity that we could make a presentation to. We raise a lot of money for -- for charities here in Springfield and the Springfield

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

area, and I just once again want to remind everybody of the game, and we'll probably have a couple of practices too, between now and then. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan, what purpose do you rise?

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of an announcement that the Committee on Insurance that's scheduled for 9:30 tomorrow morning is cancelled.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger, what purpose do you rise?

SENATOR RAUSCHENBERGER:

For purposes of an announcement. I would just advise the Members of the Senate Appropriations Committee that we have a -- a fairly extensive agenda today, and we're going to be voting some bills to the Floor as we first reach committee. So if people would be as prompt as possible, we'll take care of the voting action and then hear committee -- hear bill -- agency bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw, what purpose do you rise?

SENATOR SHAW:

The question -- Senator Watson, on that game for next week. Did he check with Coach Jackson up there with the Bulls and see whether they was going to be playing next -- next week on that date that this game is scheduled?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator "Coach" Watson.

SENATOR WATSON:

I don't know about the Bulls, but the Cardinals are playing, and I know that'll be a problem for many of us, all of us being Cardinal fans that we are. So I haven't really checked with Coach Jackson, but I know there are several of us here that are on call

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

102nd Legislative Day

May 7, 1996

all the time to -- to -- to play for the Bulls, I'm sure. So -- but the Cardinals are a major concern. Blues. I don't know about the Blues. The Blackhawks. Blues are about out. Just give you an update. They're down two now to Detroit. I don't know what happened last night to the Blackhawks. It looked bad for them. They did win -- ultimately win? Well, okay.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Watson.

SENATOR WATSON:

So, anyway, that's our sporting update for today. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon, what purpose do you rise?

SENATOR HENDON:

Thank you very much, Mr. Chairman. I don't recall seeing Senator Shaw out there taking one swing of a bat or chucking the ball or anything like that, and I think we need to get our priorities straight here in the Senate. What's more important - watching the Bulls beat up the Knicks, or us beating the House?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Madam Secretary, have there been any motions filed?

ACTING SECRETARY HAWKER:

We have a motion filed by Senator del Valle with respect to House Bill 3271.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Madam Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Is there any further business to come before the Senate? If not, Senator Weaver moves the Senate stand adjourned until 11 a.m. Wednesday, May 8th.

MAY 07, 1996

HB-0347	THIRD READING	PAGE	9
HB-0379	THIRD READING	PAGE	10
HB-0427	THIRD READING	PAGE	11
HB-0739	SECOND READING	PAGE	3
HB-0907	THIRD READING	PAGE	12
HB-1056	SECOND READING	PAGE	3
HB-1286	THIRD READING	PAGE	13
HB-1290	SECOND READING	PAGE	3
HB-1798	SECOND READING	PAGE	4
HB-2347	THIRD READING	PAGE	15
HB-2413	THIRD READING	PAGE	17
HB-2421	THIRD READING	PAGE	18
HB-2557	THIRD READING	PAGE	19
HB-2571	SECOND READING	PAGE	4
HB-2596	SECOND READING	PAGE	4
HB-2618	THIRD READING	PAGE	19
HB-2631	THIRD READING	PAGE	21
HB-2649	THIRD READING	PAGE	22
HB-2658	THIRD READING	PAGE	23
HB-2697	SECOND READING	PAGE	5
HB-2725	SECOND READING	PAGE	5
HB-2735	THIRD READING	PAGE	23
HB-2737	SECOND READING	PAGE	5
HB-2738	THIRD READING	PAGE	27
HB-2747	SECOND READING	PAGE	6
HB-2900	SECOND READING	PAGE	6
HB-3052	THIRD READING	PAGE	30
HB-3157	THIRD READING	PAGE	30
HB-3161	SECOND READING	PAGE	6
HB-3165	SECOND READING	PAGE	6
HB-3186	THIRD READING	PAGE	31
HB-3204	SECOND READING	PAGE	7
HB-3227	THIRD READING	PAGE	32
HB-3230	THIRD READING	PAGE	33
HB-3233	THIRD READING	PAGE	33
HB-3238	THIRD READING	PAGE	34
HB-3271	THIRD READING	PAGE	35
HB-3271	MOTION FILED	PAGE	67
HB-3282	SECOND READING	PAGE	7
HB-3300	THIRD READING	PAGE	42
HB-3414	THIRD READING	PAGE	43
HB-3447	SECOND READING	PAGE	7
HB-3448	THIRD READING	PAGE	45
HB-3546	SECOND READING	PAGE	8
HB-3547	THIRD READING	PAGE	46
HB-3549	SECOND READING	PAGE	8
HB-3578	THIRD READING	PAGE	47
HB-3601	THIRD READING	PAGE	50
HB-3613	THIRD READING	PAGE	51
HB-3618	THIRD READING	PAGE	55
HB-3625	SECOND READING	PAGE	8
HB-3629	THIRD READING	PAGE	56
HB-3637	SECOND READING	PAGE	8
HB-3638	THIRD READING	PAGE	59
HB-3670	THIRD READING	PAGE	60
HB-3670	OUT OF RECORD	PAGE	61
SR-0190	ADOPTED	PAGE	61
HJR-0085	ADOPTED	PAGE	64

SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-FATHER GERALD BUNSE	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1

REPORT: TIFLDAY  
PAGE: 002

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

96/10/07  
13:44:24

MAY 07, 1996

SUBJECT MATTER

JOURNAL-APPROVED	PAGE	1
JOURNALS-POSTPONED	PAGE	1
COMMITTEE REPORTS	PAGE	2
MESSAGES FROM THE HOUSE	PAGE	2
SENATE STANDS AT EASE	PAGE	20
SENATE RECONVENES	PAGE	20
COMMITTEE REPORTS	PAGE	20
ADJOURNMENT	PAGE	67