

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

89th Legislative Day

March 26, 1998

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks and will our guests in the gallery please rise? Our prayer today will be given by the Reverend Dennis Smith, United Methodist Church, Oakford, Illinois. Reverend Smith.

THE REVEREND DENNIS SMITH:

(Prayer by the Reverend Dennis Smith)

PRESIDENT PHILIP:

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

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. The wonderful Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. I appreciate that. I move that reading and approval of the Journals of Tuesday, March 24th, and Wednesday, March 25th, in the year 1988 -- '98 - I'm sorry - '98, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

The wonderful Senator Butler moves to postpone the reading and the approval of the Journals, pending the arrival of the printed transcripts. There being no objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports Senate Amendment 1 to Senate Bill 1455 Be Adopted and Amendment 2 to Senate Bill 1701 Be Adopted.

PRESIDENT PHILIP:

Messages from the House.

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SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Bills 2430, 2557, 2583, 2758, 2864, 3139, 3181, 3248, 3254, 3330.

We have a like Message on House Bills 2326, 3395, 3427, 3463, 3464, 3472, 3492, 3626 and 3631. And another Message on House Bills 2700, 3415 and 3610.

All passed the House, March 25th, 1998.

PRESIDENT PHILIP:

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 744, offered by Senators Hendon and Dudycz.

(Secretary reads title of bill)

House Bill 1443, by Senator Halvorson.

(Secretary reads title of bill)

House Bill 2435, Senator Sieben.

(Secretary reads title of bill)

House Bill 2510, by Senator Klemm.

(Secretary reads title of bill)

Senator Luechtefeld offers House Bill 2616.

(Secretary reads title of bill)

House Bill 2672, Senator Luechtefeld.

(Secretary reads title of bill)

House Bill 2700, Senator Dillard.

(Secretary reads title of bill)

House Bill 3068, by Senator Bomke.

(Secretary reads title of bill)

House Bill 3110, presented by Senator Myers.

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(Secretary reads title of bill)

House Bill 3129, Senator Luechtefeld.

(Secretary reads title of bill)

Senator Dudycz offers House Bill 3139.

(Secretary reads title of bill)

House Bill 3248, Senator Kehoe.

(Secretary reads title of bill)

House Bill 3254, by Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 3330, Senators Petka and Lauzen.

(Secretary reads title of bill)

House Bill 3415, Senator Tom Walsh.

(Secretary reads title of bill)

Senator Donahue offers House Bill 3427.

(Secretary reads title of bill)

House Bill 3464, Senator Tom Walsh.

(Secretary reads title of bill)

And House Bill 3492, by Senator Cronin.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 181, offered by Senator Clayborne.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. If I could have your attention for a minute and let you know what we intend on doing today. Going through 2nd and 3rd Readings. Hopefully we will get out of here in a short period of time. Secondly, I'd like to remind the Members that April 2nd is slowly sneaking upon us. That -- don't wait to the last minute to file your amendments. As you know, we have to have

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hearings for those amendments. And so, if you've got amendments, they ought to have 'em prepared and ready to go the first part of next week. Don't wait till the last minute because it's difficult to schedule hearings on all those amendments. So without further ado, we will go to 2nd Readings. Senator Jacobs.

SENATOR JACOBS:

Mr. President, just a point of inquiry.

PRESIDENT PHILIP:

State your point.

SENATOR JACOBS:

If we don't have any bills out there, do we have to worry about amendments?

PRESIDENT PHILIP:

I would hope not, but you never know around here.

SENATOR JACOBS:

Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Top of page 2, in the Order of Senate Bills 2nd Reading, is Senate Bill 1028. Senator Dillard. Senator Dillard. Senate Bill 1210. Senator Syverson. Senator Syverson. Senate Bill 1215. Senator Carroll. Senator Carroll. Senate Bill 1259. Senator Fawell. Senate Bill 1265. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1265.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Watson.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This amendment -- if you recall, when the deregulation bill was debated, there was an electric co-op in my area, Southwestern Electric Co-op, that had been negotiating and actually wanted to be a part of the competitive process, but time ran out. And at that point in time, when the bill was being debated, I asked Senator Mahar, the sponsor of the bill, if -- if the negotiations could continue between the electric co-op and the Association of Electric Cooperatives, and hopefully get some language that we would address this coming spring. This amendment does that. It's an agreed-to bill with the Association of Electric Co-ops, Southwestern Electric Co-op in my area, and I know of no objection and be -- hopefully the amendment will be adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Watson moves the adoption of Amendment No. 2 to Senate Bill 1265. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1290. Senator Peterson. Senate Bill 1295. Senator Farley. Senator Farley. Senate Bill -- 1328. Senator Bowles. Senator Bowles. Senate Bill 1365. Senator Bowles. Senate Bill -- Senate Bill 1420. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1420.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Committee -- or, Floor Amendment No. 1 to Senate Bill 1420 is a bill that -- is an amendment that simply makes this a shell bill. We plan to move this bill on through the process for possible readjustments in their rates. And I would move for the adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 1420. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. With leave of the Body, we'll return to Senate Bills 1399 and 1400. Senator Trotter. Senate Bill 1399. Senator Trotter. Senate Bill 1400. Senator Trotter. Senate Bill 1428. Senator Luechtefeld. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1428.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 1, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. This particular amendment really leaves the -- well, in -- in the bill, the original bill, we enhance the penalties for the endangerment of a child. In committee there was some concern that we maybe just need to do it for when a -- when a death occurs. And in this amendment, we are doing that; we're simply amending it only in case of death.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Luechtefeld moves the adoption of Amendment No. 1 to Senate Bill 1428. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. 14 -- Senate Bill 1451. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1451.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1455. Senator Sieben. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1455.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. Floor Amendment No. 1 would merely change the date of the ethanol tax exemption from 2007 to 2003. The net effect would be that the -- the tax abatement on gasohol fuels would extend for four more years. Move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Sieben moves the adoption of -- of Amendment No. 1 to Senate Bill 1455. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 3, in the Order of Senate Bills 2nd Reading, is Senate Bill 1458. Senator Weaver. Senator Weaver. Senate Bill 1463. Senator Mahar. Senator Mahar? ...Bill 1499. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1499.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1500. Senator Luechtefeld. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1500.

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(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)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1555. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1555.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1566. Senator Radogno. Senator Radogno. Senate Bill 1585. Senator Karpiel. Senator Karpiel. Senate Bill 1592. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

...Bill 1592.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill -- 1594. Senator Karpiel. Senator Karpiel. Senate Bill 1610. Senator O'Malley. Mr. Secretary, read the bill.

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SECRETARY HARRY:

...Bill 1610.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1628. Senator Cullerton. Senator Cullerton. Senate Bill 1633. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1633.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1703. Senator Fawell. Senate Bill 1709. Senator Thomas Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1709.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1750. Senator Lauzen. Senate Bill 1784. Senator Rauschenberger. Mr. Secretary, read the bill.

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SECRETARY HARRY:

Senate Bill 1784.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1785. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1785.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1786. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1786.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 4, in the Order of Senate Bills 2nd Reading, is Senate Bill 1787. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1787.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1833. Senator Syverson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1833.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. Senate Bill 1834. Senator Syverson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1834.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1844. Senator Lauzen. Senate Bill 1853. Senator Trotter. Senator Trotter. Senate Bill 1854. Senator Mahar. Senator Mahar. Senate Bill 1860. Senator Butler. Senate Bill 1895. Senator Karpziel. If you turn your Calendars to the middle of page 4, in the Order of Senate Bills 3rd Reading, Senate Bill 499. Senator Maitland. Senate Bill 668. Senator Maitland. Senate Bill 743. Senator Fawell. Senate Bill 1217. Senator Petka. Senate Bill 1223. Senator Jones. Senator Jones. Senate Bill 1240. Senator Molaro. Senator Molaro. Senate Bill 1249. Senator Garcia. Senator Garcia. Senate Bill 1250. Senator Butler. Senate Bill 1251. Senator Luechtefeld. Senator Luechtefeld. On the top of page 5, in the Order of Senate Bills 3rd Reading, is Senate Bill 1280. Senator Butler. Senate Bill 1288. Senator Mahar. With leave of the Body, we'll return later to Senate Bill 1289. Senate Bill 1291. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1291.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is follow-up legislation in regard to the brownsfield {sic} (brownfields) bill we passed this

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past year. And this will allow those who -- who go in and -- and develop a brownfield site, that they can claim both the Illinois Environmental Remediation Tax Credit, which was the bill we passed, and the federal brownfield {sic} economic development initiative in targeted redevelopment areas. There was amendment we put on in committee from the Department of Revenue that cleared up some concerns that they might have had about double-dipping. There's no fiscal impact. And know -- I know of no opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1291 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 1291, having received the required constitutional majority, is declared passed. Senate Bill 1293. Senator Fawell. Senate Bill 1305. Senator Peterson. Senate Bill 1306. Senator Mahar. Do you wish this bill returned to -- the 2nd Reading for the purposes of an amendment? Senator Mahar seeks leave of the Body to return Senate Bill 1306 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1306. Mr. Secretary, there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This -- this adds an immediate effective date, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1308. Senator Philip. Senate Bill 1315. Senator Parker. Senate Bill 1326. Senator Karpel. Senate Bill 1339. Senator Karpel. Senate Bill 1349. Senator... Senate Bill 1356. Senator Thomas Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1356.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President, Members of the Senate. Senate Bill 1356 is a Legislative Audit Commission initiative that will address the concerns raised in the Illinois State Lottery audits over the past three fiscal years. Current law states that revenue from ticket sales shall be net receipts after the deductions of commissions, certain prize reimbursements, and fees. The bill will clarify the Lottery's statutory authority to net receipts after the deduction of fees paid out to certain contractors. This amendment clarifies that fees are only those operating expenses for activities at agent locations and merely the cost of generating a wager. And I know of no opposition and would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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Senate Bill 1356 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 53 Ayes, no Nays, 1 voting Present. And Senate Bill 1356, having received the required constitutional majority, is declared passed. Senate Bill 1364. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1364.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have a -- an organization called Del Webb that's putting up "sun city" communities throughout the United States, and there's ten of 'em in the United States, and most of those are all in the southern part of the -- of our continent. They have selected Illinois as the first location for a sun city community, for retirees and senior citizens aged fifty-five and over to come to the northern part of Illinois, and -- and Illinois has been selected as that site. One of the provisions that they have in this community, if you will, is that they allow the senior citizens to operate golf carts to get from their homes to their community centers, to the tennis courts, to their golf courses, to their aerobic classes, rather than having to get in their huge cars to just drive around the neighborhood. Illinois didn't allow golf carts to be used in public highways and streets. And what we did was try to craft legislation that would meet IDOT and the other traffic people, to allow local jurisdictions to be able to designate specific streets and roads to allow golf carts to be

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used, provided they have the safety requirements and the safety equipment that was required and necessary. This bill, Senate Bill 1364, accomplishes that. I want to thank the Transportation Committee for allowing us to amend it to the provisions that met the committee's concerns. And I do ask for your support because this is an important bill for those retirees that wish not to drive their huge cars within their little compound, but to use this means of transportation. So I ask for your support on this important bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator Klemm, there are those golf courses that have nine holes on one side, nine holes on another side, and they have to cross a -- it's a public road - may not be a heavily traveled public road, but it is a public road that they have to cross. Does that mean, then, that that municipal golf course would have to follow this law? Even though they -- they do enter upon a public thoroughfare. Would they have to, then, get the taillights, the headlights and all of that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

No, they're already allowed to do that under existing law without those provisions. But if they're going to be traveling down a road that's been designated and the signs are posted that those golf carts can -- you know, transverse that -- that area, of

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course they would have to have those requirements. But not to meet the requirement you have; that's already permitted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

The reason I ask, 'cause I don't have the bill in front of me, but I do have the analysis, and our analysis says that: requires that golf carts, allowed by local governments to operate on roadways, must have headlights, taillights, et cetera. So even though they are not driving down the road, they are crossing that public right-of-way. How then are they exempted?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Under current law, they're exempted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

But isn't this law a new law, which is preempting the -- the current law?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Then, why are we doing it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Because in current law, they can cross over, but they can't go

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along the side of the highway and drive. This law would allow 'em, if the local authority grants that, if they have those safety requirements. But just to cross from point A to point B to get across to another side of the golf course is allowed without this type of equipment on the -- on the golf cart.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Well, thank you, Mr. President. Just a follow-up for Senator Jacobs. It -- it's the same requirements that apply to other off-road vehicles - ATMs, snowmobiles and so forth - that may be allowed to -- to cross but not drive along.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. We -- we heard a lot of discussion about this bill. And basically, I think, perhaps, the word "highway" is -- is a misnomer. What we're really probably talking about are local roads, and it has to be that the local authorities agree to this. And, you know, we have finally decided, in the Transportation Committee, with the amendments that were added, that it's a good bill. And I would suggest everyone vote for it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? If not, Senator Klemm, to close.

SENATOR KLEMM:

Well -- well, thank you, Madam -- or, Mr. President. Thank you for the comments. I think we've covered all the requests and comments and concerns of everyone. I've talked to all the highway engineers and everything and they realize that it's not -- it is not mandatory; it has to be granted by the elected and local officials, and therefore, you won't be seeing golf carts going down I-90. So we do have the safeguards there, and I ask for your

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support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1364 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, none voting Present. And Senate Bill 1364, having received the required constitutional majority, is declared passed. Senate Bill 1370. Senator Garcia. Senator Garcia. Senate Bill 1372. Senator Syverson. Senate Bill 1380. Senator Cullerton. Senate Bill 1386. Senator Trotter. On top of page 6, in the Order of Senate Bills 3rd Reading, is Senate Bill 1387. Senator Mahar. Senate Bill 1424. Senator Mahar. Senate Bill 1426. Senator Bomke. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1426.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1426 amends the Criminal Code, Code of Corrections to increase the penalty for defacement of school property, making the offense a Class 3 felony if it exceeds three hundred dollars. In addition, if -- if community service is available as a sanction, the offender is required to clean up, remove, paint over the defacement. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1426 pass. All those in favor will vote Aye. Opposed

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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 53 Ayes, no Nays, none voting Present. And Senate Bill 1426, having received the required constitutional majority, is declared passed. Senate Bill 1446. Senator Philip. Senate Bill 1473. Senator Donahue. Senate Bill 1475. Senator Karpziel. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1475.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 1475 makes a few changes to the waiver bill that we passed several years ago. It makes basically three changes. It allows cooperative and joint agreement programs to request waivers or modifications of mandates. This takes care of the different co-ops, and this was requested by the State Board of Education. It also deletes the language that would require school boards to publish notice of a public hearing on a waiver request in the newspaper and instead requires districts to notify parents of the hearing at least seven days before the hearing. This change was requested by Senator Berman. Requires waiver -- the third part of it requires waiver applications to include a description of the public hearing, and this change was also required by Senator Berman. There was no registered opposition to the bill in committee, and it is supported by the Special Education Administrators of Illinois, the State Board of Education and the South Cook Organization for Public Education.

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Is there any discussion? If not, the question is, shall Senate Bill 1475 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 1475, having received the required constitutional majority, is -- is declared passed. Senate Bill 1491. Senator Philip. Senate Bill 1507. Senator Philip. Senate Bill 1528. Senator O'Malley. Senate Bill 1544. Senator Dillard. Senate Bill 1557. Senator Cronin. Senate Bill 1561. Senator Cronin, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Cronin seeks leave of the Body to return Senate Bill 1561 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1561. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment No. 1 adds four new provisions to the bill. They are: Number one, the contents of Senate Bill 1312 that was sponsored by Senator Rauschenberger, which made several changes in the School Code, that moved the school board elections to April of odd-numbered years, that was necessitated by a law that we passed just recently; number two, the contents of 1452, sponsored by Senator Demuzio - that language allowed that special education cooperatives, rather than just those with seventeen or more school districts, to appoint a governing board; three, language requested

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by the Illinois Association of School Boards that allows special ed co-ops with at least seven members, rather than those with twenty, to appoint a governing board; item four, the last item, language requested by the Education Labor Relations Advisory Committee that makes two agreed changes to the Act. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1567. Senator Mahar. Senate Bill 1568. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1568.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Thank you, Mr. President, Members of the Senate. Senate Bill 1568 would provide that there be -- it would change -- under current law there is no deadline by which a plat or {sic} (of) subdivision must be recorded after property has been divided into separate parcels. This bill provides that a plat of subdivision may be required by a unit of local government be recorded before issuance of building permits for any of the lots of the subdivision. The intent is to place improved property on the tax rolls in a timely fashion so that property is assessed at proper values and taxing districts have access to a correct tax

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base. I know of no opposition. I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1568 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 1568, having received the required constitutional majority, is declared passed. On the top of page 7, in the Order of Senate Bills 3rd Reading, is Senate Bill 1593. Senator Karpel. Senate Bill 1612. Senator O'Malley. Senate Bill 1622. Senator Myers. Senate Bill 1625. Senator Burzynski. Senator -- Senate Bill 1664. Senator Cronin. Mr. Secretary -- Senator Cronin, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Cronin seeks leave of the Body to return Senate Bill 1664 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1664. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment No. 2 rewrites the section dealing with refund policies when students withdraw from classes, to make various technical and grammatical changes. Doesn't appear to be very controversial. Ask for your favorable consideration. Senate Amendment No... Okay.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Amendment No. 3, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. Senate Amendment No. 3 adds a proposal that is the result of a fair amount of discussion with some local business leaders. And it was -- it's -- it's a business/education cooperative undertaking whereby businesses provide training for students -- high school students, and it leads to -- it leads to wonderful career opportunities for the children and it helps the business people get trained workers in the workforce. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1674. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1674.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. The year 2000 is fast approaching, and I think most of us know that in the high-technology and information age, we need to make some changes in our computer system. What this bill does is it creates a twenty-member task force of State government and local government and also the State Superintendent of Schools and the other major constitutional branches of government - the Attorney General on through the Supreme Court. And this commission is going to be chaired by the Director of Central Management Services and it is to report back to the General Assembly by the end of November as to what we need to do in State government to make sure that our systems are coordinated, to report to us as to what it might cost the State of Illinois to make sure we are year 2000 compliant with all our different computer systems, and to tell us whatever corrective measures we need to make. The State of Wisconsin and other states have already formed similar task forces, and the consultants in this type of area and those who can fix our computer systems are quickly being sucked up by other governments and, most importantly, the private sector, not only in the United States but worldwide. And I guess just to close: It is amazing. There's a story - a cover story - a week ago, in Business Week magazine that talks about this problem, but the statistics and the lost man-hours to prepare all our computer systems for the changeover in the year 2000 is staggering. It -- they estimate that it'll cost half a percent of the gross national product, that seven hundred thousand person-years will be used by different staff over the next year or so to make these computers compliant with the year 2000, and the dollar amounts are staggering, including a total lost output in the United States of about a hundred and twenty billion dollars to our economy just to change our computer systems. The State of Illinois needs to get ready and this bill

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sets up the task force to report back to us by the end of November to make sure that we are not behind the curve in getting ready for the new millennium. I'd be happy to answer any questions and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1674 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 1674, having received the required constitutional majority, is declared passed. Senate Bill 1675. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1675.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Mr. President, let's take this one out of the record if we could, please. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Senate Bill 1698. Senator Shaw. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1698.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of -- out of the record. Senate Bill 1700. Senator Donahue. Senate Bill 1701. Senator Maitland. Senator Maitland, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Maitland seeks leave of the Body to return

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Senate Bill 1701 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1701. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 2 to Senate Bill 1701 is -- is another easement release. This is one of the annual easement bills that passes through this Chamber. There's one coming over from the House. This one's going over to the House from here. This is just an additional one that we didn't have when the bill was first introduced. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1702. Senator Butler. Senate Bill 1704. Senator Rauschenberger. Senate Bill 1705. Senator Watson. On the top of page 8, in the Order of Senate Bills 3rd Reading, is Senate Bill 1706. Senator Rauschenberger. Senate Bill 1707. Senator Sieben. Senator Sieben. Senate Bill 1711. Senator Donahue. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1711.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 1711 amends the Public Assistance Fraud and Administration Articles of the Public Aid Code, and what it deals with -- does three things: It makes changes regarding the exclusion of individuals from the Medicaid program based on convictions of health care related crimes; second, it modifies State law to allow the Department to withhold Medicaid payments to providers where the provider has been indicted for a health care fraud; and third, it allows the Inspector General to issue annual reports, as opposed to quarterly reports. I would move for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Excuse me. Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1711 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, 1 voting Present. Senate Bill 1711, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

State your point, sir.

SENATOR TROTTER:

Yes. I would like to take this opportunity to introduce to -- to our august Body, Dan Sprague. He's the Executive Director of the Council of State Governments, which is one of the premier

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think tanks for this legislative process. Danny's standing on the Republican side now, speaking with Senator Maitland. Please welcome Dan Sprague...

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Glad to have you here in Springfield. Welcome. Senate Bill 1712. Senator Philip. Senator Philip on the Floor? Senate Bill 1713. Senator Geo-Karis. Senator Geo-Karis. Out of the record. Senate Bill 1756. Senator Bowles. Evelyn Bowles. Out of the record. Sponsor has requested that Senate Bills 1806 through 1815 be held. Out of the record. Senate Bill 1830. Senator Rauschenberger. Out of the record. Senate Bill 1835. Senator Parker. Out of the record. Senate Bill 1838. Senator Klemm. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1838.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. About a year ago, I'd asked the Department of Human Services if we could come up with a program that would allow families that have people with disabilities in their family to have more flexibility in using some of the facilities, in using some of the services that are offered in the community, to give them a flexible plan. And this year they came up with the program that is incorporated in Senate Bill 1838 as a pilot program so that we could establish five family service voucher programs that we will report to the General Assembly by March 1st, the year 2000, or a year and a half from now, to find out if this program is successful. It's based, really, on a program that was developed by Ray -- Ray Graham

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Association for People with Disabilities that has proven enormously successful in its attempts. In fact, ninety-eight percent of the respondents have said that it is great -- given the family greater flexibility of using services of the needs that their family may need versus having a service that you can only take it or leave it and not have that flexibility. This program does do that. It gives families greater control over the family support services. I think it's an excellent pilot program that'll be reporting to the State. And I do ask for your support. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1838 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, no voting Present. Senate Bill 1838, having received the required constitutional majority, is declared passed. Senate Bill 1840. Senator Rauschenberger. It's a recall. Is Senator Rauschenberger on the Floor? Okay. Senator Rauschenberger seeks leave of the Body to return Senate Bill 1840 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1840. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a -- a technical cleanup for a drafting error that was

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found as we were moving along the process. I'd appreciate its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Petka, on Senate Bill 1846. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1846.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1846 amends the Gang Crime Witness Protection Act. It merely changes the effective date from -- or, not effective date, but the repealer date from June 1st {sic} (30th) of 1998, to June 1st {sic} (30th) of 1999. The Illinois State Police and the Attorney General's Office had sought this legislation a few years back as part of the Governor's Commission on -- on Gangs project. It is their belief that they have not had enough time to -- to evaluate the program for its effectiveness and they're asking for an extension of one year. I know of no opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1846 pass. All those in favor, vote Aye. Opposed,

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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 53 voting Yes, no voting No, no voting Present. Senate Bill 1846, having received the required constitutional majority, is declared passed. Senate Bill 1867. Senator Klemm. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1867.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 1867 really closes a loophole that we found local authorities were using under the tax cap to be able to withhold dollars from mental health community-based organizations, so that they could use the aggregate amount to inflate their corporate taxes under the tax cap. This would just say that they can't do that any longer. They still have total control of what the budget and levy will be for mental health people. Nothing changes on that. It just says that they can't use that to raise taxes for their own purposes, that it must be used for mental health purposes. I know of no opposition to the bill, and I do ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1867 pass. All those in favor, vote Aye. Opposed, vote No. 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 40 voting Yes, 15 voting No, no voting Present. Senate Bill 1867, having received the required constitutional majority, is declared passed. Senate Bill

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1875. Senator Fawell. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1875.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill that's being requested by the Railroad Association. It amends the Motor Fuel Tax bill -- Law and provides that public hearings to abolish a railroad grade crossing shall not be required when an entity having jurisdiction over the highway vacates the highway. Requires a vehicle {sic} (vertical) clearance of not less than twenty-three feet when a highway bridge is constructed. It also does allow that the grade crossing protection funds can also be used in subdivisions where it is necessary, and other clean-up language. I know of no opposition and I would request your Aye...

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? The question is, shall Senate Bill 1875 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, no voting Present. Senate Bill 1875, having received the required constitutional majority, is declared passed. Senate Bill 1878. Senator Bowles. Evelyn Bowles. Out of the record. Senate Bill 1884. Senator Demuzio. Out of the record. Senate Bill 1889. Senator Cronin. Dan Cronin. Out of the record. Senate Bill 1892. Senator O'Malley. Pat O'Malley. Madam Secretary, please read the bill. I beg your pardon. This is a recall. Senator O'Malley wishes to return Senate Bill 1892 to the Order of 2nd

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Reading for the purpose of an amendment. Is there any objection?  
Hearing none, leave is granted. On the Order of 2nd Reading is  
Senate Bill 1892. Madam Secretary, are there any Floor amendments  
approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
Senate Bill 1892 provides that students who attend non-recognized  
high schools who score at least seven points higher than the  
statewide average on the ACT test shall be eligible to receive  
merit recognition scholarship. Senate Amendment 2 establishes a  
distribution methodology for scholarships for the eligible  
students from non-recognized high schools.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, all  
those in favor, say Aye. Opposed, Nay. The Ayes have it. The  
amendment is adopted. Is -- are there any other Floor amendments  
approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1896. Senator Philip. Pate Philip  
on the Floor? Out of the record. 1897. Senator Philip. Out of  
the record. Senate Bill 1903. Senator Madigan. Senator Bob  
Madigan. (19)04. Senator Madigan. Out of the record. (19)11.  
Senator Madigan. Out of the record. 1912. Senator Madigan. Out  
of the record. Senate Bill 1919. Senator Madigan. Out of the  
record. Senate Bill 1938. Senator Philip. Senator Pate Philip.  
Out of the record. Previously requested, we have two bills we're

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going to return to, leave having been granted, and it's Senate Bill 1240. Senator Molaro. We are on page -- page 4, bottom third of the page, still on 3rd Reading. Senate Bill 1240. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1240.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Thank you. This is basically clear-up language that passed committee unanimously and has been approved by the Department head. Basically what this does is, when you have an escrow -- when you have a title insurance -- an agent for the title insurance during the closing, they can ask -- act as an escrow agent only if they're giving insurance to the buyer of the property. Well, it turns out lately we're having a lot of refinancing. So when you go to refinance, the seller and buyer, there really is no seller. There's just a buyer. So you're not selling insurance to the seller, and therefore, there was language in the law that states that you cannot be the escrow agent unless you're selling insurance to the seller. Well, what this allows now -- that changes that and it allows the title insurance company to also act as the escrow agent, even though there is no seller in a refinancing. So, as you well know, when you go to buy homes now, you have the closing at the title company. Very few closings are at the savings and loans or the banks. So that's what this does.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Is the title insurance being updated at the time of the refinancing to check for intervening liens or second mortgages or the like?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Well, the -- the answer to that is yes, because what you're giving, even though your not giving title insurance to, in this case, what would be, for all intents and purposes, the buyer, you are getting title insurance for the new mortgage company that's involved. So, yes, it is updated, and it is brought up-to-date.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, although I didn't intend it as a trick question, it may have worked that way, because they then are giving new insurance to the mortgage company, are they not? And -- and if they are, why do we need this bill? Because if they're giving new insurance, they can already, under current law, act as the escrow agent, can they not?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Well, from what I'm told of the current law, that if you're an agent for the title insurance company. So if you're an agent, say, for Chicago Title or Intercounty or something like that, say, and in this case, Greater Illinois Title, let's say, to do it -- to be the escrow agent, there had to be insurance issued to a

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seller, from what I understand. And in this case, there isn't.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

If -- if that's the case, then this could apply to original purchases of homes also, where the only insurance being issued is mortgage insurance. In other words, you're buying a home for the first time, you're not refinancing, but you're limiting the -- the amount of the insurance to the amount of the mortgage and that's all you're -- you're seeking to buy - your insurance -- you're insuring both the lender as well as the -- the buyer. And in that case, you're saying if it's just mortgage insurance, you need this change even in original purchases, in order for the company to -- or the agent to act as the escrow agent, is that right?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

At first blush, I'd have to say you're right, without thinking of the question.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Senator Molaro, to close.

SENATOR MOLARO:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1240 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, 1 voting Present. Senate Bill 1240, having received the required constitutional majority, is declared passed. The other bill we had leave to go back to is Senate Bill 1289. That

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is located on page 5. Senator Dudycz. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1289.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 1289 amends the Vehicle Code by adding "intoxicating compounds" to each section where alcohol, cannabis and controlled substances are listed relative to driving a motor vehicle. Specifically, what it does, it permits the Secretary of State to cancel or suspend a person's license if they refuse to be tested for the presence of an intoxicating compound or is convicted of a violation of the Use of Intoxicating Compounds Act. It mandates revocation upon a conviction for DUI based upon the use of intoxicating compounds. It permits a judicial driving permit to -- to those so convicted. It further adds intoxicating compounds to the DUI and statutory summary suspension statutes themselves. Senate Bill 1289 creates the same statutory offense of being under the influence of intoxicating compounds - .08. Permits the same testing and reporting methods for intoxicating compounds as for alcohol, cannabis, and controlled substances. Intoxicating compounds are listed under the Use of Intoxicating Compounds Act and largely consist of chemicals used in aerosol propellants -- paint propellants, glue, paint thinners and other such products. This legislation was introduced after an incident last year in Will County where -- where the Joliet police investigated an automobile accident where they found one of the drivers were -- was high on paint, yet the only charge available to them, at that time, was a Class C

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misdemeanor. This will correct that, and there was an amendment that deleted the provision which took away a municipality's authority to enforce a statutory summary suspension when an offender is convicted of a DUI. I believe that removed all opposition to the bill, and I would seek your affirmative support.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Geo-Karis. Further discussion? Seeing none, the question is, shall Senate Bill 1289 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, no voting Present. Senate Bill 1289, having received the required constitutional majority, is declared passed. We're going to go to page 10. Senator Peterson, do you wish House Bill 533? We're going back to -- to page 10, House Bills 3rd Reading. We're going to have recall. And Senator Peterson desires to have House Bill 533 returned to 2nd Reading for the order of an amendment. Is there any objection? Hearing none, we are on the Order of 2nd Reading. Are there any Floor amendments that have been approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Amendment 2 basically becomes the bill. And it has to do with qualified technological equipment and the intent of leasing the property to another entity. Instead of paying the sales tax up front when purchased, it can be prorated over the time of the lease. The Occupational Tax Act to give me the -- would give the option to exempt the buyer from the up-front sales tax and instead remit tax based on the amount of the lease

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payments. I ask for adoption of Amendment 2.

PRESIDING OFFICER: (SENATOR WATSON)

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

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson, on Amendment No. 3.

SENATOR PETERSON:

Thank you, Mr. President. Amendment 3 is basically a technical amendment defining some of the terms -- four or five of the terms in the -- the bill. I ask for adoption of Amendment 3.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Hearing none, all those in favor, say Aye. All those opposed, No. The Ayes have it. The amendment is adopted. Any further amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. It's our intention now to remain on page 10, and we have House Bills 2nd Reading. First one is House Bill 38. Senator Trotter. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 38.

(Secretary reads title of bill)

3rd Reading of -- pardon me, 2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill -- I beg your pardon. House Bill 94. Senator Radogno. Madam Secretary, please read the bill.

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ACTING SECRETARY HAWKER:

House Bill 94.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Sieben, on House Bill 1217. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 1217.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill -- House Bill 1422. Senator Hawkinson. We're on page 10, House Bill 1422, 2nd Reading. It's clean. Okay. Out of the record. House Bill 1640. Senator Cronin. Out of the record. House Bill 1670. Senator Radogno. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 1670.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any other Floor amendments approved for consideration?

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ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 1685. Senator Cronin. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 1685.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any other Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 2364. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 2364.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. ...now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed for any resolution?

ACTING SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

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

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resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Resolutions, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 59, offered by Senator Weaver.

(Secretary reads SJR No. 59)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 59. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver has moved for the adoption of Senate Joint Resolution 59. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Bowles moves the Senate stands adjourned until noon, Tuesday, March 31st. Have a nice weekend. Noon.

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