

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

67th Legislative Day

November 13, 1997

PRESIDING OFFICER: (SENATOR WEAVER)

Regular Session of the 90th General Assembly will 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 Mark Kim, Presbyterian Church, of Washington, Illinois. Reverend Kim.

THE REVEREND MARK KIM:

(Prayer by the Reverend Mark Kim)

PRESIDING OFFICER: (SENATOR WEAVER)

Our Pledge of Allegiance will be led by Reverend -- or, Reverend -- Senator Sieben.

SENATOR SIEBEN:

Please join me in the Pledge of Allegiance.

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journal. Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. I move that the reading and approval of the Journal of Wednesday, November 12th, in the year 1997, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke moves the postponement and {sic} reading and approval of the Journal, pending arrival of the printed transcript. There being no objections, it is so ordered. Messages. Committee Reports.

SECRETARY HARRY:

Senator Fitzgerald, Chair of the Committee on State Government Operations, reports Senate Bill 862, the Motion to Concur with House Amendment No. 1 Be Adopted.

Senator Peterson, Chair of the Committee on Revenue, reports House Bills 533, 1116 and 2333 Do Pass, as Amended.

Senator Sieben, Chair of the Committee on Agriculture and

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Conservation, reports Senate Amendment 3 to House Bill 1158 Be Approved for Consideration.

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports House Bill 1296 Do Pass, as Amended.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 9, the Motion to Concur with House Amendment 2 Be Approved for Consideration; and Senate Amendments 2 and 3 to House Bill 887 also Be Approved for Consideration.

And Senator Cronin, Chair of the Committee on Education, reports House Bill 999 Do Pass.

PRESIDING OFFICER: (SENATOR WEAVER)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1215, offered by Senator Carroll.

(Secretary reads title of bill)

Senate Bill 1216 is offered by Senator Petka.

(Secretary reads title of bill)

And House {sic} Bill 1217, by Senator Petka.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Mr. President. Senator Carroll has filed a motion with respect to House Bill 381. And Senator Cronin has filed a motion with respect to House Bill 2030 {sic}.

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Judy Spencer and -- IS and Paula Mandino request permission to videotape. Is there leave? Leave is granted. Senate will stand at ease for a few minutes. Very shortly I'll yield the Chair to Senator Parker and Senator

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Berman, Senator Carroll for introductions.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

SENATOR PARKER:

...Gentleman -- Ladies and Gentlemen of the Senate, it is my honor today to have the privilege of introducing to you the Consul General of Israel to the Midwest, Tzipora Rimon, which -- who is here today to be introduced before the General Assembly, with Senator Berman and Senator Carroll. Tzipora Rimon was born, raised and educated in Israel. While serving in the Israel Defense Forces, she reached the rank of Captain and specialized in instructional work with the Women's Corps. In 1975, Ms. Rimon joined the Ministry of Foreign Affairs. Among her broad range of expertise is Israel's economic relations with the United States and Europe, and matters concerning the World Trade Organizations. In 1979 and 1980, Ms. Rimon participated in the United Nations General Assembly as a member of the Israeli delegation. Ms. Rimon has served in Israel's Embassies in Copenhagen and Lisbon with responsibilities covering political, information and cultural affairs. Between 1990 and 1994, she was Minister-Counselor of the Israel Embassy in Rome and Israel's Permanent Representative to the UN's Food and Agricultural Organization. She also served as Israel's representative at the International Fund for Agricultural Development and the World Food Program. She has filled the position of divisional director in the Ministry's Economic Department, working with Jordan, Egypt, and the Palestinian Authority and the Gulf states. She has also participated in the

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Regional Economic Development Working Group, the multilateral track of the Mid East peace talks, as well as in discussions and negotiations on bilateral and multilateral trade issues. She was appointed Consul General to the Midwestern section of the United States August of 1997, and we are delighted to have her here with us today. Oh. Also, when we went on our educational mission to Israel this past summer, we did travel with her, and I have to tell you, it was a wonderful experience going to Israel and we are delighted that she agreed - along with that trip with Representative Cowlshaw, because she will be also introduced in the House - to come with us today.

CONSUL GENERAL TZIPORA RIMON:

(Remarks by Consul General Tzipora Rimon)

PRESIDING OFFICER: (SENATOR WEAVER)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Executive - Senate Amendment 2 to House Bill 1627, and Senate Amendment 2 to House Bill 1633; to the Committee on Insurance and Pensions - Conference Committee Report 1 to House Bill 1400; and Be Approved for Consideration - House Bills 1627 and 1817.

PRESIDING OFFICER: (SENATOR WEAVER)

Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 43, Constitutional Amendment, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WEAVER)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1218, offered by Senators Halvorson and L. Walsh.

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(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shadid, do you wish to return... House Bills 3rd Reading. Do you have a bill that you wanted to recall? 1158?

SENATOR SHADID:

Yes -- yes, I do, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shadid seeks leave of the Body to return House Bill 1158 to the Order -- 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 House Bill 1158. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Amendment No. 3 addresses a concern voiced in committee regarding setbacks and the number of animal units. This amendment corrects it and increases the number of animal units from fifty to three hundred. I know of no opposition to the amendment and would ask for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator O'Malley, on 887. Did you wish this bill returned to the Order of 2nd Reading? Senator O'Malley seeks

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leave of the Body to return Senate {sic} Bill 887 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 887. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

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

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. The underlying legislation deals with the Charitable Solicitation Act. What Amendment No. 2 is: makes a slight change to the reporting rules applicable to school boards. Under the amendment, school boards are required to provide their financial reports to the Attorney General upon the Attorney General's request. I'd request your support.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there any discussion? Seeing none, those in favor of the amendment will signify by saying Aye. And opposed, Nay. The Ayes have it. The amendment's adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senators Shaw and Jones.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw. Senator Jones, do you wish to explain the amendment? Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President. Amendment No. 3 adds an additional judge to subcircuit two, because most districts have eight subcircuits and -- and this district only have seven. So, I ask for the passage of the amendment.

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PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Seeing none, the question is, shall -- the adoption of Amendment No. 3. Those in favor, signify by saying Aye. Opposed, Nay. The amendment's adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. On page 2 of your Calendar, House Bills 3rd Reading, appears House Bill No. 932. Senator Lauzen, do you wish to call the bill? Mr. Secretary, will you read the bill, please?

SECRETARY HARRY:

House Bill 932.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. House Bill 932, as amended, has three parts. It's the Illinois Department of Employment Security administrative language, federal unemployment insurance compliance language, and moving the unemployment insurance speed bumps from 1998 to the year 2000.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. On this bill, Senator -- would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will.

SENATOR JACOBS:

Why were the -- the speed bumps moved? I thought that there

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was an agreement under one of the current -- the previous pieces of legislation we did to keep these speed bumps in there. I'm not that concerned with -- you know, beings that the -- the unions are -- are neutral; I'm just curious as to -- to why we may not be living up to an agreement we made before.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

On the issue of the speed bumps, whether it's better to have those placed in short increments or longer increments of time, I think that it boils down to: When we're making adjustments on trust fund, is it better to wait a longer period and have to make a bigger change, or a shorter period and make a minor -- a minor adjustment?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

So, in effect, with the speed bumps, what we're doing is we're not deleting them; we are just making the period longer. Is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

Actually, Senator, what we're going to be doing is extending them for two years.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR CULLERTON:

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Senator, as I understand it, there was another House bill that passed out of the House that was agreed to by labor and management, as we have in these agreed-bill-process negotiations, that would have moved the speed bumps to the year 2002. But this bill is different, and in this bill moves the speed bumps to the year 2000. Could you tell me why, or what part of the agreed bill process did not allow for us to pass the bill that would have moved the speed bumps to the year 2002?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. Yes, Senator. Basically the characterization of that bill being "agreed bill", I would -- I would say is inaccurate. I figure that when the groups sit down at the table, that the final piece that has to go into place is that the folks who are elected by the people back home need to agree to it, and at no time has that occurred. And so, you know, it's a matter of - in any -- any of the legislation here - is the decision going to be made by the folks who are elected by people back home, or are they going to be made by organized labor and management in this circumstance?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

In other words, and I tend to agree with you, just because labor and management might agree doesn't mean that if both -- both Chambers don't agree, the actual people that vote don't agree, then you don't have an agreed bill process. However, wouldn't it be fairer for us to have the option of voting for either one of those bills? In other words, let's say I wanted to vote for speed -- putting the speed bumps out four years, you want to vote for speed bumps two years, why do we only have one bill to vote on?

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We are, as you said, the ultimate decision makers. There was a House bill that passed. Why are we not having that on the same Calendar as this one and -- and have us make that decision? Can you answer that?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

I mean, this -- I'm sorry, Senator. This is the bill that we're considering right now. It's -- it's a very interesting hypothetical and I -- I'd be happy to discuss it, you know, in more detail with you, but, I mean, this is -- is the bill that is on for consideration right now is House Bill 932, as amended.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. Would the...

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me, Senator. Evidently Senator Cullerton was not finished with his questioning. Senator Cullerton.

SENATOR CULLERTON:

So, just so I understand. You are standing up for the proposition that the -- that the Body - the legislators - are the ones that have to go along with any agreed bill process, and I agree with you on that. But you're also saying, apparently, that you, because you're in the Majority and because you're assigned to this issue, are just going to veto the right of the rest of us to vote on anything other than what you are saying we have to vote on. And that is probably not good for the process, in my opinion.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

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

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question or two?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will.

SENATOR GARCIA:

Thank you. Senator Lauzen, is there a bill, to your knowledge, still alive in this General Assembly that has a 2002 extension of the speed bumps?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

I am not aware of one.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

I believe that there is, and please correct me if I am mistaken. I think it's House Bill 310. But I won't belabor that point, because I don't want to be redundant. The bill that is before us is not what we've come to know in tradition here as the agreed bill that has gone through a process where business community and labor have both agreed upon it. Is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

I'm sorry. You know, Senator, I do believe that every law that comes out of this Chamber is passed by the people who have been elected by folks back home to make the decisions, not the special interests who are -- have important concerns. I think that, as we discussed in committee yesterday, the final decision rests in your hands and my hands, entrusted by the people back home.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

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SENATOR GARCIA:

Yes. And I understand your philosophy. I can relate to it. I disagree with it, and I think there is a tradition here whereby we've gotten to good compromises because the two parties -- principal parties -- who -- whom this legislation affects agree and are forced to compromise. This bill is not the product of that. Having said that, I'm going to say the -- I'm going to ask you one more question and then speak to the bill. If we don't act on this legislation before us right now, what happens after the first of the year?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

As the -- how the speed bumps work is that without -- with -- as -- how the speed bumps work is that the tax rates to employers goes up, the benefits to laid-off employees go down.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

That's correct, and my main preoccupation at this point in time is that beginning on the 1st of 1998, that workers would lose benefits if we do not act. I am not fully satisfied with the bill that is before us, but again, I would like for this legislation to increase benefits to workers in the State of Illinois who should become unemployed and that's why I'm going to vote for this bill. At the same time, I want to point out that while labor -- organized labor in Illinois opposed the bill in committee, they have taken a neutral position on the bill. The important thing here to remember is that when we come back here two years from now, it will be very important for us to look at the Unemployment Compensation Fund, to look at the level of funding for the Fund at that point in time, and then I think it would behoove all of us to

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take the agreed bill process into consideration. I think that it can save us a lot of troubles. It does have the main parties affected by this type of legislation agreeing to it. I think that's very, very important. While I agree with you that we are the ones that make the final decisions, I think that when you have the most important parties at the table, spending many hours with you and with Leaders from the other Chamber here in Springfield, that we ought to give that great consideration. As I said, I'm not excited about the bill. I don't think that it was the best process. However, it's what's before us. It's a limited option that we have, and for that reason, I intend to vote for the bill and would urge others to consider doing the same. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

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

SENATOR LAUZEN:

Thank you very much, Mr. President. First of all, I'd like to thank Senator Garcia for his many hours in the process and -- and for his work on going through, bringing everybody together. It is a complex matter, especially when the interests are so divergent. I would like to say that it is not now and never has been my position that any person would veto the opportunity for people in this Body to debate bills, but we do have the committee process that tends to sort through the various bills, and we get presented with what comes out of the committees. So I would like to correct, perhaps, if I didn't leave the right impression there. Also, just for a factual point, either -- it's either House Bill or Senate Bill 310, was in a conference committee report without that being filed. That's why I say that that's not in the process at this point. With that, I would just say that I think that it's important that we extend the speed bumps to the year 2000. I just ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 932 pass. Those in favor -- Senator -- Senator Hendon, he was closing. The question is, shall House Bill 932 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 3 voting Present. House Bill 932, having received the required three-fifths majority, is declared passed. Senator Shadid, are you ready on -- Senator Shadid, are you ready on 1158? Mr. Secretary, would you read the bill?

SECRETARY HARRY:

House Bill 1158.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. Chairman, fellow Members. House Bill 1158 is regarding mega-hog farm and is -- pertains to some, we feel, very reasonable regulations that we've worked on very hard. Several legislators from the Peoria area, we've met with the Pork Producers, the Farm Bureau, the cattle people, and everyone concerned, to try to put something together that we think is acceptable and people can live with. It's a very emotional issue, especially in the central Illinois area. Our bill is -- Senate Amendment 2 to House Bill 1158 is similar to Senate Amendment 1 to House Bill 1547, which Senator Sieben will be proposing sometime this afternoon. It's another hog farm bill. The following provisions are included in Senate Amendment 2 of House Bill 1158 and not included in Senate Amendment 1 to House Bill 1547. I believe that the biggest issue here is whether EPA should be involved in the inspections of lagoons that are a thousand animal

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units or more on an annual and random basis. We feel very strongly that EPA should be involved, because they are the agency that is -- that is charged with the environment and keeping the environment clean and safe for all of us. This also establishes a minimum setback of a quarter mile from the nearest occupied farm residence for livestock facilities of waste handling facilities -- or waste handling facilities serving three hundred or more but less than a thousand animal units. I would like to, if I might -- you know, I really didn't know anything about hog farms or anything until about six or eight months ago, and I'd like to explain to you, if I might, what a thousand animal units means as far as certain animals. A thousand animal units, as far as cows and feeders, means a thousand cows and feeders; dairy cows, it means seven hundred and fourteen; young dairy stock, means one thousand six hundred and sixty-seven; swine which are fifty-five pounds and over, means twenty-five hundred; swine under fifty-five pounds, means thirty-three thousand three hundred and thirty-three; sheep, lambs and goats, it's ten thousand; horses, it's five hundred; and turkeys, it's fifty thousand. I thought that might be information that you might want to know. I -- I would be more than happy to answer any questions. I believe my cosponsor, Senator Hawkinson, would like to say something. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. I want to congratulate Senator Shadid, in particular Representative Moffitt. We've also been working on a bipartisan basis throughout the summer and the fall to try and develop reasonable suggestions to improve and to strengthen the Livestock Act. There's been a lot of concern in our area, a number of people who are very interested and -- and

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concerned about strengthening the Livestock Act throughout central and western Illinois. And we've come up what we believe is a -- a very good list of -- of improvements. Many of these suggestions for strengthening the Act are also found in Senator Sieben's bill and I intend to support Senator Sieben's bill as well. Senator Shadid has highlighted some of the differences in the bill. For purposes of legislative intent, let me read -- read a -- a short statement in terms of the Environmental Protection Agency, and I -- I believe this also will apply to Senator Sieben's bill. None of the penalty provisions of this bill as they apply to the Department of Agriculture are intended, in any way, to preempt the Illinois Environmental Protection Agency's authority to seek penalties under provisions within the Illinois Environmental Protection Act or the federal Clean Water Act. It is not the intention, under this bill or Senator Sieben's bill, in any way to lessen the current penalties and the current authority under either of these other Acts. We intend to strengthen the Livestock Act with the provisions in our bill, but in no way to preempt or take away the authority under the current Acts. We believe that these are a reasonable set of -- of restrictions. The authority of the Illinois Environmental Protection Agency to inspect these new large lagoons is tightly drawn so that it is limited to the inspections of these lagoons. Senator Shadid has explained the other provisions of the bill. We need to keep this process going. We only have a day left. We should send these bills over to the House so we can get some action and improvements this fall. Thank you very much.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw.

SENATOR SHAW:

Point of personal -- point of -- point of information, Mr. President. Is -- is it the intent of the President to keep this

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Body in the dark for the rest of the day?

PRESIDING OFFICER: (SENATOR WEAVER)

We're going to continue to go through the Calendar and do business as it comes before us. Senator Jacobs.

SENATOR JACOBS:

Yes. Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, a quarter of a mile sounds a long ways whenever it comes to most things, but when we -- we talk about mega-hog farms, I don't know if a quarter of a mile is enough. But talking to Senator Hawkinson before and Senator Shadid, this bill is a lot better than -- than what we had before, and I know that there's problems in their district and also there's some problems in my district. I think we have taken a step in the right direction with this bill. I don't think it goes far enough, but I would urge support because it's the only show we have in town that's going to make it at least better than what it is now.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR BURZYNSKI:

Thank you. Senator Shadid, I know you've been working on this very hard to try and address some situations in your district, and I can appreciate that. In your opening remarks, you indicated that you've worked with a lot of different organizations. Can you tell me who is in support of this bill and who is in opposition to it, please?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shadid.

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SENATOR SHADID:

If you're asking what organizations support it, the -- the folks that I am representing on this are all the constituents who have sent letters, called my office, and these are hundreds who have called constantly, written letters to us, telling us they want something done, and they're very emotional about it. When I said to you I met with the Pork Producers and the cattle folks and the Farm Bureau, they're biggest concern with us: they didn't want EPA involved. I'll be very honest with you. But I feel very strongly that EPA -- and also the other five legislators feel very strongly, who put this together, that they feel strongly that EPA should have some involvement of inspecting the lagoons annually and on a random basis for all lagoons with a thousand or more units.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

Then in answer to my question, then, Farm Bureau and the livestock organizations are not in support of this legislation?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shadid.

SENATOR SHADID:

I believe the Farm Bureau is neutral on this. I don't see who the opponents are. I don't have a list of the opponents.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

But they're not in support of, as written? Just a follow-up on that: You indicated some concerns relative to the EPA inspection, rather than Department of Agriculture inspections. Why are we shifting to an EPA inspection, rather than the industry that really is very involved in this participating in the

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inspection process?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shadid.

SENATOR SHADID:

Well, I think, as I explained earlier or mentioned, Senator, EPA's responsibility in our State is for the environment, and I think that's what's affected here, and especially with the lagoons for the mega-hog farms. The Department of Agriculture, their main thrust is farming, not the environment.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

I -- I understand your concerns, but I would also suggest to you that agriculture and the Department of Agriculture is also very concerned with stewardship of our farmland and stewardship of our natural resources. So, I -- I would suggest that rather than having a regulatory agency such as the EPA involved in this, with the exception of when there is a problem, when there is a situation that occurs that -- that, really, they need to be involved with, that perhaps the Department of Agriculture is more appropriate. I understand the concern about mega-hog farms, and we've all heard that term thrown around, but I would also submit to you that there are a lot of large hog farms and operations, or livestock operations, that are family-owned farms, family-owned corporations, et cetera. I also have some concerns with the setback provisions that are in this bill. A quarter of a mile does sound like a lot. We all know that that quarter-of-a-mile distance is shrinking, that it's closer and closer all the time. But when people move into rural areas, rural -- they -- they must realize that there is going to be the potential for livestock facilities, for farming operations, et cetera. So I do believe that that's another concern. But I really think that, ultimately,

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Senator Sieben has a bill, House Bill 1547, that addresses the concerns, or at least many of them that you have, and -- and I think Senator Hawkinson mentioned that as well, with the exception perhaps of the EPA being the regulatory agency over the -- the lagoons. I would hope that the Members of the Body would -- would please take a careful look at the differences between the two bills and understand that when we have more regulatory agencies involved that we're also limiting, perhaps, production, that we're also limiting the ability of people to do business on a normal basis. So, I would urge the Body to carefully consider this bill, as well as House Bill 1547.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Myers.

SENATOR MYERS:

Thank you, Mr. President. I, too, have been talking to some of the -- the small- and medium-size farmers in my district, and I still have some concerns about this bill. Particularly, and -- and almost exclusively, the problem that they have with this bill is with the EPA introduction as more regulatory than it was. It's -- it's wonderful when you have a family farm and -- a small family farm and you can pass this tradition down to your children. And there are concerns with the people who are the smaller farmers that this bill might adversely affect them. Therefore, I, too, would ask that you seriously consider this bill, as well as the bill that's coming very soon after this, when you cast your vote. So I would thank you very much.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson, further discussion?

SENATOR WATSON:

Yes. Thank you, Mr. President. I -- I guess I'm going to reiterate what -- some of the comments that already have been made, especially by Senator Burzynski. But in my area, I have a

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lot of dairy -- dairy farms. Clinton County, in fact, there's more milk produced there than -- than any other county in the State. And we've had a big problem recently with EPA coming onto family farms that have been in the -- in the family for generations - in one case, four generations. And the problem is - and any of you that have dealt with EPA, you'll probably know what I'm talking about - is the -- is the reasonable -- the lack of reason sometimes when you deal with the EPA. There isn't very much gray area. Maybe it's the people they have out in the field. I'm not sure what it is. But anytime that I've had to deal with the EPA it's been a problem generally, and that's unfortunate. But what they've done in my situation and in my area is going to be putting people out of business - farms that have been in -- in the families for -- for many, many years. And we're not talking about necessarily, as -- as Senator Burzynski mentioned, this -- the mega-hog farms. This is not necessarily pointed just at them. Some small farmers with -- with livestock that, of course, comes under the threshold of -- of this legislation will be impacted. So it isn't just simply the hog -- mega-hog farms that we're talking about. The Peoria Journal Star -- and I have -- and I do appreciate Senator Shadid and -- and Senator Hawkinson and others from -- from that area that are having this problem, but the Peoria Journal Star ran an article and an editorial saying here are the -- the Senators and Representatives that voted No on -- on the particular bill that they were sponsoring two weeks ago in the Ag Committee. And they said, "Call Frank", put my phone number in there. "Write Frank", address in there. And -- and said, "Tell him that we need to have this, that this is something that's very important." You -- I got calls. I got letters. But they weren't in support. They said you're doing the right thing by -- by voting No on -- on this restrictive type of legislation. So, I know a lot of you aren't impacted by this because simply,

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obviously, you don't have farms in your district, but if you want to help downstate and you want to help the agriculture community in regard to this issue, the proper vote on this particular bill is No. We have another bill coming up in a moment that's more reasonable and I would suggest a Yes vote on Senator Sieben's bill. But this one is a bad one. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. I have the greatest respect for the two sponsors of -- of this bill. I think that there's several areas here that are certainly good. But one of the major differences between Senate Bill 1158 and 1547 is the regulatory function. I do have some serious concerns about EPA regulating. I think that in the past we have seen some hindrance of economic development in the State. Some of the legislation has gone beyond the original intent of what was planned. We've seen this with coal - and I grant you that some of this was through the federal EPA. We've seen it with industry and business, and I think we see the same thing here. So I just wanted to add this in addition to what has already been said about the bill, especially what Senator Watson and Burzynski has said, and I would hope that you would vote No on this bill, but vote Yes on Senate {sic} Bill 1547.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I just wanted to rise in support of this legislation. These hog farms are -- are going to create problems throughout Illinois -- throughout downstate, similar to problems we had in the '80s with -- with landfills and the debris they created. We're going to have the same problems with these

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mega-hog farms. We had one in De Kalb County a few years ago, back in the '80s, that had a spill, killed everything in the Kishwaukee River for thirty-three miles and the fine was something like eleven thousand dollars. It was -- it was absolutely ridiculous. There was no oversight. And it's time we had an independent agency look at it - the EPA - independent from the Department of Agriculture. As we all know, there's a conflict involved in the Department of Agriculture regulating hog farms; it's with the -- the Chairman of the Department -- the head of the Department and her family running hog farms. To me that doesn't make any sense. And for now, it seems to me, we should pass this bill that lets the EPA be in charge of these inspections. When we get a new Director of Agriculture, let's look at it again, and then maybe we can change it. But I think we should give this plan a try and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Hawkinson, for a second time.

SENATOR HAWKINSON:

Thank you, Mr. President. I apologize for rising a second time, but I had to correct some misinformation that's come out about the EPA being involved with smaller farms. That's simply not true. The EPA involvement is strictly limited to those who are required to register under the Livestock Act, which was created last year, and are more than a thousand animal units. It does not apply, in the EPA sense, at all to smaller producers. It is strictly limited, in the EPA involvement, to the larger producers, to those that are required to be registered under the Act.

PRESIDING OFFICER: (SENATOR WEAVER)

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

SENATOR SHADID:

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Thank you, Mr. Chairman. And I certainly appreciate all the comments that folks have made; for instance, the quarter-mile setback that there was some concern about is presently in the law now. We have not changed that whatsoever. EPA also opposes this legislation, by the way. And they oppose it because we have not given them enough authority when they reach the farm. And we did that purposely, because we knew there was a lot of concern about EPA's role in this. But you know, EPA, I've heard so many horror stories from Senators on both sides of the aisle, and especially today, about why we shouldn't allow them here, we shouldn't allow them there. It would seem to me that if we have these kind of problems with the EPA then let us bring the Director to task and let's ask some questions of the Director of why this Department is out of control, supposedly. I'm willing to sit in on that. I don't have any problem whatsoever. But I think it's very important. And when you're talking about the environment -- and I've had my own personal problems with EPA. But when you're talking about the environment and credibility, the credibility right now with the Ag Department doing the inspection, as far as I'm concerned from the people of my area, is not very high. So I would, hopefully, ask you to give me a Yes vote, and I would appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 1158 pass. Those in favor will vote Aye. Those opposed will vote No. 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, the Ayes are 41, the Nays are 11, 1 voting Present. House Bill 1158, having received the constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Daniel, what purpose do you rise?

SENATOR O'DANIEL:

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Mr. President, if I hadn't been over lobbying Senator Donahue, I would have voted No on that bill. So I didn't get voted. I want to be recorded as voting No on the previous bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record shall so reflect your intent. Senator Madigan, what purpose do you rise?

SENATOR MADIGAN:

Thank you, Mr. President. Just for purpose of an announcement that the Insurance and Pensions Committee will meet at Room 212 at 2:45. 212 at 2:45.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Turn your Calendars to the middle of page 3. In the Order of House Bills 3rd Reading is House Bill 1214. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1214.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Very briefly, House Bill 1214 rewrites the appraiser Article of the Real Estate Licensing Act and it makes it its own Act. This is not new licensure. All we're doing is really moving it from one place to another and giving it its own Act primarily for stature, if nothing else. I don't know of any opposition. It's been worked long and hard by the Realtors' Association. It's supported by the Cook County Assessor's Office, the Office of Banks and Real Estate and the Illinois Coalition of Appraisal Professionals. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall House Bill 1214 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 58 Ayes, no Nays, none voting Present. And House Bill 1214, having received the required constitutional majority, is declared passed. House Bill 1547. Senator Sieben. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1547.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation also amends the Livestock Management Facilities Act and provides some improvements to that Act, I think in response to constituent concerns and industry concerns and concerns by the Department of Agriculture. And I first want to begin by commending Senator Hawkinson and Senator Shadid and their colleagues in central Illinois who have worked for many, many days and spent many, many hours discussing this issue with Members of the Ag Committees in both the House and the Senate and concerned citizens around central Illinois. I think all of us have the same goal in mind, and that is we want to provide the proper oversight and regulation in this area, but we also want to foster and encourage a livestock industry in Illinois that provides jobs and provides strong economic benefit to many regions of the State of Illinois. So commend them for their work on this, even though we disagree on the involvement of the EPA in the inspection process and the changing of the setback requirements on the smaller farms.

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I'd also like to thank the members of the Joint Livestock Advisory Committee, the twelve citizen members that met this summer numerous times and took public input, and a lot of what we have put forth in this legislation is in response to the -- the input that we got from the members of that Livestock Advisory Committee. This legislation does many of the same things that Senator Hawkinson and Shadid's legislation did. It deals with the -- the location of the composting of dead animals. It requires the mandatory reporting of spills. It adds another provision for the financial responsibility Section dealing with the closure fund administered by the Illinois Development -- or, Farm Development Authority. In this legislation, the Department of Agriculture is the one that will be doing the annual inspection, and I think they can do an adequate job. They already do this now in the area of weights and measures, inspecting our -- our meat processing facilities. They inspect grain warehouses. They inspect seed dealers. They have a whole list of inspection requirements that they continue to do. Now, I'd say that we also agree on tightening up some of the penalty provisions in the violation Sections of this Act, so that we're going at this now in a three-strikes-and-you're-out approach. The first offense gets a -- a warning. The second offense gets a monetary fine. And on the third offense, the operator will receive a cease and desist order. So we're toughening up that section. We're also responding to the public's concern that they want to have an opportunity... Thank you, Mr. President. In many of our counties, the public is expressing a concern that they want to have an opportunity for public input on these facilities. So we've set up a mechanism under this legislation that, when the Department of Agriculture receives a notice of intent to construct by the operator, the Department of Agriculture will notify the county in which it will be located. That county board, then, may

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call a public -- and may schedule a public hearing, public informational meeting, at which the operator must be present -- present to explain the operation. The Department of Agriculture must also be present. And the construction of the facility -- of the waste lagoon cannot proceed until this public hearing, public meeting, has been held. I also want to read, for legislative intent, a statement on behalf of the Illinois Environmental Protection Agency that none of the penalty provisions of this bill as they apply to the Department of Agriculture are intended to in any way preempt the Environmental Protection Agency's authority to seek penalties under provisions within the Illinois Environmental Protection Agency Act or the federal Clean Water Act. And with that intent, it removes the objection of the EPA to this bill. So they are now a supporter in the bill. Also, other supporters that filed proponent witness slips for this bill: the Illinois Pork Producers, the Illinois Beef Association, the Illinois Farm Bureau and the Illinois Corn Growers Association. So we do have a broad base of support for this legislation. I think it goes in the right direction. One other element that's in this legislation that answers the concern or addresses the concern of employees of the soil and water conservation districts - and I don't know if you have members or constituents in your districts that have not had their health insurance claim paid by their insurer - it adds the language to empower the Department of Agriculture to make the payment of those claims, subject to getting the money in the supplemental appropriation. So, Mr. President, I'd be pleased to answer any questions in response to this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I rise in support of this legislation. You know, last year we passed the

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Livestock Facility Management Act, and I think, you know, if we aren't very careful, we're going to move so fast and get so many different agencies involved into it, we'll put in jeopardy the -- the livestock industry in this entire State. You know, Illinois is one of the leading feed-grain-producing states in the nation. Up till two years ago, no one seemed to be concerned about the odor and the waste from the livestock industry. All of a sudden they've realized that we've got a problem, and -- and we all realize there's a problem. I don't care whether he's got a hundred sows or five thousand. There's -- there's a problem out there and we'll clean it up. You know, the University of Illinois is now beginning to work with some technology to take care of some of this -- this waste and odor problem that we have. But my big concern is, if we aren't careful, we'll -- we'll run the livestock industry out of this State. It's not just -- it's not just the pork producers. It'll be dairying, as -- as Senator Watson talked about. It'll be beef, poultry, everything. We won't -- won't be able to raise livestock in the State if we aren't very careful. But the thing I'm asking us to do -- we all realize there's a problem. Let's give it a chance to work this Livestock Management Act, and we're tightening it up some, but I feel very strongly that the Illinois Department of Agriculture should be the lead agency in anything like this that's pertaining to regulating the -- the agriculture industry in -- in the State of Illinois. So, I'm going to support this, but let's try to be reasonable and let's try to work through this, and we will. You know, we had the same problem back several years ago when we started using chemicals. We said we're going to destroy the environment. We didn't do that. Now you can -- you can use pesticides and herbicides and still farm profitably and -- and protect the environment at the same time. But if we aren't very careful, we're going -- we're going to do something that's -- that we'll

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regret in the future in this great State. And I -- I rise in support of this and I ask everyone to try to work together and help us work through this -- this problem we have right now.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SIEBEN:

Thank you, Mr. President. I think this is a good, reasonable compromise in the area of additional improvements in the regulations; has a broad base of support among the ag industry. And I think it addresses many of the concerns that individual citizens and neighbors to these facilities have raised, and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 1547 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, 1 voting Present. And House Bill 1547, having received the required three-fifths majority, is declared passed. ...Calendars back to the bottom of page 2 in the Order of House Bills 3rd Reading. House Bill 887. Senator O'Malley on the Floor? Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 887.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. Senate {sic} Bill 887, as amended, becomes the bill and is in response to the concerns of a group of charitable organizations after the passage

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of House Bill 1211 earlier this year. The language that's contained in the legislation is agreed to by the Attorney General and the charitable organizations that are involved. The concerns that were expressed about trustee liability under the bill have been negotiated with the Attorney General's Office. Be happy to go into the details of it if you want. There was an Amendment No. 2 that we put on earlier today that was intended to address some concerns of school boards. It basically provides that the financial reports that are required will be delivered to the Attorney General upon the Attorney General's request. Lastly, there's an Amendment No. 3 that is part of the bill that provides for an additional circuit judgeship from the second subcircuit of Cook County. Be happy to answer any questions there'd be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 887 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 {sic} (57) Ayes, no Nays, none voting Present. And House Bill 887, having received the required three-fifths majority vote, is declared passed. If your -- if you turn your Calendars to the top of page 7, in the Order of Constitutional Amendment 3rd Reading is Senate Joint Resolution 15. Senator Dillard. Senator Dillard, do you wish Senate Joint Resolution 15 considered? Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Joint Resolution, Constitutional Amendment, 15, offered by Senator Dillard.

(Secretary reads SJRCA No. 15)

3rd Reading of the resolution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Chair recognizes a former Member of the Illinois Senate,

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former colleague of ours and the current Treasurer, Treasurer Judy Baar Topinka. Welcome to the Senate. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm happy to rise on this Senate Joint Constitutional Amendment, which would propose a question that we put to the people of the State of Illinois at the next General Election. I'm happy to encourage you all to vote for this bill that will give the citizens of Illinois less government, more efficiency, and at a lower cost, and that is consolidating the functions of the State Treasurer and State Comptroller. There are many compelling reasons for merging these two offices, but let me just give you the big two. The first is streamlining government. You combine two offices into one operation. And the second would be cost savings. And while it's impossible to predict how much money can be saved, even if just one dollar was saved, the taxpayers would be better off because of the increased efficiencies, the streamlined bureaucracy, and the ability to deal with problems and opportunities in a global manner, sort of, what I call, one-stop shopping. Where would the cost savings come from? I think it comes from common sense. You take personnel right off the top. The new combined office would only need one chief of staff, one legislative liaison, one press secretary, one legal counsel, et cetera. And obviously, you get rid of a lot of ancillary, duplicative cost. There would also be substantial savings in rent, data processing and other related areas. And as I said previously, while one can't predict what it will save, my estimation, in working with the Treasurer's Office and the Comptroller's Office, is this will save ten to twelve million dollars, as it did recently in the State of Texas where they adopted this. Let's talk about some checks and balances and safety factors here. In going back to the original Constitution

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of 1970, why do we have two offices? Well, first of all, things on a fiscal standpoint in Illinois are very different than they were twenty-five or twenty-seven years ago when we got the Constitution of 1970. We now have a very strong Auditor General with independent authority to check the books and records of the State of Illinois. We have a Legislative Audit Commission, which many of you serve on, that provides tremendous oversight into the operations of State government. We have a very strong and professional appropriation staff on all four caucuses in the House and the Senate. Computer technology was not around twenty-five years ago, and it provides a wealth of checks and balances with more accuracy than ever before. And in the Treasurer's Office, a bill I sponsored on behalf of Treasurer Judy Baar Topinka, we have a first ever Inspector General with independent authority to investigate problems. Just in closing: Why do we call it the Treasurer instead of the Comptroller? There's nothing really sacred about a name, but I think the people of Illinois know that the word "Treasurer" equates money. And there's a lot of confusion out there, even among professionals and insiders in State government and those who follow State government, as to where do you go to have your questions about the State's finances answered. Do you go to the Comptroller or do you go to the Treasurer? And I say, we should have one-stop shopping so that one office answers the public's questions about the condition of the State's treasury. So this has been discussed for a quarter of a century, this idea. Now is the time to make it reality. And I guess just to close, and I'll be happy to answer any questions, the list of proponents is long, so long that in committee we didn't even read in the list of all the proponents to this. This has been studied. Numerous editorial boards have commented that this is a good idea. And, Mr. President, I would urge a Yes vote on this.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

The Chair recognizes another Member -- former Member of the Illinois Senate, current Chairman of the Regional Transportation Authority, former Senator Tom McCracken. Welcome to the Senate. Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Dillard answered part of my questions, but looking at our analysis, we go back to what Delegate Coleman said at the last Illinois Constitutional Convention, and he said: The man doing the spending, the Governor, should be separated from the man keeping the money or writing the checks. Senator Dillard also said things have changed since then; we now have an Auditor General; we have computers. But also, here in that same analysis, it says the Auditor General had -- then, had testified that, from an accounting standpoint, you -- you have to separate the positions of record keeper and money keeper. And as for the idea of saving money, I think we're all for that. But I can't help but go back to our infinite wisdom whenever we changed the House of Representatives and reduced them by one-third, that we said we were going to save money there also. The fact of the matter is, we have not saved money there. I -- I think that the people of this State have, in effect, said that they like the two system, the Auditor -- I mean, the Comptroller and the Treasurer. If this Body wants to change it, that's fine; but I'm sure that, somewhere along the line, we're going to find out that there are some problems with this and I think that they're ones that are going to rear their ugly head down the pike a little bit, and I'm just afraid that what we're doing here is not entirely a good idea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

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Thank you very much, Mr. President. Ladies and Gentlemen, we're all for careful, preplanned, properly evaluated, true consolidation of financial functions to make government more effective, efficient, responsive to taxpayers and citizens. Unfortunately, this resolution does not achieve those desires; but it does represent a symbol of constructive effort. I have several questions for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, can you tell me - let's see, if I'm not mistaken the Comptroller's Office has approximately three hundred and twenty employees, while the Treasurer has about a hundred employees - what consideration has been given to repealing the duties of the Treasurer and putting those into the Office of the Comptroller?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Well, first of all, Senator Lauzen, there will be a trailing piece of legislation should the voters tell us that this is the way they want to go; we'll have trailing legislation to -- to clarify a lot of things. But obviously, the core employees stay, but the duplicative, superfluous - two legal counsel, two press secretary, two -- you know, two people who serve in different administrative offices in those office who don't really provide a core function, they'll be eliminated.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

The -- the claim is that this resolution will streamline government and save costs. Can you point to the language in the bill that guarantees, or even defines, these benefits to our

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citizens?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Well, first of all, Senator Lauzen, this is a proposed constitutional amendment, so the actual savings will -- and -- and the trailer legislation will spell out in greater detail where the savings will be; but as I said in my opening statement, you know, I can't guarantee exactly what the amount of savings will be. It may be from one dollar up to twelve million dollars, but in Texas they tell me that they have saved ten to twelve million dollars. And obviously, common sense would tell you you can eliminate a number of positions. But aside from the fiscal implications of saving taxpayer money, I believe the consolidation streamlines government. It leads to one-stop shopping and a much better form of government than today. And even cost savings aside, this is still a good idea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Okay. I appreciate that there is no detail on how many dollars are going to be saved. Then, would you show me, again, in the bill how -- and, actually, I know that we sometimes complain on the Senate Floor that we get a description of what we're going to vote on maybe a day or two before we're actually asked to vote on something. Here we have a circumstance that we're being asked to vote on something and then we're going to draft what the plan is. Would you show me in the bill how any of the key functions -- you mentioned, well, it's because it's going to streamline, and even if we don't save any dollars, the offices will run better -- would you show me in this proposal how any of the key functions of the Comptroller's Office will be improved? For instance, how will

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State contracts and records be maintained better? How will reports on the fiscal condition of the State, like comprehensive annual financial statement or the receivables report, tax incentive report, fiscal focus, fiscal responsibility report card, be any better? How will our bills be paid more promptly under the language of this resolution? In fact, how does this resolution guarantee that it won't become worse?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Lauzen, essentially what the constitutional amendment does is it just takes the core functions of one office and moves it into the other. But again, like any constitutional amendment or any reorganization of State government if it's done by an executive order of the Chief Executive of this State, the Governor, it comes and the details come in the trailing legislation. You know, will things run better? I believe they will. Are there guarantees? Absolutely not. But again, I don't understand, I think this makes common sense. It's done this way in most states. It saved a lot of money in Texas, and all we're asking is the citizens of Illinois to make the decision. And I believe in empowering the people of Illinois to make these decisions. And it has to go on the ballot. It takes an extraordinary vote of the people of Illinois, and I trust their judgment over the next sixteen or seventeen months to learn, get up to school on this. I'm sure the opinion makers will do the same. And we should put this to the vote of the people.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Finally, then, to the bill: If this bill contained any of the -- any of the details of what decisions would be -- are going to

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be made, we could properly consider it. You know, many of you are aware of the Orville Hodge scandal that first led to the constitutional separation of the duties between these two offices. The folks proposing this resolution are plenty smart. We also have to give credit to those people twenty-five years ago being plenty smart, too; but they had the additional advantage over our deliberation today that they were fresh off the lessons of the Orville Hodge scandal. One ugly scandal makes up for a lot of operating efficiencies if we blow this one. So I ask you, what's the hurry? I know it's campaign season, and this is a seductive sound bite...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Excuse me, Senator Lauzen. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. This is a seductive sound bite, but aren't we already facing significant challenges in both offices? I mean, in the Treasurer's Office, it's working its way through the hotel deal. There's a lawsuit for forty million dollars now for what was going to be settled for ten million. And, thank goodness, some of the earlier personnel problems seem to be working out. In the Comptroller's Office, where they're trying to take us from the abacus to the computer age, there's at least controversy over whether the bills are being paid on time or whether contracts like MSI are being properly reviewed. Let me ask you: Are things running smoothly enough to combine the problems of both offices? Is this the time to have less direct accountability by public officials elected directly by the people? Without the details, isn't this like writing a check to pay a bill without an invoice? It might be okay, but also might be a disaster. We don't have the features described. We don't have the specific benefits to our citizens guaranteed. There's really no look inside. I'm afraid that if Orville Hodge was with us

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today, he'd be licking his chops and pressing us on. Perhaps what we should concentrate on is straightening things out and then moving along. We should get the details and the guarantees - the invoice - before we pay this bill. I do believe that it is a step in the right direction, but I hope the sponsor and everyone working on this project will give consideration to some of these problems.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

If this resolution passes and it goes to the voters, what is the date that it will take effect, as to -- as to eliminating the offices and joining them together?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Geo-Karis, this takes effect after the term of the Comptroller who is elected in 1998 is finished with his or her term.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I remember the Orville Hodge scandal, but we have come a long way since then. We have now got sophisticated computerization that can detect things far faster than they were detected when the Hodge situation took place. There is no question in my mind we can save the taxpayers a lot of money if we merge these two

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offices, and I commend our Treasurer, Judy Topinka, for bringing it forth. Now, I'm not running for Treasurer and I'm not running for Comptroller, so I have an -- an unpartisan -- or, nonpartisan interest in it. So I'm telling you right now, and I'd like to answer, if I may, my colleague on the other side, that's true when they eliminated the three {sic} Representatives for -- to save costs. They didn't save because we're paying staff people more money, and so we really didn't save anything. But it's not the same thing. That's like comparing asparagus to apples. This situation is to save money and to save duplication. And as far as the business about the hotel situation, the Treasurer was right to try to save money, because if she had settled it, that money could have added a lot of interest and made it up in no time flat. I think it's a decision in the right way that we let the voters decide whether or not they should have two offices that duplicate staffs. We want to save the taxpayer's money, not enhance the payment of it. And I certainly speak in favor of this resolution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, I started out many months ago believing that perhaps the consolidation of both of these offices was certainly in the interest of good public policy in Illinois, and I kind of think that perhaps that may very well -- well be. However, previous speakers have indicated, and I certainly cannot dismiss, the previous record of the circumstances by which the Treasurer and the Comptroller were created a long time ago. The word -- the name Orville Hodge who was brought up in previous debate about the scandal that occurred back many, many years ago. And the thing that I guess that alarms me more than anything else, Senator Dillard, you said, "one-stop shopping". I think that might have

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been Orville Hodge's theme during that period of time: one-stop shopping. The fact of the matter is, is that these days we now have the Audit Commission, the Auditor General, we have a number of other safeguards that are prevalent in that particular office, as well as -- I mean, the other practices that would be safeguards if that were -- office were to be eliminated. I don't think we're going to save any money by virtue of the consolidation of -- of the two offices. I don't think that there's duplication that's currently going on. So it seems to me that those people who are employed there will be individuals who will be continuing to do their same function. There is a -- a check and balance because of -- of the notorious past that we've had since 1954 with the Hodge scandal. Therefore, these offices -- it does limit the possibility of embezzlement. In some instances, there's no need for consolidation. It does eliminate a check, perhaps, when it comes to short-term borrowing, because there has to be various sign-offs with constitutional officials. And I'm also cognizant of the fact that other states have officials who have the duties also of the -- of the Comptroller. I don't think we'll be saving anything by that. And by allowing the electorate to vote on this question, it will certainly be overwhelming that they, in fact, wish to eliminate public officials' offices, much like they did during the cutback amendment that was sponsored many years ago and eliminated at least one-third of the House. So, these are a lot of the kinds of things that need to go into the decision-making process about this bill, and at some point in the next few seconds, I'll make a decision as to whether or not I intend to support it or not.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I move the previous question.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

There are two additional speakers. Further discussion?
Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Members of the Senate. Let me just comment: If we're really sincere about streamlining government and really sincere about saving money, the constitutional office obviously to be eliminated is the Office of Lieutenant Governor. That is the only office in government in Illinois that cannot be replaced in the case of a vacancy. We will replace Attorney Generals. We will replace Comptrollers or Treasurers. We will replace Members of the General Assembly, and we will replace people who are elected to serve on mosquito abatement districts. But when the drafters of the 1970 Constitution talked about the Office of Lieutenant Governor, they took away all the functions that that office had ever had. It used to be the Presiding Officer of this Body. It used to be that the Lieutenant Governor became the Governor if the Governor left the physical boundaries of the State of Illinois. But because of an updating of technology and everything else, the framers of our 1970 Constitution said those functions no longer exist. So the only function of the Office of Lieutenant Governor, for three to six million dollars a year, is to live longer than the Governor. There is no other power. There is no other duty. And there is no way to replace. We even had a Lieutenant Governor, Dave O'Neal, who resigned in the mid-seventies, and for a year and a half to two years that office was vacant, and I'll bet you nobody knew it. We had a Lieutenant Governor four years ago who resigned. And when he resigned, Senator Watson, joined by Representative Black, sponsored legislation that said those few statutory duties that we have given to this office so that there was at least something to occupy the time were transferred to the Director of the Department

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of Central Management Services. And that's still the law in the State of Illinois. The office becomes vacant. The duties are -- are transferred to an appointed person, appointed by the Governor, to operate the operations of the State of Illinois. So if you really want to do something to get rid of useless office and save money, that's the office to get rid of. And if you want to -- if you'll let me just quote from Delegate Mullen, from the Constitutional Convention: The only equipment that the Office of the Lieutenant Governor needs is a stethoscope.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We here today are not deciding whether or not we're going to combine those offices. All we're -- are deciding is we're putting it on the ballot, so those very intelligent Illinois voters have an opportunity to decide on it. And those voters are very intelligent, and I will tell you why: because they've elected each and everyone of us to the Senate. Now, if they have done that more than once, they certainly must be qualified, they certainly must have great judgment. So why aren't we letting the people decide this? Give the people an opportunity to vote on this. Secondly, I can't remember, in my many years in this Chamber, the Comptroller's Office or the Treasurer's Office ever uncovering any gigantic fraud - ever. Now -- and I'm not sure they -- that that is their job in the first place. But they've never done anything sensational. If you're a Republican, a conservative, you believe in smaller government, less government, then you'd want to combine these offices. It seems to me the right thing to do. We're not doing that today. We're allowing those very educated, well-informed Illinois citizens to decide whether they want to combine those offices. And my suggestion

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would be, let 'em do it. Let 'em have a vote on it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen. I appreciate everybody's indulgence here. As Senator Philip just ably said, let's just put this to a vote of the people. I trust 'em. They can make the judgment as well as anybody. One of the big changes between twenty-five years ago and today is electronics, and electronics is one of the reasons that I believe that this can work and work with many, many safeguards. Delegate Coleman, which Senator Jacobs brought up, Delegate Coleman's concerns are taken care of here. Delegate Coleman talked about that you don't want the Governor - the Governor - to control the checkbook. The Treasurer is a separate office, constitutionally elected, separate from the Governor and the Executive Branch and agencies of the Governor's Office. A lot has been talked about a bad time in Illinois history, probably back before I was born and some of the Members, of the Orville Hodge scandal. But as I said in my onset, there is a lot of accountability in State government today that wasn't back in the 1960s, in terms of fiscal review. The State of Illinois spends today about fifty million dollars on the oversight of its books. As I said, we have an Auditor General, we have a Bureau of the Budget, a Legislative Audit Commission. We have professional appropriations committees and staff here, and computer technology has made things much different. And, finally, we have an Inspector General today because of a bill that this Body passed just a year ago creating an Inspector General in the Treasurer's Office. So the Orville Hodge logic does not stand today with all of the oversight that we have looking on the finances of State government. And I guess just, Mr. President, to close, I believe that ten and twelve million dollars of savings is

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nothing to shake a stick at. It was more than that in the State of Texas. And as we sit and scrap around here looking for money to find for public schools and for mental health programs and other worthy programs, that any chance we get, as long as the safeguards are there and they are, to find another ten or twelve million dollars, either to return to the taxpayers or put into education or other worthy programs, we should do. And again, all we're asking is entrusting the people of Illinois to decide whether or not we should combine these two offices and save a lot of money. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard moves the adoption and the approval of Senate Joint Resolution, Constitutional Amendment, 15. The question is, shall Senate Joint Resolution, Constitutional Amendment, 15 be adopted and approved. Pursuant to Section 2, Article XIV of the Illinois Constitution, amendments must be approved by three-fifths of the Members elected. 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 47 Ayes, 10 Nays, none voting Present. And Senate Joint Resolution, Constitutional Amendment 15, having received a three-fifths constitutional majority, is declared passed and approved. Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

As long as we have a break, Mr. President, on a purpose of an announcement. The Senate Executive Committee will meet at 3 o'clock, or upon -- immediately upon adjournment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

If you turn your Calendars to the middle of page 10, to the Order of Motions in Writing to Accept the Specific Recommendations for a Change. We have four items on this -- in this order of

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business: House Bills 752, 1118, 2030 and 2179. ...Order of Motions in Writing to Accept Specific Recommendations for Change, House Bill 752. Senator Cronin. House Bill 1118. Senator Peterson. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1118, in manner and form as follows:

Amendment to House Bill 1118

in Acceptance of Governor's Recommendations

Offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. House Bill 1118, in its original form, was a piece of legislation suggested by the County Treasurer's Association, which initiative was to eliminate the Protest Fund. The Governor's amendatory amendment was to provide for a -- a -- spending down remaining monies in the protest fund and some other technical changes in the legislation, and I have moved to accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson has moved to accept the specific recommendations of the Governor as to House Bill 1118. Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1118, in the manner and form just stated by Senator Peterson. 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 59 Ayes, no Nays, none voting Present. And the specific recommendations of the Governor as to House Bill 1118, having

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received and -- the required constitutional majority vote of the Senators elected, are hereby declared accepted. House Bill 2030. Senator Cronin. House Bill 2179. Senator Lauzen. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 2179, in manner and form as follows:

Amendment to House Bill 2179

in Acceptance of Governor's Recommendations

Offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

I would just like to make that motion to have that accepted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen has moved to accept the specific recommendations of the Governor as to House Bill 2179. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2179, in the manner and form just stated by Senator Lauzen. 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 57 Ayes, no Nays, none voting Present. And the specific recommendations of the Governor as to House Bill 2179, having received the required constitutional majority of the vote -- of the Senators elected, are hereby declared accepted. ...your Calendars to the bottom of page 7, in the Order of Secretary's Desk, Non-concurrence of House Bills, is House Bill -- 597. Senator Walsh. Madam Secretary, read the amendment.

ACTING SECRETARY HAWKER:

I move to refuse to recede from Senate Amendment No. 1 to

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House Bill 597 and request that a conference committee be appointed.

Offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 1 to House Bill 597 -- Senate {sic} Bill 597.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 597 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. ...your attention to the middle of page 10, in the Order of Motions in Writing to Accept Specific Recommendations for a Change. House Bill 752. Senator Cronin. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 752, in manner and form as follows:

Amendment to House Bill 752

in Acceptance of Governor's Recommendations

Offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This Governor's amendatory veto -- or, I move to accept the Governor's amendatory veto of a piece of legislation that passed out of the House overwhelmingly, sponsored by Representative Bugielski. This bill, as you may recall, is the Do-It-Yourself

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School Funding Fund in the State Treasury. It allows taxpayers to forgo receipts of amounts due to them for standard or personal exemptions or the income tax credit for five percent of the amount of property taxes paid on a principal residence. Sort of in response to all the polling data and a lot of remarks that many Members of the Legislature have made about the overwhelmingly public support for school funding, we thought we'd give the public an opportunity to -- to execute their measure of commitment to school funding. The Governor has limited this to a two-year pilot program, and I stand in support of the Governor's recommendation. Ask for your -- your -- your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin has moved to accept the specific recommendations of the Governor as to House Bill 752. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 752, in the manner and form just stated by Senator Cronin. 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 59 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 752, having received the required constitutional majority vote of the Senators elected, are hereby declared accepted. House Bill 2030. Senator Cronin. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 2030, in manner and form as follows:

Amendment to House Bill 2030

in Acceptance of Governor's Recommendations

Offered by Senator Cronin.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This -- I move to accept the Governor's recommended changes here. His objections and his changes are as follows: Maintains court appointment of process servers, deletes the requirement of immediate possession after trial and judgment for the plaintiff, and modifies the presumption language to make it more clear and to insert "knew or should have...known" in -- language into the provision. Governor's kind of tightened up this -- this provision. As you may recall, the original bill and -- and this bill amends the Code of Civil Procedure regarding eviction of tenants who commit drug crimes, allows for private process servers in Cook County, broadens emergency public housing eviction Act {sic} to include private housing. The Governor has improved a good idea, if I may just say -- say so myself, and ask I for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin has moved to accept the specific recommendations of the Governor as to House Bill 2030. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2030, in the manner and form just stated by Senator Cronin. 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 57 Ayes, no Nays, none voting Present. And the specific recommendations of the Governor as to House Bill 2030, having received the required constitutional majority of the Senators elected, are hereby declared accepted. Supplemental Calendar No. 1 has been distributed and is sitting on the Member's desks. If you

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turn your attention to Supplemental Calendar No. 1, in the Order of House Bills 2nd Reading. House Bill 999. Senator Cronin. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 999.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. ...Supplemental Calendar No. 1 is the Order of Secretary's Desk, Concurrence on Senate Bills. Senate Bill 862. Senator Fitzgerald. Madam Secretary, read the amendment -- read the motion. I beg your pardon.

ACTING SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 862.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 862 was a recommendation of Representative Parke. It adds a provision that, before any land transfer is allowed under the -- under the provisions of the bill, IDOT must first offer the land in writing to the person from whom the property was acquired. This was a bill to just allow IDOT to dispose of excess land, such as wetlands and so forth. It would allow them to give it to a not-for-profit, conservation, or appropriate governmental agency. The amendment simply adds that IDOT must first offer the land in writing to the person from whom the property was acquired, and I'd urge the Senate to concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 862. All

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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 58 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 862. And the bill, having received the required constitutional majority, is hereby declared passed. Supplemental Calendar No. 2 has been distributed to the Members. It is laying on your desks. In the Order of -- on Supplemental Calendar No. 2, in the Order of House Bills 2nd Reading, is House Bill 1296. Senator Madigan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1296.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance and Pensions adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I would ask that Committee Amendment No. 1 to House Bill 1296 be approved. It is a -- a -- Committee Amendment No. 1 strips the bill, making it a vehicle for... The committee amendment's already part of the bill and I would ask for its approval.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. ...the information of the Rules Committee Members, there will be a Rules Committee in Senator Weaver's

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Office at approximately 3:45. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Just an inquiry. When -- when is Exec going to meet then?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. I don't have an exact time for the Executive Committee meeting. It will be in Room 212, but we are, I understand, going into Caucus. Perhaps shortly after that we can announce the exact time. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm requesting a Republican Caucus in my office immediately. Hopefully we'll get out of there by 4 o'clock.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Republican Caucus in Senator Philip's Office immediately.
Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. We'd ask for a Democratic Caucus immediately in Senator Jones' Office.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Democratic Caucus immediately in Senator Jones' Office. The Senate will stand -- stand at recess until the call of the Chair.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate will come to order. Committee Reports.

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 Amendment 2 to House Bill 654; and Be Approved for Consideration - Senate Amendment 3 to House Bill 1633.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan, what purpose do you rise?

SENATOR MADIGAN:

Thank you, Mr. President. That -- as quick as we can upon adjournment, that the Senate Committee on Insurance has got a conference committee report to clean up language on portability that'll just take a few minutes. We'd like to meet quickly in Room 212 and get that out of the way upon adjournment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell, what purpose do you rise?

SENATOR FAWELL:

For purposes of an announcement. We are going to meet as the Transportation Committee immediately upon adjournment to adjourn the Transportation Committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Where will that be, Senator Fawell?

SENATOR FAWELL:

Room 400, unless it's taken.

PRESIDING OFFICER: (SENATOR DUDYCZ)

It's my understanding, Senator Fawell, it will be on the Senate Floor, immediately upon adjournment.

SENATOR FAWELL:

Senate Floor? Alright, fine.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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On the Senate Floor immediately upon adjournment, Transportation Committee will meet for the purposes of adjourning. Senator Cronin, what purpose do you rise?

SENATOR CRONIN:

For purposes of an announcement, Mr. President. The Senate Education Committee shall meet in one hour, or 5:30 p.m., or immediately following the Executive Committee, which will be meeting in Room 212. So, because there are a couple Members that serve on both Exec and Education, we will meet after the Executive Committee has completed their business, no sooner than one hour in Room 112 -- 212. 212. Sorry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

For the purposes of an announcement, Mr. President. The Senate Executive Committee will meet in Room 212 immediately following the Insurance Committee. That's at 212. Now, the Insurance Committee's going to meet immediately upon adjournment, then it's Insurance, then Exec and then Education, so everybody stand alert at Room 212. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Immediately upon adjournment, Senate Transportation Committee will be meeting on the Senate Floor for the purposes of adjournment. The Senate Insurance Committee will be meeting in Room 212. Immediately following the Insurance Committee, the Senate Education {sic} Committee will be meeting in Room 212. And at -- at 5:30 or immediately after the conclusion of the Senate Executive Committee, the Senate Education Committee will meet. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that

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the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 36.

Adopted by the House, November 13th, 1997. It's substantive.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Senator Dudycz -- Mr. President, I take it that we're having -- we're -- meeting after meeting tonight. What time are you going -- what time are we adjourning to -- for tomorrow?

PRESIDING OFFICER: (SENATOR DUDYCZ)

I will make that announcement shortly, Senator Geo-Karis. Any other further business to come before the Senate? If not, the Senate -- Senator Geo-Karis moves that the Senate stands adjourned until 9 o'clock, tomorrow morning, Friday, November 14th.

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