

STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

25th Legislative Day

March 23, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Pastor Gary Winkleman, West Side Christian Church, Springfield, Illinois. Pastor Winkleman.

PASTOR GARY WINKLEMAN:

(Prayer by Pastor Gary Winkleman)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Wednesday, March 17th, 1999.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

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

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Thursday, March 18th; Friday, March 19th; and Monday, March 22nd, in the year 1999, be postponed, pending arrival of the printed Journals.

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Senator Myers moves to postpone the reading and the approval of the Journals, pending the arrival of the printed transcript. There being no objection, so ordered. Messages.

SECRETARY HARRY:

A Message from the President, dated March 23rd, 1999.

Dear Mr. Secretary - Please be advised that I have replaced Senator Maitland with Senator Dudycz on the Senate Rules Committee effectively immediately.

Signed by President Philip.

PRESIDENT PHILIP:

Committee Reports.

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports the following amendments to Senate Bills Be Adopted - Amendment 4 to Senate Bill 7, Amendment 3 to Senate Bill 109, Amendment 1 to Senate Bill 202, Amendment 1 to Senate Bill 465, Amendment 3 to Senate Bill 644, Amendment 2 to Senate Bill 673, Amendment 1 to Senate Bill 748, Amendment 1 to Senate Bill 749, Amendment 1 to Senate Bill 753, Amendment 2 to Senate Bill 784, Amendment 2 to Senate Bill 845, and Amendment 1 to Senate Bill 1121, all Be Adopted.

Senator Dillard, Chair of the Committee on Local Government, reports Senate Amendment 1 to Senate Bill -- or, to Senate Bill 171, Amendment 1 to Senate Bill 286, Amendment 1 to Senate Bill 906, Amendment 1 to Senate Bill 1171, all Be Adopted.

Senator Syverson, Chair of the Committee on Public Health and Welfare, reports Amendment 2 to Senate Bill 13, Amendment 1 to Senate Bill 323, Amendment 2 to Senate Bill 458, Amendment 3 to Senate Bill 541, Amendment 1 to Senate Bill 561, Amendment 1 to Senate Bill 672, Amendment 1 to Senate Bill 953, and Amendment 2 to Senate Bill 965 Be Adopted.

Senator Madigan, Chair of the Committee on Insurance and

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Pensions, reports Senate Amendments 3 and 4 to Senate Bill 363 Be Adopted, and Amendment 1 to Senate Bill 1024 Be Adopted.

And Senator Fawell, Chair of the Committee on Transportation, reports Amendment 1 to Senate Bill 185 and Amendment 1 to Senate Bill 1129 Be Adopted.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

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

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

House Bills 156, 227, 562, 1712, 1780, 1878, 1955, 2011 and 2333.

All passed the House, March 22nd, 1999.

PRESIDING OFFICER: (SENATOR WATSON)

Would suggest that the Membership start making their way to the Floor. We will proceed with the business of the Senate shortly. Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, just to report that Senator Carl Hawkinson will -- might be in this afternoon. He had another funeral of one of his family members.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Thank you. Senator Myers, for what purpose do you rise?

SENATOR MYERS:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR MYERS:

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Today, as we all know, is the day when the 4-H Clubs are visiting us, and I'm proud to have two children from two different areas, from Jamaica, Illinois, and from Newman, in the President's Gallery, in the gallery to my right.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Will our friends in the -- from the 4-H please rise? And welcome to Springfield. We are on page 2. We have Senate Bills 2nd Reading. Top of page 2 is Senate Bill 1. Senator Syverson. Senator Syverson on the Floor? If not, out of the record. Senate Bill 6. Senator O'Malley. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 6.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 11. Senator Peterson? Out of the record. Senate Bill 13. Senator Syverson. Senator Syverson on the Floor? Out of the record. Senate Bill 26. Senator Petka? Senator Petka on the Floor? Out of the record. Senate Bill 29. Senator Parker. Kathy Parker, on Senate Bill 29? Out of the record. Senate Bill 32. Senator O'Malley. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 32.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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Any Floor amendments approved for consideration?

SECRETARY HARRY:

No Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 35. Senator O'Malley. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 35.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Could I have leave of the Body to go back to Senate Bill 40? Leave is granted. Senate Bill 46. Senator Parker? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 46.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 71. Senator Sieben? Senator Sieben asks to hold the whole rest of page 2. So we will proceed on to page 3. Top of page 3. Senate Bill 101. Senator Parker. Senate Bill 139. Senator O'Malley? Out of the record. Senate Bill 149. I would like to have leave of the Body to return to that order of business. Leave is granted. Senate Bill 185. Senator Syverson? Senator Syverson on the Floor? Out of the record. Senate Bill 202. Senator Welch? Pat Welch? Please read the bill, Mr.

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Secretary.

SECRETARY HARRY:

Senate Bill 202.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Welch.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch, on Amendment No. 1.

SENATOR WELCH:

Thank you, Mr. President. Amendment No. 1 was requested by the -- the State Police to clean up the bill and make it less costly. So I'd move for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch moves for adoption of Amendment No. 1. Is there any discussion? If not, all those in favor, say Aye. Opposed, No. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 204. Senator Rauschenberger? Senator Rauschenberger on the Floor? Out of the record. Senate Bill 206. Senator Radogno? Out of the record. Senate Bill 227. Senator O'Malley? Out of the record. Senate Bill 230. Senator Dillard? Out of the record. Senate Bill 235. Senator Dudycz? Out of the record. Senate Bill 268. Senator Parker? Senator Parker, on 268? Out of the record. Senate Bill 272. Senator Molaro? Senator Molaro on the Floor? Out of the record. Senate Bill 277. Senator Cronin? Dan Cronin on the Floor? Out of the

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record. Senate Bill 282. Senator Cronin. Dan Cronin, on Senate Bill 282? Out of the record. Senate Bill 311. Senator Link? Senator Link on the Floor? Out of the record. Senate Bill 319. Senator Rauschenberger? Senator Rauschenberger on the Floor? Out of the record. Senate Bill 320. Senator Rauschenberger. Out of the record. Moving right along, we're on page 4. Senator Parker, on Senate Bill 323. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 323.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Members of the Senate. What this does is it provides that also dental hygienists will also be able to report to Department of Professional Regulation in case of child abuse.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 336. Senator Maitland? Senator John Maitland on the Floor? Out of the record. Senate Bill 338.

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Senator Peterson. Out of the record. Senate Bill 349. Senator Geo-Karis. Out of the record. Senate Bill 359. Senator O'Malley? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 359.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 363. Senator Tom Walsh. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 363.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Tom Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Amendment No. 3 provides for an insurance producer to pay a licensing fee on a two-year basis, rather than annually. This also makes changes to the continuing education requirement to make it consistent with the two-year renewal charge. It also addresses the concerns of the surety bond

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industry. It maintains the surety bond requirement and allows an association to obtain bonding for their membership. The association must have been in existence for at least five years, have common membership, and have been formed for the purpose other than obtaining a bond. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 4, offered by Senator Tom Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Amendment No. 4 deletes the section of the bill to repeal the controlled business section of the Illinois Insurance Code. The controlled business section is a form of antitrust regulation that is a protection for agents and agencies. And I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? If not, those in favor, say Aye. Opposed, Nay. The Ayes have it. Are there any other amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator O'Malley, on Senate Bill -- read the bill, Mr. Secretary. 376.

SECRETARY HARRY:

Senate Bill 376.

(Secretary reads title of bill)

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

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amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

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

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley, on Amendment No. 2.

SENATOR O'MALLEY:

Mr. President, Amendment No. 2 represents an initiative that would limit the scope of this legislation to Cook County.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Any further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 417. Senator Dudycz? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 417.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 423. Senator Maitland? Senator John Maitland on the Floor? Out of the record. Senate Bill 427. Senator Radogno. Out of the record. Senate Bill 445. Senator

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Tom Walsh. Out of the record. Senate Bill 457. Senator Syverson? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 457.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 468. Senator Fawell? Senator Bev Fawell? Out of the record. Senate Bill 487. Senator Syverson. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 487.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted Amendments 2 and 4.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 509. Senator Dillard? Senator Kirk Dillard? Out of the record. Senate Bill 527. Out of the record. Senate Bill 529. Out of the record. And Senate Bill 550. Senator Dudycz? Walter Dudycz? Out of the record. Senate Bill 556. Senator Cronin? Dan Cronin. Out of the record. Senate Bill 561. Senator Obama? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 561.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

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SECRETARY HARRY:

Amendment No. 1, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Obama, on Amendment No. 1.

SENATOR OBAMA:

Thank you, Mr. President. This bill, which deals with the Health Care Surrogate Act, the amendment deletes all and becomes the bill. 561, as introduced, requires patients to be informed orally and in writing prior to the implementation of any treatment under this Act and gives a psychiatrist or clinical psychologist a role in determining whether patient lacks decisional capacity. There is an agreement between the Bar Association and the Medical Society on this bill. I'd move for its passage.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 562. Senator Syverson? Please read the bill, Mr. Secretary. There's been a fiscal note request and that will have to be taken out of the record, Senator Syverson. Fiscal note has been requested. Senate Bill 563. Senator Radogno. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 563.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

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SECRETARY HARRY:

Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you. Amendment No. 2 simply deletes unnecessary references to the federal Health Care Financing Authority {sic} (Administration).

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion on the amendment? Any discussion? If not, those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Senate Bill 578. Senator -- 3rd Reading. 3rd Reading, on Senate Bill 563. Senate Bill 578. Senator Sieben. Todd Sieben? Out of the record. Senate Bill 641. Senator Radogno? 641. Senator Radogno? Out of the record. Senate Bill 642. Senator Cronin? Out of the record. Senate Bill 653. Senator Cronin. 653. Out of the record. Senate Bill 672. Senator Radogno? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 672.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Radogno.

SENATOR RADOGNO:

Thank you. This amendment becomes the bill. It requires the Department of Public Health, through utilizing the Hospital Licensing Board, to conduct a review of hospital inspection programs and report back to the General Assembly and the Governor by July of 2000.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator O'Daniel, for what purpose do you rise, sir?

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. For a point of personal privilege. I have a -- have a young man here that's an outstanding young man from the Golden Harvest 4-H Club in Richland County. You know, a few days ago I talked to you about the beautiful young ladies and the handsome young men we had in southern Illinois, so this is another example, Jason. And his parents are in the Democrat -- on the Democrat side in the gallery. I'd like for you to -- welcome them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Well, we're certainly glad to have you here, Jason. Welcome. And would your parents in the gallery please rise? Ought to be proud parents in the gallery. We welcome you also to Springfield. Very good. Thank you very much. Senator Geo-Karis, for what purpose do you rise, ma'am?

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SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in the -- in the back gallery, in the center, are two of my constituents who are from the Center of Independent Living from Mundelein: Barbara Anderson, who is one of the key figures there, and Mrs. Fannie Vinson-Hunter. My constituents, and I ask that you welcome them here today.

PRESIDING OFFICER: (SENATOR WATSON)

Will our guests in the gallery please rise? Very good. Thank you very much for being here. Glad to have you here. Senator Bomke, for what purpose do you rise, sir?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR BOMKE:

Would like to introduce to the Senate 4-H groups from Sangamon, Cass and Menard County that are behind the Republicans.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Will our 4-H friends in the gallery please rise? Welcome you all to Springfield. Hope you have a nice day here. We now have a presentation from Senator Maitland. Excuse me. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR LUECHTEFELD:

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Behind the Democratic Senate, we have two people from my district, from the 4-H: Clay Finley and his mother, Jeanne. Would you please rise? And welcome them to the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. We're glad to have you here today. Continuing on with our 4-H celebration today, we have Senator Maitland, who's going to make a presentation and introduce some guests.

SENATOR MAITLAND:

Thank you very much, Mr. President. Today is a -- is a unique day in -- in the State, certainly a unique day here in Springfield. There are over -- I believe over two thousand -- there are over two thousand 4-H members here in the State Capitol today, so we are totally inundated by -- by young men and women. I personally, as many of you were, a 4-H member for -- I was in 4-H for eleven years. It was a program that meant an awful lot to me and helped develop and -- and allow me to grow. I'd like to -- first of all, the members that are behind me here are a representation of the two thousand 4-H members that are here today, and I'm delighted to have them here and they have asked not to speak but I wanted to introduce them to you. Also, the Governor has today issued a proclamation, and I would like to read that: Whereas, 4-H is the largest youth organization in the State of Illinois, challenging more than two hundred and fifty thousand Illinois youth and adults with unique hands-on learning each year; and, whereas, 4-H is an effective educational program based on the expertise of the United State's Department of Agriculture and the University of Illinois Extension Plan, by local, county and State committees; and, whereas, more than twenty-thousand caring, nurturing adults work together with 4-H youth in family and community environments to create real-life learning laboratories that help youth practice skills they need today and will be using in the future; and, whereas, 4-H enriches Illinois youth with

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important programs that make countless differences in the lives of youth and adults in the communities in which they live; and, whereas, 4-H is a family and community effort supplementing and complimenting the home and school with action-oriented and practical education experiences; therefore, I, George H. Ryan, Governor of the State of Illinois, proclaim March 23rd, 1999, as a 4-H Day in Illinois and urge the citizens of Illinois to recognize the important accomplishments of Illinois 4-H members. Ladies and Gentlemen, 4-H is a program that addresses boys and girls, all walks of life, in the State. The City of Chicago, the County of Cook, have large 4-H programs to benefit this State's youth. I'm delighted, Mr. President, to have these individuals here representing 4-H in Illinois, and I thank the Senate for their attention to this very important program. Thank you very much. Just mention your names, would you, please?

(Representatives of Illinois 4-H Clubs introduce themselves)

SENATOR MAITLAND:

Mr. President, thank you very much.

PRESIDING OFFICER: (SENATOR WATSON)

Middle of page 5. We're back on Senate Bills 2nd Reading, and we're with Dan Cronin, on Senate Bill 653. Dan Cronin, would you like that bill called? Out of the record. Senate Bill 673. Senator Radogno? Senator Radogno. Out of the record. Senate Bill 677. Senator Radogno? Out of the record. Senate Bill 680. Senator Obama? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 680.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. 721. Senator Bomke? Out of the record. Senate Bill 723. Senator Sieben? Out of the record. Senate Bill 724. Out of the record. Senate Bill 729. Wendell Jones? Out of the record. Senate Bill 734. Senator Fawell? Out of the record. We're on page 6. Senate Bill 736. Senator del Valle? Out of the record. Senate Bill 748. Senator Cullerton? John Cullerton on the Floor? Out of the record. Senate Bill 749. Senator Cullerton. Out of the record. Senate Bill 753. Senator Radogno? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 753.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you. This amendment addresses some concerns brought up by the Prisoner Review Board. It adds them as members of the Advisory Council and specifies that Department of Corrections, Human Services and the Prisoner Review Board shall cooperate with the Attorney General.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, all those in favor, say Aye.

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Opposed, Nay. The Ayes have it, and the amendment is adopted.  
Any further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. The Illinois Information Service for WLS-TV has asked leave to videotape the proceedings. Is leave granted? Leave is granted. Senate Bill 759. Senator Dillard? Out of the record. Senate Bill 760. Senator Parker? Out of the record. Senate Bill 782. Senator Cronin? Dan Cronin on the Floor? Out of the record. Senate Bill 783. Senator Cronin. Out of the record. 812. Senator Cronin. Out of the record. Senate Bill 818. Senator Parker? Kathy Parker, on 818. Out of the record. Senate Bill 834. Senator Dillard? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 834.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 is just a technical amendment that comes from a question of Senator Debbie Halvorson in committee where we talked about filling vacancies and how the appointment process works. It's technical. All we did was restore the language so that it's

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back like it is today. I don't think it's controversial, and I'd appreciate its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 839. Senator Parker? Out of the record. Senate Bill 848. Senator Bowles? Out of the record. Senate Bill 849. Senator Parker? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 849.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 867. Senator Noland? Out of the record. Senate Bill 878. Senator Lauzen? Out of the record. Right on over to page 7. Top of page 7 is Senator Lauzen with 880. Out of the record. Senate Bill 881. Senator Burzynski? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 881.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

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3rd Reading. Senate Bill 890. Senator Dillard? Out of the record. Senate Bill -- I'm sorry. 906. Senator Wendell Jones. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 906.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Wendell Jones.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Wendell Jones.

SENATOR W. JONES:

There was an amendment approved this morning in Local Government, Mr. President, and it excludes DuPage County from the bill. It only affects suburban Cook County townships.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Senate Bill -- 3rd Reading. Senate Bill 916. Senator Judy Myers. Out of the record. Senate Bill 928. Senator Sullivan. Out of the record. Senate Bill 938. Senator Luechtefeld? Excuse me. There's been a State Mandates Act request. Darn. Senate Bill 949. Senator Geo-Karis. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 949.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Is there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 953. Senator Rea? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 953.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rea.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rea, on Amendment No. 1.

SENATOR REA:

Thank you, Mr. President. Senate Amendment 1 amends the Hospital Licensing Act. It has -- has reference to the medical staff privileges. Although Senate Amendment 1 does not delete everything after the enacting clause, it does become the bill. Senate Amendment 1 simply rewrites the bill. It's a -- an agreed amendment between the Illinois State Medical Society, the Illinois Hospital and Health Care Systems Association. It retains the intent of Senate Bill 953 as introduced. The intent of 953, as introduced, is to get the medical staff involved in the decision-making process concerning who gets on hospital staff membership and medical staff privileges at the hospital. I know of no opposition.

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PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? If not, those in favor, say Aye. Opposed, Nay. The Ayes have it. Are there any other amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 962. Senator Cronin? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 962.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin, on Amendment No. 2. Out of the record. Senate Bill 965. Senator Syverson? Dave Syverson on the Floor? I don't believe so. Out of the record. Senate Bill 968. Senator Radogno? Out of the record. Senate Bill 981. Senator Emil Jones? Minority Leader on the Floor? Out of the record. Senate Bill 989. Senator Dudycz? Walter Dudycz. Out of the record. Senate Bill 990. Senator Lauzen. Out of the record. Senate Bill 1011. Senator Petka. Ed Petka on the Floor? Out of the record. We are moving now to page 8, the top of page 8. We begin with Senate Bill 1025. Senator Clayborne? James Clayborne on the Floor? Out of the record. Senate Bill 1042. Senator Lisa Madigan? Out of the record. Senate Bill 1046. Senator Sullivan? Out of the record. Senate Bill 1062. Senator Dillard? Please read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 1062.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1063. Senator Donahue? 1063. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1063.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator DeLeo, what -- Senator DeLeo does not seek recognition. Senate Bill 1064. Senator Sullivan. Out of the -- excuse me. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1064.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

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Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1065. Senator Donahue? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1065.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1067. Senator Donahue. Laura, on -- please read the bill, Mr. Secretary?

SECRETARY HARRY:

Senate Bill 1067.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1075. Senator Cronin? 1075. Out of the record. Senate Bill 1087. Senator Karpiel? Doris Karpiel. Out of the record. Senate Bill 1104. Senator Donahue? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1104.

(Secretary reads title of bill)

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

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amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1106. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1106.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1110. Senator Donahue. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1110.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1111. Senator Parker. Out of the record. Senate Bill 1112, on the top of page 9. Senator Dillard. Senator Kirk Dillard? Out of the record. Senate Bill 1113. Wendell Jones? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1113.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1114. Senator Donahue. Please read the bill.

SECRETARY HARRY:

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Senate Bill 1114.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1116. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1116.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1122. Senator Emil Jones? Senator Jones on the Floor? Out of the record. Senate Bill 1131. Senator Bowles? Evelyn Bowles. Out of the record. Senate Bill 1148. Senator Lauzen. Chris Lauzen on the Floor? Out of the record. Senate Bill 1182. Senator Lauzen. Out of the record. Senate Bill 1183. Senator Todd Sieben. Senator Sieben? Out of the record. Senate Bill 1192. Senator Cronin? Dan Cronin? Out of the record. Senate Bill 1199. Senator Maitland. John Maitland. Out of the record. Senate Bill 1207. Senator Cronin. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1207.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted Amendments 1 and 2.

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Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We're going to begin on Senate Bill -- Senate Bills 3rd Reading. However, we're going to begin where we left off last week, and that's at the bottom of page -- or, I'm sorry, on page 24. At the top of page 24, and we'll begin with Senate Bill 1001. Senator Philip. Everybody know exactly where we are here? We're on Senate -- we're on page 24 of the Calendar, at the top, and we're just going to start from there and finish it on out. Senate Bill 1001. Senator Philip. Please read the bill, Mr. Secretary. 1001 is out of the record. 1002. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1002.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1002 amends the General Assembly (Organization) Act, and, quite frankly, it's a vehicle bill.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, those in favor -- this is final action. We will request a roll call. And the question is -- those in favor, vote Yes. Those opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1002, having received the required

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constitutional majority, is declared passed. Senate Bill 1003.  
Senator Philip. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1003.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
This amends the Governor's Transition Act. It's another one of  
those vehicle bills.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the  
question is, shall Senate Bill 1003 pass. All those in favor,  
vote Aye. Opposed, vote No. 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 voting Yes, no voting  
No, no voting Present. Senate Bill 1003, having received the  
required constitutional majority, is declared passed. Senate Bill  
1004. Senator Philip? Out of the record. Senate Bill 1006.  
Senator Karpel? Out of the record. Senate Bill 1007. Senator  
Dudycz? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1007.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Thank you -- thank you, Mr. President. This is also one of  
those vehicle bills that we're being asked to move forward.

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PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1007 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1007, having received the required constitutional majority, is declared passed. Senate Bill 1008. Senator Dillard? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1008.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a vehicle bill to do whatever the four Legislative Leaders recommend to us later on any cleanup of the gift ban or ethics changes we made recently.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1008 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 1008, having received the required constitutional majority, is declared passed. Senate Bill 1009. Senator Maitland? Out of the record. Senate Bill 1010. Senator Dillard. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1010.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen. Again, this is another vehicle bill should the four Legislative Leaders and the Governor decide we need to make any changes with respect to the Metropolitan Pier and Exposition Authority. And, again, we need to move this bill to the House to get it in position should there be any changes this year with respect to McCormick Place or Navy Pier.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I was just wondering, Mr. President, we've got three hundred -- we started today with three hundred and thirty-two bills on 3rd and a hundred and twenty-seven on 2nd. We're going to try to get out of here Thursday night. Can you tell me, of these four hundred and fifty-nine, how many are -- these are vehicle bills? Four hundred?

PRESIDING OFFICER: (SENATOR WATSON)

I have no idea, sir.

SENATOR DEMUZIO:

Four hundred?

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion in regard to Senate Bill 1010? If not, the question is, shall Senate Bill 1010 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1010, having

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received the required constitutional majority, is declared passed.  
Senate Bill 1012. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1012.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 1012 is a vehicle that we'd like to move along. The COWL organization, our group in the House and Senate, may have a -- a good bill to put on this. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1012 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1012, having received the required constitutional majority, is declared passed. Senate Bill 1013. Senator Rauschenberger. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1013.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In an effort to make sure our third branch of government is

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comfortable with our behavior the rest of Session, we thought it was wise to send a procurement shell over to the House in case an agreement's reached on the Procurement Code changes.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1013 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1013, having received the required constitutional majority, is declared passed. Senate Bill 1014. Senator Dudycz? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1014.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Senate Bill 1014 is the State Treasurer's vehicle bill. Asking to have it moved to the third house -- to the other house.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1014 pass. All those in favor, say -- vote Aye. All those opposed, vote No. Voting -- 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 voting Yes, no voting No, no voting Present. Senate Bill 1014, having received the required constitutional majority, is declared passed. Senator Maitland? John Maitland, on Senate Bill 1015? Out of the record. Senate Bill 1016. Senator Weaver? Please

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read the bill, Mr. Secretary. I'm sorry. Out of the record. Beg your pardon. How about 1017? Out of the record. 1018? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1018.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Stan Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is a vehicle bill on the Civil Administration {sic} (Administrative) Code, and if it's needed, we'll act on it.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1018 pass. All those in favor, say Aye -- vote Aye. All those opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1018, having received the required constitutional majority, is declared passed. Senate Bill 1019. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1019.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is a vehicle for the State Comptroller's Act.

PRESIDING OFFICER: (SENATOR WATSON)

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Is there any discussion? If not, the question is, shall Senate Bill 1019 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, 2 voting No, no voting Present. Senate Bill 1019, having received the required constitutional majority, is declared passed. Senator John Maitland, on 1020? Senator Maitland on the Floor? Out of the record. Senate Bill 1022. Senator Bomke? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1022.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1022 amends the State Employees Group Insurance Act relative to school districts' enrollment of full-time employees in the State's group health insurance plan. It simply changes the restrictions which will allow more school districts to join the State employees group plan, and be happy to address any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1022 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, 2 voting No, no voting Present. Senate Bill 1022, having received the required constitutional majority, is declared passed. Senator Madigan, do you wish Senate Bill 1024 returned to the Order of 2nd

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Reading for the purpose of an amendment? Leave is granted. On the Order of 2nd Reading is Senate Bill 1024. Mr. Secretary, are there any amendments?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Floor Amendment No. 1 to Senate Bill 1024 makes three changes in the Insurance Code insofar as when companies transfer insurance policies in requiring a sixty-day notice instead of a thirty-day notice. Amends the definition of renewal, and it also eliminates nonrenewal notices to insured when the carrier wants to renew but on different terms than the original policy was issued. I'd be glad to answer any questions on Senate Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall we adopt Senate Amendment No. 1 to Senate Bill 1024. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1026. Out of the record. Senate Bill 1028. Senator Philip. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1028.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Philip. Senator Pate Philip, please.

SENATOR PHILIP:

Okay.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1028 amends the State Finance Act. It's another one of those vehicle bills we may need in the end of this General Assembly.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1028 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1028, having received the required constitutional majority, is declared passed. Senate Bill 1029. Senator Rauschenberger? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1029.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1029 changes the -- the Administrative Procedures Act and actually changes how agencies are required to file the text of their rules when they make rule changes that -- that arise from their delegated legislative power. This bill requires agencies to file them on a common database that's maintained by JCAR. I think

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State agencies aren't real happy about this, but it does clean up the process in JCAR. It's supported by JCAR staff and by both Republican and Democratic Members. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1029 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, no voting Present. Senate Bill 1029, having received the required constitutional majority, is declared passed. Senate Bill 1030. Senator Rauschenberger? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1030.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you again, Mr. President, Ladies and Gentlemen of the Senate. This is part of my career package. It's another amendment to the Administrative Procedures Act, and it requires agencies, as they file rules, to clearly explain in their filing what part of the statutes give them the authority for both the program and their rulemaking authority. It's -- it's a cleanup that we think will make our rules process better. The JCAR staff supports it, as it enjoys bipartisan support. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not,

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the question is, shall Senate Bill 1030 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1030, having received the required constitutional majority, is declared passed. Senate Bill 1031. Senator Rauschenberger. Please read the bill.

SECRETARY HARRY:

Senate Bill 1031.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Under the Administrative Procedures Act, the JCAR Review Committee has the right to suspend or reject rules filed by an agency. As the statute is currently drafted, it takes a supermajority or eight of twelve Members have to both be present and vote against a rule to -- to prevent its being implemented. This bill changes from eight to seven the necessary Members of JCAR who have to be present in the room in opposition to a rule to suspend an administrative rule. I expect the Executive Branch won't like this as they get around to reading this bill, but it's actually good from us -- good for us from a legislative point of view. JCAR is bipartisan. There's three from each -- three from each caucus in each Chamber. So the seven number still requires bipartisan and bicameral cooperation. This is supported by many JCAR Members. I'm not positive it's supported universally. I think it's a good piece of legislation. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

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Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1031 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1031, having received the required constitutional majority, is declared passed. Senate Bill 1032. Senator Radogno? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1032.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you. This bill contains the agreed-upon provisions to amend the Tax Increment Financing Law to make it more usable and also protect people that have been concerned about it. It generally does five things. It clarifies definitions both for qualifying expenditures, as well as qualifying factors. It has housing provisions to protect folks who might be displaced due to a TIF. Increases reporting requirements. Slightly enhances the role of the Joint Review Board and provides assistance to school districts who receive students as a result of tax increment financed projects. There's a wide range of proponents, including the school groups, the TIF Association, Home Builders, the Illinois Federation of Taxpayers, Community Colleges, the Illinois Municipal League. Again, it's been pretty much agreed to, all of the provisions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Welch.

SENATOR WELCH:

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Thank you, Mr. President. I'd just like to point out something in this bill that is very unusual. One of -- one of the provisions in this bill says that the TIF district can finance low-cost housing in your district. They can finance it for up to fifty percent of the cost of the low-cost housing. So in my area of the State, we've had attempts to put in low-cost housing when we already have plenty. So the -- the constituents in my area have objected to putting low-cost housing there. This bill will make it so advantageous to put in low-cost housing that it will be coming throughout the State of Illinois. Low-cost housing includes putting up modular homes in TIF districts near existing residential areas. No other type of business gets this kind of a loan during a TIF district. In a TIF district, you get extension of water, extension of sewer, maybe electricity, depending on the district. You get a -- a recapture of your taxes. No other business, no manufacturer, job-creating business gets the break that is given to low-cost housing in this bill. And while some areas need low-cost housing - I'm aware of that - we don't. So I vote No. And I think that you should consider this before you vote on it, what your district wants. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? Any other discussion? Senator Radogno, to close.

SENATOR RADOGNO:

Thank you. Just to address the concern that was just raised. It's low-income housing, and as we're aware, many areas of the State need and desire low-income housing. It does not remove the responsibility of the municipality to make that decision with respect to the issue. So it does allow for local decision making. I would ask for your support on this bill.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1032 pass. All those in

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favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 voting Yes, 3 voting No, 3 voting Present. Senate Bill 1032, having received the required constitutional majority, is declared passed.

Senate Bill 1033. Senator Tom Walsh? Tom Walsh on the Floor? Out of the record. Senate Bill 1036. Senator Karpziel? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1036.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. This is a vehicle for the Lieutenant Governor, and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1036 pass. All those in favor, say -- vote Aye. Opposed, vote No. 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 voting Yes, no voting No, no voting Present. Senate Bill 1036, having received the required constitutional majority, is declared passed. Senate Bill 1039. Senator Rauschenberger? Out of the record. Senate Bill 1044. Senator DeLeo? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1044.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1044 amends the Criminal Code. It's -- enhances penalties for theft, robbery, burglary, criminal damage of property or criminal defacement of property when a crime is committed in or against a school or place of worship. Now what we did here is we -- because of a recent rash of burglaries of schools and Catholic schools, parochial schools, churches, synagogues, in Chicago, we changed the penalty and enhanced every penalty. And the message is very, very simple: You're going to do the crime in and around a school or place of worship, you're going to do more time. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1044 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1044, having received the required constitutional majority, is declared passed. Senator Cullerton? Out of the record. 1054 is out of the record. Senate Bill 1055. Senator Obama? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1055.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. This bill was generated actually from a student of mine at the University of Chicago Law School.

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It's a -- as you know, there's check verification services that are out there right now. This Act simply requires that they provide a toll-free number so that the consumer, if they have any problems, can contact the check acceptance firm to obtain their credit scoring information. It passed out of committee without opposition. I know of no known opposition. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1055 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There's 58 voting Yes, no voting No, no voting Present. Senate Bill 1055, having received the required constitutional majority, is declared passed. Senator Shadid, on Senate Bill 1059. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1059.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shadid.

SENATOR SHADID:

Mr. President, I'd like to move Senate Bill 1059 back to 2nd Reading. Take it out of the record, please.

PRESIDING OFFICER: (SENATOR WATSON)

Out of the record. Senate Bill 1061. Senator Donahue? Out of the record. Senate Bill 1066. Senator Maitland? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1066.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1066 amends the Department of Veterans Affairs Act, the State Finance Act and the Illinois Income Tax Act to create a checkoff for the National World War II Memorial Fund. The bill adds a checkoff for the National World War II Memorial Fund to be administered by the Department of -- of Veterans' Affairs. I would be happy, Mr. President, to answer any questions you...

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Peterson.

SENATOR PETERSON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Peterson.

SENATOR PETERSON:

Senator, is there any particular place in Illinois that this memorial would be erected? Is it up to the administration or do we have to have legislation directing a place to be provided for the memorial?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Answer to the first question is there's no location, and the answer to your second question, legislation is not needed.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall Senate Bill 1066 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 57 -- 57 voting Yes, no voting No, no voting Present. Senate Bill 1066, having received the required constitutional majority, is declared passed. Senator Trotter is not in his chair, but he is seeking recognition. Somebody turn his microphone light off if you would, please. Senate Bill 1068. Senator Robert Madigan. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1068.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 1068 is brought forth at the request of the Department of Natural Resources. It makes two changes in the Wildlife Code. First of all, it brings the State statute into compliance with the U.S. Fish and Wildlife recommendation insofar as the harvest of snow geese. And secondly, it creates a mechanism for dealing with nuisance geese in the Chicago suburban area. That's what Senate Bill 1068 does. I'd be glad to answer any questions on that.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1068 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1068, having received the required constitutional majority, is declared passed. Senator Sieben? Please read the bill, 1070, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1070.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation is an -- an initiative of the Illinois Department of Agriculture who administers the Illinois Grain Code. It adds some provisions dealing with notice of grain dealers who cease doing business and also some requirements for those who print warehouse receipts. I know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Welch.

SENATOR WELCH:

I wanted to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator, is there a fee attached to this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Could you tell me how much the fee is and what it's for?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

The fee is for one hundred dollars for the printing of

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warehouse receipts.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, the question is, shall Senate Bill 1070 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1070, having received the required constitutional majority, is declared passed. Senate Bill 1071. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1071.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 1071 amends the Public Officer Prohibited Activities Act. It simply adds limited liability companies, partnerships and limited partnerships to those entities required to disclose ownership of real property before purchase or lease by units of State or local government. These forms of corporations were not in -- in existence when this law first took effect. I know of no opposition. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1071 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, no voting Present. Senate Bill 1071, having received the

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required constitutional majority, is declared passed. Senate Bill 1072. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1072.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senate Bill 1072 gives individuals -- they've requested that the DOT restore easement access rights no longer needed for highway purposes. The DOT annually introduces this legislation, and it will just allow people to restore access rights and convey interest back to property that the DOT no longer needs. Appreciate your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1072 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1072, having received the required constitutional majority, is declared passed. Senate Bill 1073. Senator Geo-Karis. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1073.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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Mr. President, Ladies and Gentlemen of the Senate, this amends the Boat Registration and Safety Act. Requires that the operator of a watercraft have the registration form for the watercraft available for inspection when the watercraft is on the water. This is requested by the Department of Natural Resources and it's -- and I ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1073 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1073, having received the required constitutional majority, is declared passed. Senate Bill 1074. Senator Sieben. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1074.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Members of the Senate. This legislation revises the Meat and Poultry Inspection Act as mandated by the federal government and ensures that the State of Illinois has the statutory authority to ensure food safety. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1074 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1074, having received the required constitutional majority, is declared passed. Senate Bill 1076. Senator Geo-Karis? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1076.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill amends the Illinois Nuclear Facility Safety Act to provide that the Department of Nuclear Safety may assign inspectors to nuclear power plants that have permanently ceased operations. And I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1076 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1076, having received the required constitutional majority, is declared passed. Senate Bill 1077. Senator Syverson? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1077.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 1077 extends the sunset of the TANF rules from June 1st of this year till January 1st of 2003.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Yes, sir. Senator Syverson, just looking at my analysis, is this a vehicle?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

No, this is a DHS agency bill which continues the controls that -- the oversight that we've put in.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Okay. So just for clarity, so there will be no changes for this. This is just as it's written. What I see is what I get.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

I can't speak for the House, of what they might do, but certainly it's not my intent that there be any change to this legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any further discussion? If not, the question is, shall Senate Bill 1077 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no

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voting No, no voting Present. Senate Bill 1077, having -- having received the required constitutional majority, is declared passed. Senator Mahar, on Senate Bill 1078. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1078.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This bill comes to us from the Department of Nuclear Safety. The bill does exactly as the caption reads on today's Calendar. I know of no opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1078 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1078, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on 1079. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1079.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In an effort to begin to position ourselves as we move forward to

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finalize the budget process, this is a shell which may eventually contain the Implementation Act. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1079 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 1079, having received the required constitutional majority, is declared passed. Please read the bill, Mr. Secretary, 1080.

SECRETARY HARRY:

Senate Bill 1080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you -- thank you very much, Mr. President, Members of the Senate. Senate Bill 1080 is another one of the vehicles for the budget implementation procedure at the end of Session. Same explanation as Senator Rauschenberger had. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1080 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1080, having received the required constitutional majority, is declared passed. Senate

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Bill 1081. Out of the record. Senate Bill 1082. Senator Peterson, do you wish Senate Bill 1082 returned to the Order of 2nd Reading for the purpose of amendment? Is leave granted? Leave is granted. On the Order of 2nd Reading is Senate Bill 1082. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. The amendment is a technical amendment requested by the Illinois Department of Revenue. I ask for your support of Amendment 3.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1084. Senator Philip? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1084.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Believe it or not, this is a real bill this time. What it does is

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authorize the Department of Natural Resources to make rules for telephone and electronic sales and issuance of license permits and stamps. Most other states already do this. It makes it easier for people who want to get a permit or a license. This is an administration bill and a recommendation from the Department of Natural Resources. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1084 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1084, having received the required constitutional majority, is declared passed. We move on to page 27. The top of page 27. Senate Bills 3rd Reading. Senate Bill 1085. Mr. President Philip asks the bill to be read. Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1085.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This creates a new Act called the Automatic Contract Renewal Act. I had a constituent who didn't have a very good lawyer, didn't read the contract, and after it -- after it passed, he found out it was an automatic renewal, and we tried to find out a way to prevent that. So his suggestion was to make the type on the contract a little bolder, so when you looked at your contract, the type would pop out and you would know it was an automatic renewal.

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That's simply what it does.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1085 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1085, having received the required constitutional majority, is declared passed. Senate Bill 1086. Senator Klemm. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1086.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 1086 extends, for an additional three {sic} years, the Illinois Commerce Commission's ability to use larger share of Grade Crossing Protection Fund dollars to employ rail safety personnel. If you remember in 1996, we passed the Rail Safety Initiative which gave an increase to the Rail Safety Crossing Fund. You know, it was interesting, because four hundred persons died last year at rail crossings in the United States. And the Bourbonnais Amtrak train wreck was the nation's third worst accident since 1993. In DuPage County, I read last month, there were two accidents, some -- some deaths there, and in my own McHenry County just last month, we had two train accidents at crossings. People trying to get across. Had some accidents and deaths. So I think this bill is very appropriate to allow this to continue for three {sic} more years. There's no opposition, and I do ask for your support to give these vital

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dollars to the ICC. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1086 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are 55 voting Yes, no voting No, 2 voting Present. Senate Bill 1086, having received the required constitutional majority, is declared passed. Senate Bill 1088. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1088.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 1088 is an administration bill. It amends the Environmental Protection Act, and it -- it will allow the Environmental Protection Agency to propose rules to the Pollution Control Board addressing the implementation of a nitrogen oxide trading system so we can keep within federal guidelines. There's no known opposition. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1088 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1088, having received the required constitutional majority, is declared passed. We have

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some guests with us today, and Senator Demuzio is going to recognize them. I would -- I'd like for the Membership to be in their chair and give the -- get in their chairs and give your attention to Senator Demuzio. Thank you.

SENATOR DEMUZIO:

Ladies and Gentlemen, thank you very much. We want to apologize for butting in here, but we have with us today the Class A Girls 1999 Basketball Champions, the -- from Nokomis, the Lady Redskins from Nokomis. The coach and I were just chatting for a moment that it's kind of ironic that not only is Nokomis the repeat champions from last year, but also the team that they played in the championship game this year was also from my district, the Carrollton Lady Hawks. So I don't know how many times that happens in -- in history, but two phenomena, I guess, that just recently occurred. So we are here today to pay our honor and respect to this fine competitive and -- and great basketball team, and I'd like to call, at this point, on Maury Hough, the Coach, to introduce the coaching staff as well as the players. And also, Coach, I might add that Representative Hannig and I have resolutions of -- certificates of recognition - pardon me, I have a cold - for all of the members of the team. And I want to present those to you now. So, Coach Hough.

COACH MAURY HOUGH:

(Remarks and Introductions by the Nokomis Lady Redskins Coach)

PRESIDING OFFICER: (SENATOR WATSON)

We're back on the Order of 3rd Reading. And it's page 27, and we're on Senate Bill 1089. Senator Rauschenberger? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1089.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This and the next thirteen bills are shell bills to reenact the Budget Implementation Act that was struck down by our friends in the third branch of government. There are fourteen because there are fourteen Articles in the Budget Implementation Act that was overturned by the courts. I'd appreciate a favorable roll call on this and the next thirteen bills.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, question is, shall Senate Bill 1089 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1089, having received the required constitutional majority, is declared passed. If you'll stay close to your buttons for the next thirteen bills, we can go through this pretty quick. Senate Bill 1090. Senator Rauschenberger. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1090.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The same explanation as the last bill. It's a reenactment.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1090 pass. All those in favor, vote Aye.

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Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1090, having received the required constitutional majority, is declared passed. Please read the bill, Mr. Secretary, 1091.

SECRETARY HARRY:

Senate Bill 1091.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd like a roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Roll call. Any discussion? If not, the question is, shall Senate Bill 1091 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1091, having received the required constitutional majority, is declared passed. Please read the bill, Mr. Secretary, 1092.

SECRETARY HARRY:

Senate Bill 1092.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Another reenactment. Roll call.

PRESIDING OFFICER: (SENATOR WATSON)

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All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1092, having received the required constitutional majority, is declared passed. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1093.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It's another shell bill to reenact the Budget Implementation Act. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed, vote No. The voting's 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 voting Yes, 1 voting No, no voting Present. Senate Bill 1093, having received the required constitutional majority, is declared passed. Senate Bill 1094. Senator Rauschenberger? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1094.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It's another shell to reenact another provision of the FY'96 budget implementation bill. I'd appreciate a favorable roll call.

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PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, 1 voting No, no voting Present. Senate Bill 1094, having received the required constitutional majority, is declared passed. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1095.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It's the same as the previous explanations. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, 1 voting No, no voting Present. Senate Bill 1095, having received the required constitutional majority, is declared passed. Senate Bill 1096. Please read the bill.

SECRETARY HARRY:

Senate Bill 1096.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It's another reenactment shell. I'd appreciate a favorable roll call.

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PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? If not -- if not, those in favor, vote Aye. Opposed, vote No. 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 voting Yes, 1 voting No, no voting Present. Senate Bill 1096, having received the required constitutional majority, is declared passed. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1097.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Appreciate a favorable roll call. It's another reenactment shell.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, 1 voting No, no voting Present. Senate Bill 1097, having received the required constitutional majority, is declared passed. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1098.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We're more than halfway through. I'd appreciate a favorable

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roll call.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, 1 voting No, no voting Present. Senate Bill 1098, having received the required constitutional majority, is declared passed. Senate Bill 1099. Senator Rauschenberger? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1099.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

This is another reenactment shell to do another Article of the -- the Budget Implementation Act, FY'96. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, 1 voting No, no voting Present. Senate Bill 1099, having received the required constitutional majority, is declared passed. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1100.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

Appreciate a favorable roll call. This is another reenactment shell.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed -- opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 1 voting No, no voting Present. Senate Bill -- 1100, having received the required constitutional majority, is declared passed. Senate Bill 1101. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1101.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We're -- we're almost done. Another favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 -- 6, now, there's 56 voting Yes, 1 voting No, 1 voting Present. Senate Bill 1101, having received the required constitutional majority, is declared passed. Turning the page to page 28. Top of the page. 1102. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1102.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, as I've completed this series of fourteen bills, I just wanted to thank my colleagues for the support and the help on this legislation. I think we've made an awful lot of progress here today, and I appreciate the vibrant and scintillating debate. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Just on a -- on a point of personal privilege, Mr. President. We went through today a number of shell bills and now we're going through this whole litany, which is necessary, of Senator Rauschenberger's bills to reenact an Act that was sued over, I guess, and there's a lawsuit pending. But this is all in response to the single subject ruling of the Supreme Court. And I want to point out to the Members of this Legislature, there's members of the media here, how ridiculous it is, when you have another branch of government who has no understanding of how this process works and they want to micromanage the Illinois General Assembly, how many trees we have killed to -- reproduce extra pages to take these little microcosms of -- of bills and just how ridiculous this charade is, caused by what I think is just a terrible decision by the Illinois Supreme Court. It wastes people's time. This is a terrible way to enact State public policy, and, you know, we're going to have to continue this until we get some clarification from the Supreme Court. But this charade today, including that of Speaker Madigan, who had to introduce hundreds of shell bills, this chaos is caused by another branch of the government and it's ridiculous.

PRESIDING OFFICER: (SENATOR WATSON)

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Further discussion? Senator Welch.

SENATOR WELCH:

Yes. I just wanted to thank Senator Dillard for explaining why I was voting No on the last several bills.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? If not, the question is, shall Senate Bill 1102 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, 1 voting No, no voting Present. Senate Bill 1102, having received the required constitutional majority, is declared passed. Senate Bill 1103. Senator Robert Madigan. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 1103 amends the general provisions of the Pension Code to bring the State statutes into compliance with changes in the federal law that took place in 1997. It has to do with investment advisers and dual registration and the prohibition of same. I'd be glad to answer any questions on Senate Bill 1103.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, the question is, shall Senate Bill 1103 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting

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Present. Senate Bill 1103, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on 1105? Wore you out? No? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1105.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Pollution Control Board has a problem in that some of their scientists -- the availability of those scientists in the marketplace doesn't fit well with the CMS Personnel Code. So like other agencies, Department of Insurance is an example, that have people with -- with high-demand technical needs, this exempts about three positions from the Pollution Control Board to allow them to hire them outside of the personal -- Personnel Code requirements. Essentially takes these people outside the brackets. The hiring would still be subject to appropriation approval by the General Assembly.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1105 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1105, having received the required constitutional majority, is declared passed. Senate Bill 1107. Mr. Secretary, please read the bill.

SECRETARY HARRY:

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Senate Bill 1107.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you. A number of years ago a law was passed that required universal prescreening for persons entering nursing homes. This bill was requested by the Department of Public Health to clarify that that prescreening applies only to persons over the age of eighteen {sic} (seventeen).

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1105 {sic} pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1107, having received the required constitutional majority, is declared passed. Senate Bill 1109. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1109.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 1109 is an initiative of the Department of Children and Family Services, and, as amended, the bill does three things. First of all, it requires DCFS to establish a minimum of three citizen review panels for the purpose of evaluating the extent to which public and private

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agencies are effectively discharging their child protection responsibilities. Secondly, it repeals the section of the Children and Family Services Act requiring DCFS to submit quarterly reports to the Department of Public Health regarding the number of children in the State that are addicted at birth. And third, it amends the Child Care Act to clarify that group homes may admit persons between the ages of eighteen and twenty. As far as I know, there is no opposition to this bill, as amended. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1109 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1109, having received the required constitutional majority, is declared passed. Senate Bill 1115. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Senate Bill 1115 creates the Protected Cell Company Act. It authorizes domestic insurance companies to securitize insurance liabilities through the establishment of protected cells to which is attributed specific insurance liabilities and assets to fund those liabilities. It provides that the assets of a protected cell are not subject to a company's general creditors. It requires the approval of the

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Director of Insurance before the protected cell may be established. I don't know of any opposition, and I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Could you define "protected cells" to me? But -- I'm not so sure I know what I'm voting on. What do you mean by protected cells, and what are cells?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR T. WALSH:

Senator Geo-Karis, what a protected cell would do is it would set up a -- within an insurance company a specific fund to cover a specific liability. For instance, a -- a hurricane or a -- any kind of a -- a disaster such as that. We have that in Illinois with the New Madrid fault and so forth, and this would allow for people to -- and insurance companies to have people invest almost that this type of thing would not happen. And that's what it is.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? If not, the question is, shall Senate Bill 1115 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1115, having received the required constitutional majority, is declared passed. Senate Bill 1117. Senator Syverson. Madam Secretary, please read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 1117.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 1117 makes the necessary administrative changes in the Civil Administrative Code and the Disabled Persons Rehabilitation Act to conform to the -- the federal Workforce Investment Act of 1998. I know of no opposition. Be happy to answer any questions you might have.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1117 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1117, having received the required constitutional majority, is declared passed. Madam Secretary, please read the bill, 1118.

ACTING SECRETARY HAWKER:

Senate Bill 1118.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 118 {sic} is an administrative bill from the Department of Revenue. It amends the Income Tax Act to provide the Department of Revenue may credit the amount of any overpayment against any final tax liability for

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which collection is not otherwise barred. The bill also provides that a corporation or partnership acquiring a similar entity's assets shall succeed to certain tax credits and net losses of the acquired entity. It also provides that in innocent spouse provisions for tax liabilities that are unpaid, an individual's liability under a joint return may not exceed the individual's separate return amount, and also clarifies the Sales Tax Act as it applies to tax on prepared food. And the bill also requires certain sales taxes to be paid electronically. Ask for your support, Senate Bill 1118.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1118 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1118, having received the required constitutional majority, is declared passed. Senate Bill 1121. Senator Molaro? Out of the record. Senate Bill 1125. Senator Lisa Madigan? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President. Senate Bill 1125 simply makes a change to a current Act that would allow the CHA to use monies for purposes of doing improvements to buildings that they have, should they actually receive any monies from the State to do that. And I would ask for your favorable vote.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1125 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 1125, having received the required constitutional majority, is declared passed. Senator Syverson, what purpose do you rise, sir?

SENATOR SYVERSON:

Point of personal privilege. We have up in the Speaker's Gallery, visiting with us, Senator Dan Cronin, and we appreciate him being here today.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Will -- our friends in the gallery please rise. And welcome to the Senate. And it is the President's Gallery, not the Speaker's Gallery. We are on page 28. Page 28. The middle there. 1128. Senator Parker. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1128.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1128 amends the Good Samaritan Food Donor Act to define day old bread and to grant immunity from civil liability to the donor of day old bread, who in good faith donates day old bread to a not-for-profit corporation, a charitable organization, for distribution to nursing homes, the needy, or poor persons. I

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would -- I would answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1128 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1128, having received the required constitutional majority, is declared passed. Senator Klemm, do you wish Senate Bill 1129 returned to the Order of 2nd Reading for the purpose of an amendment? Is there leave granted? Leave is granted. On the Order of 2nd Reading is Senate Bill 1129. Madam Secretary, are there any Floor amendments approved for -- for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Yes. Amendment No. 1 removes the Secretary of State at the request of the committee.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, all those in favor, vote Aye. I beg your pardon. All those in favor, say Aye. Opposed. The Ayes have it. And the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1130. Senator Fawell. Madam Secretary, please read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 1130.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. Senate Bill 1130 changes the law of -- of the Marriage and Family Therapy Licensing Act. Under our current statute, a gap exists for up to five years from graduation to completion of the last requirement to become a licensed marriage and family therapist. And while those five years are continuing, they are not legally bound to any of the Act's licensing requirements, but they also are not bound to any of the rulings or ethical requirements. This -- this bill puts them both under the rulings and -- board rulings and ethical requirements. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1130 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no -- 1 voting No, no voting Present. Senate Bill 1130, having received the required constitutional majority, is declared passed. Senate Bill 1132. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Link.

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SENATOR LINK:

Thank you, Mr. President. This is where a public administrator receives all fees and bears all expenses, excluding Cook County. The administrator's fees and attorney's expenses are limited to five percent of the gross value of the estate. Other expenses may be exempt from the cap for good cause. The annual report of all receipts and distributions must be filed by 12/31 of each year with the circuit clerk and the Comptroller. All property sales by public administrator shall be sealed bids of auctions. This is basically just tightening up the law. There is no known opposition to this.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1132 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, 1 voting Present. Senate Bill 1132, having received the required constitutional majority, is declared passed. Madam Secretary, on 1133, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1133.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill No. 1133 prohibits the State Board of Education from requiring a school district or a student of any district to participate in a school-to-work or job training program. It further prohibits a school board from requiring a student to meet

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occupational standards for grade level promotion or graduation unless that student is voluntarily enrolled in a job training program. Be happy to answer any questions you may have.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Berman.

SENATOR BERMAN:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Berman.

SENATOR BERMAN:

Senator O'Malley, by this bill, you are prohibiting required occupational standards and school-to-work programs by -- being imposed by the State Board or the local school board. Are you aware of any of those requirements presently in force?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

To my knowledge, Senator Berman, there are no programs in effect at this time.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you. All right. The -- the point I want to make is that this bill, although it prohibits mandated job-to-work {sic} programs, it does not inhibit voluntary job-to-work programs and encouragement of students getting involved in occupational training. I wanted to make that clear. We discussed this in committee, and I appreciate your courtesy, Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

Is there further discussion? If not, Senator O'Malley, you wish to close?

SENATOR O'MALLEY:

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I'd just appreciate the support -- the support of the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1133 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1133, having received the required constitutional majority, is declared passed. Senate Bill 1136. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1136.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Members of the Senate. This is in response to a chronic problem that the southwest side of the City and Cook County has that we -- similar bill, but with -- with different problems coming up later in the day from Senator O'Malley. On the southwest side, our forefathers, when they built the inner city, thought they knew about the problems of railroad and they built a lot of viaducts. Once you get west of Kedzie, south of Thirty-first Street, those areas weren't built up sixty/seventy years ago and we have grade crossings in the middle of the City. The problem that we have in Illinois, we're trying to bring more and more railroad business in, trying to make it better and easier for railroads to come. We want to be the home of the piggyback. But the problem has been, over the past three/four years, myself, congressmen, the State Senators, Republican and Democrat, have tried to work something out with the railroads to make it easier to cross these. In our area, in the

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areas bounded by myself and Senator Radogno, Viverito and O'Malley, you can't get down Archer Avenue. During -- during rush hours, you will have a train go by -- and let me just explain this. The way the law is right now, if a train is not moving for ten minutes, you get fined, but it's got to be stopped. If the train is moving even one mile an hour, it could -- it could have the -- the railroad gates down for two, three, four, five hours. There are no law on the books of anything whatsoever that prohibits the railroad from having their -- that -- that railroad arm down and stopping the grade crossing for hours upon hours. Trains are getting longer. We're -- we have more business coming in all the time. All this bill says is, because of the problems on Archer Avenue -- and now with the construction of the Stevenson, Archer Avenue is now a route that you're supposed to take. So during rush hours, these gates will go down, here comes a train that blocks it for forty minutes. They're actually backed up both east and west, east of Kedzie and west of Harlem. That's how bad it is. There's gridlock. The gates will go up and out of four or five hundred cars that are about to go by, twenty or thirty will go by and here comes the gates down again because a train's going the other way. Now, when we talk to the railroads, they say there's a problem with it because we have to change our schedules around; it'll be difficult for our business. When we're asking, it's also difficult for the people who are trying to get to their businesses. So all we're asking at this point is that the railroad take a look at it, and from the hours of seven to nine and four to six, which we do have a big rush hour and a big mess for the Stevenson, that during every half-hour period, that they only tie it up for a period of ten minutes. If it's past ten minutes, they have to either reroute the train or hold the train till after rush hour. Wait twenty minutes, allow our people to get through the grade crossing, and go back again. That's all

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we're asking. It's pretty simple. I think it's a small step. And if they don't do it, it's just a fine. But we're looking to send a message from all the people in our community that the Senate cares and we want the railroads to take a look at this. And that's what the bill does.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. I just rise in support of Senate Bill 1136, as it's been amended by Senator Molaro. He has spoken, frankly, eloquently and even passionately both here and in committee on the subject matter of grade crossings. But today he's being a little bit tame. That's not like you, Bob. You know, the reality is that it's not just about inconvenience anymore. The volume of rail traffic that is coming into Illinois, yes, we welcome it. We want to welcome it with open arms. We want to make sure that the jobs that come with the volume of that traffic pay dividends here in Illinois to our good citizens. The problem is those resources that are coming into our State are coming in and leaving. They're leaving because the -- the necessary capital that needs to be put into infrastructure in Illinois to make sure that Archer Avenue is no longer an extension of whatever the rail yard is immediately north of it or that Western Avenue is no longer an extension of the bar yard in Dolton, those dollars just have not been expended. And after years of talk, Ladies and Gentlemen, it's time for us in the Illinois Senate to send a strong message to the railroad companies, who are only a handful now, and they're big and they're powerful. But they need Illinois. They need Illinois. So a statement from Illinois means a lot. So I rise with great enthusiasm to support Senator Molaro. Let's send this bill out of here. Let's not let one Member not support it. And when we're

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done, Ladies and Gentlemen, let's make sure we let our House Members know that they should support this legislation, Senator Klemm's legislation and, hopefully, my legislation that we hear later today. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Tom Walsh.

SENATOR T. WALSH:

Mr. President, will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Walsh.

SENATOR T. WALSH:

Senator Molaro, you talked a lot about the Archer Avenue intersection here. Is this just restricted to that particular crossing?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

No. I mentioned that one 'cause it's the -- it's the biggest and the worst. But there's a problem throughout the whole southwest side corridor and it's throughout all of Cook County. As -- as you leave Cook County, obviously their -- the grade crossings don't have the amount of traffic that we have inside of the City and inside of the county, so you don't have the amount of people being inconvenienced. You don't have miles and miles of cars backed up waiting for this.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

How come the DuPage Mayors and Managers are opposed to this bill? Is it because it is only restricted to Cook County?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

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SENATOR MOLARO:

I wouldn't know. But I would certainly have no objection to whoever picks it up in the House, and I'm told there's going to be a bunch of amendments on this, whoever picks it up in the House can certainly put an amendment to include anybody who wanted to be included.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR T. WALSH:

Now, the -- the ten-minute -- and this has been -- as you said, this has been a law for a long time, and this must be the way that they get around it, is they just, you know, budge the train every now and then. Is this restricted to just one train per crossing? Now, let me -- let me clarify what I mean by that. Is -- is -- you know, you may have a train that -- that ends, and then you've got another train that's coming the other way and the total time that the -- the crossing may be blocked is thirty minutes, if there's three tracks. Is that allowable?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

That -- that's what this is put in to stop. That -- if it's the same rail carrier, they would be in violation of this. So they get -- in every thirty-minute period, they have to give us twenty minutes to be able to cross this. So if they go ten minutes and then another train is coming the other way and they put -- it's down, they're in violation of it, unless it's twenty minutes later.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR T. WALSH:

Even if it's two trains or three trains, or -- or whatever?

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

No matter how many trains. But obviously, if it's a different rail carrier, they're going to be able to get away with it, 'cause I don't know how else -- but most tracks are used by the same rail carrier.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR T. WALSH:

Does this -- does this change the fine at all on the...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Exactly the same as it was previously. No change in the law.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR T. WALSH:

How much is that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Yeah, one of my colleagues said not enough, but basically what it is, you're fined. It's a petty offense. It's not -- and you do not fine the employees. It's strictly the rail carrier. The employees are exempted out of this, because obviously they're just employees, so I'm not going to hit their pocketbook. But the fine that's been existing for the last thirty/forty years remains the same. Two hundred dollars, and then it goes up to five hundred, and then it goes up to a thousand, and then that's the end of it, and stays at a thousand for every one. I don't think the railroads are worried about the fine. This is to stop this

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practice.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR T. WALSH:

Okay. And that's the -- as -- as Senator O'Malley pointed out, you know, these railroads are merging and these are big companies now that have an awful lot of money, and it -- unfortunately, I think that a lot of times with these fines that we -- that we have -- and if you don't really hit 'em with the fines, they really don't care. I mean, what happens is the Village of LaGrange Park, at the Indiana Harbor Belt Line crossing there, writes a ticket because they've kept the Thirty-first Street crossing blocked for a half hour. Do you know, what the train company does is they pay the fine. And they may get -- you know, they may get three, four, five of those tickets a week, but it doesn't mean anything to 'em. So I guess if you really want to do something, if you really want to, you know, change this and -- and try to resolve this issue, it seems to me that the only way you're going to be able to do it is really make the fine -- you know, make them kind of wake up and see that the -- that this -- that we're going to hit 'em in the pocketbook.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I supported this bill in committee. Last year this problem was brought to my attention by Senator O'Malley. I ended up calling Florida and talking to the president of the company that is on these tracks -- that owns these tracks. It's CMX {sic} (CSX) Railroad. Be happy to put their name on the record that that's the one that's causing the problem. And -- and they swore that they would take care of the situation. They would get talking with the union. They would guide these trains with

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the switches. They were going to do all kinds of things. I wrote 'em a letter verifying that that's what was agreed to. We had a meeting with the Railroad Association in my office, along with Senator O'Malley. Everybody was on board. This was all going to happen. Here we are a year later and, frankly, nothing has happened. And as far as I'm concerned, they ought to get hit in the head. I think we out to vote an Aye for both these bills.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I hope when the bill goes into the House that they will make it statewide, because there is nothing more frustrating or more dangerous than to come in my area and one -- one railroad crossing is blocked and people can't get through to a hospital. So I certainly commend the sponsors of the bill, and I rise in favor of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones. Wendell Jones.

SENATOR W. JONES:

Will sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jones.

SENATOR W. JONES:

What is the reason for the obstruction? Is it the length of the train or is it the traffic?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Well, it depends on what kind of answer you want to get from the railroads. It's both the length -- length of the train, as well as the traffic. I mean, whatever -- whatever they tell you.

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I really don't know. You'd have to ask them.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I just wanted to state the fact that this bill has to be addressed simply because it's becoming more and more of a problem in our particular areas, all of our areas, and exactly what Wendell Jones said. Senator Jones, the trains are becoming longer and longer. And it's continually causing a lot of particular problems, even in the case of ambulances and everything else. And I commend Senator Molaro in bringing this forward.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR MOLARO:

Thank you. I would just ask for a favorable roll call. There is a bill coming up that maybe I'll get more passionate on, but Senator O'Malley took my passion. So I'd ask for a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting No, no voting Present. Senate Bill 1136, having received the required constitutional majority, is declared passed. Senate Bill 1141. Senator Rauschenberger? Please read the bill, Madam Secretary. Oh, I'm sorry. Senator Rauschenberger wishes to seek leave to return Senate Bill 1141 to the Order of 2nd Reading for purpose of an amendment. Is leave granted? Leave is granted. Madam Secretary, are there any Floor amendments approved for consideration?

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Amendment No. 3, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger. 2nd Reading. Explain your amendment.

SENATOR RAUSCHENBERGER:

The -- the amendment is technical. It's a correction requested by LRB.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, all those in favor, say Aye. Opposed, say No. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any other Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1142. Senator Larry Walsh. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1142.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President, Members of the Senate. Basically what the bill, 1142, does is changes the penalty for a conviction of a predatory criminal sexual act of a child if committed against two or more children under the age of thirteen regardless of whether the children were assaulted simultaneously or separate, is proposing natural life imprisonment. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1142 pass. All those in favor,

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vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1142, having received the required constitutional majority, is declared passed. Senate Bill 1143. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1143.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President and Members of the Senate. Because of the single issue factor, this is the reason that these bills, as presented as one, has been split up. What we're proposing on the second one is a conviction of a second or subsequent offense of criminal sexual assault or aggravated criminal sexual assault of a child requires a five-year mandatory supervised release term, at least the first two years of which shall be on electronic home detention. Conviction of a second or subsequent offense of felony criminal sexual abuse or aggravated criminal sexual abuse of a child requires a four-year mandatory supervised -- supervised release term, and at least the first two years of which shall be on electronic home detention. Answer any questions, or ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1143 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, no voting

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No, no voting Present. Senate Bill 1143, having received the required constitutional majority, is declared passed. Senate Bill 1144. Out of the record. Senate Bill 1146. Senator Maitland? John Maitland? Senator Maitland. Out of the record. Senate Bill 1150. Senator Viverito? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1150.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Viverito.

SENATOR VIVERITO:

Yes. Thank you, Mr. President, Members of the Senate. This amends the Criminal Identification Act. Provides that the Department of State Police shall provide information regarding persons who are volunteers or prospective volunteers for work with units of local government or school -- school districts. This is kind of a protective bill to make certain that a lot of the volunteers can -- we can do a little criminal check on their particular backgrounds. I'll answer any particular questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1150 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 1150, having received the required constitutional majority, is declared passed. Senate Bill 1151. Senator Fawell? Out of the record. Senate Bill 1153. Senator O'Malley. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1153.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1153 is the bill that I alluded to when I spoke on Senator Molaro's 1136 earlier today. What the bill does is enhance the Illinois Commerce Commission's authority to require certain changes or improvements to grade crossings to -- to reduce grade crossing blockage by trains. It also creates a new offense of chronic obstruction of a grade crossing in the Chicagoland area. I'd be happy to answer any questions you may have.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1153 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Yes, 2 voting No, 3 voting Present. Senate Bill 1153, having received the required constitutional majority, is declared passed. Senate Bill 1155. Senator Lauzen. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1155.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 1155 attempts to address the problem of stones flying at windshields. I'd like to say from the start that this is not a tarp law. Basically, it

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clarifies that law enforcement officials can stop a truck that -- and prevent damage where they see a dangerous condition of stones on the side or on the back plate, rather than after the fact, stopping to give a ticket and punish. It also requires the driver to sweep clean the debris from the side of the truck and, finally, just to make sure that the gate is secured and closed. I appreciate the Transportation Committee's work of passing it out 9 to 1 to 0. And I'd also like to thank the Illinois Transportation Association, the Mid-West Truckers, the Illinois State Police, the Illinois Municipal League and IDOT for their support.

PRESIDING OFFICER: (SENATOR WATSON)

Okay. Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1155 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, 1 voting No, no voting Present. Senate Bill 1155, having received the required constitutional majority, is declared passed. Senate Bill 1158. Senator Rauschenberger? 1158. Out of the record. Senate Bill 1163. Senator Philip? 1163. Out of the record. Senate Bill 1168. Senator Berman? Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1168.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 1168 arises because of several circumstances regarding very abusive action for behavioral disordered children in schools. And what we have done here is to

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-- is to direct the State Board of Education to create rules regarding behavioral intervention. About four or five years ago, the State Board looked at this problem. A number of us were involved in that. They issued guidelines. It wasn't rules. It wasn't the law. And what we have found is that, in some school districts, principals and teachers haven't even read the guidelines. In order to protect disabled children -- behavioral disordered children, this bill says, "State Board, do your job, issue rules that are binding." And it provides a stated prohibition against punitive forms of reaction to these children, such as locked rooms, confining them in spaces such as closets or boxes, or where -- or any room where the student cannot be continually monitored. This -- this amended bill is -- is supported by Equip For Equality, the statewide disabled children's organization, State Board of Education, the School Management Alliance. I'd be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Parker.

SENATOR PARKER:

Thank you. I just want to rise in support of this legislation. It's incredible to think that in today's world, that you would find a situation in school rooms where a child that has developmental disabilities or has some behavior disorder is locked in a closet all day. And so we look forward to having those situations corrected. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall Senate Bill 1168 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, 1 voting Present. Senate Bill 1168, having received the required

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constitutional majority, is declared passed. Senator Berman, on 1170? Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1170.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

Thank you. This is a bill that's introduced at the request of the City of Chicago, although it applies statewide. It amends the Municipal Code regarding - to try to keep it simple - when a municipality steps in and takes over abandoned property or resurrects and rehabilitates neglected property, this shortens the time frame for that municipality to act from approximately, up in Cook County, from about four years to about - what did we estimate it to be? - about a year and a half to two. I can go into details regarding the certificate lien, the rights of the courts, but what it really does is to shorten the time frame for those types of properties. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1170 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1170, having received the required constitutional majority, is declared passed. On Senate Bill 1171, Senator Berman, do you wish leave to return Senate Bill 1171 to the Order of 2nd Reading for the purpose of an amendment? Leave is granted. On the Order of 2nd Reading is Senate Bill 1171. Madam Secretary, do we have any Floor

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amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Berman.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

Thank you. This was adopted this morning in Local Government. What it does is to take out a proposed change regarding who is qualified to make objections to the foreclosure by a municipality. It -- it simplifies the bill, and I move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1172. Senator Philip? Out of the record. Senate Bill 1174. Senator Lightford? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1174.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1174 requires every State executive department, State agency, board, commission, and instrumentality to notify the Department of Human Rights thirty days before effecting any

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layoff, and establishes procedures for evaluating those layoffs. Under current federal law, employees who work for the State of Illinois are provided worker transitional assistance to employees who get laid off due to plant closures in the private sector through the Economic Disclosure {sic} (Dislocation) and Worker Adjustment Assistance Act administered by the Department of Commerce and Community Affairs. Senate Bill 1174 will allow State employees who are targeted for layoff to receive the same assistance that is now provided to employees in the private sector. I'm unaware of any opposition to the bill, and I humbly request a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Good luck. Any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, you know, in here you're talking about layoffs. Can you define layoffs? Is a layoff to where whenever someone bets you ten dollars, you lay that off? What -- what are you in reference to when you're talking about a layoff here?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Jacobs, a layoff is considered a person who has been formally employed by any State agency who is given a notice that they will no longer be employed and they will receive a ten-day in-advance notice.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

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SENATOR JACOBS:

Does that, then, also protect those of us that are in this Body, that if we get, quote, unquote, "laid off", do we have to go under this same procedure?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

No, it doesn't.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Yeah. Well, why would you exempt us? I mean, we, of all people, you know, need as much help. We need love, too. You know, it's not just the average person that works for the -- the State of Illinois. We work for the State of Illinois, too, and I think many times we work very hard. And why do you want to discriminate against us? Is this a bill that's a discriminatory bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

No, it isn't, Senator Jacobs. And the -- the people of the State of Illinois puts us in our positions.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

...one final point, I see that one of her proponents is the Illinois Association of Minorities in Government. Does that include Italians and Irish, as well as any other minorities?

PRESIDING OFFICER: (SENATOR WATSON)

What about Democrats? Senator Lightford.

SENATOR LIGHTFORD:

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Yes, it includes all parties.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. Actually I just rise in support of this bill. It's a bill that has passed the House on numerous occasions. I applaud Senator Lightford for taking this on as her first bill. I think it's a good bill, and I'm going to vote Aye.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, in response to my colleague on the other side. If he asked if minorities included him, I can tell you not only it includes Italians and Greeks, it also includes WASPs. So I just thought you'd like to know that I commend the Senator for bringing forth this bill, because it wasn't easy for her. And as far as we being discriminated, let me tell you, Senator on the other side, my good colleague from Rock Island, I think sometimes they should discriminate against us. So I think your bill is good and I rise to support it. In fact, I'm a cosponsor. So I don't think your colleague behind you dare vote against the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Bowles.

SENATOR BOWLES:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Bowles.

SENATOR BOWLES:

Senator Lightford, how many employees are laid off in a twelve-month period?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Lightford.

SENATOR LIGHTFORD:

I'm not sure, Senator Bowles. There have not been any layoffs in quite a period of time.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

So, therefore, there are no figures as to how many were subsequently rehired, right?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Correct.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

Can you give me some detail as to just what transitional assistance involves?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Assistance that will help. Job training, -- counseling to gear them towards other employment that is also involved in different State agencies.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

Money, a check?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

No, Senator Bowles.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

...is the penalty if the State agency does not notify DHR thirty days prior to the layoff?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

There is no penalty.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President, and Senator Lightford, for your very knowledgeable responses to the questions.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. I'd like to ask the sponsor a few questions, please.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield.

SENATOR DUDY CZ:

Senator Lightford, your bill provides transitional assistance to members -- or the employees of the State of Illinois that are about to be laid off. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes, it is.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDY CZ:

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Could you give me some example of what type of transitional assistance would be given to these potential layoffees?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Actually, we'll provide information for additional job opportunities in different State agencies, similar to counseling that you receive if you were to go to the Department of Central Management Services.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Does -- does that include members of the State Police -- employees of the State Police?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. It includes every State agency.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

So that if there is a member of the Illinois State Police that's, for example, on that K-9 patrol and a member of that K-9 patrol is laid off, how would you be able to provide transitional assistance to one of those four-legged members of the State Police that are laid off? What type of counseling would you give them?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Actually, they could be referred to the Department of Central Management Services, State Police. They could be referred to the Secretary of State's State Police. There should be other avenues

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of -- that receive K-9 support.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

So -- so which other agencies -- you say some of these employees of the State Police - the four-legged ones, the K-9s - would have some sort of transitional assistance and they can actually be hired by other agencies in the State government. Is that -- is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

What agency, for example?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

I would think that the Secretary of State may have K-9s. Perhaps CMS also.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senator, I just -- I just got my answer from the Chairman of the Education Committee. He says that the Board of Education has room there for -- for some of those layoffs.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

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Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Hendon. She does yield, sir. Go right ahead. Out of -- okay, very good. Senator Molaro, for what purpose do you rise?

SENATOR MOLARO:

Thank you. I -- I would just like to make a comment on the bill. I don't know why sometimes these people pick up these bills or where it comes from, because the Senator was asked a question about how many layoffs there have been. She says, "I don't know." Says, "What's the penalty?" "I don't know." I never thought I'd say this, but I'm sure I could speak for the Body when I say this: Now, after this bill, I miss her predecessor, Senator Collins.

PRESIDING OFFICER: (SENATOR WATSON)

Speak for yourself. Senator Burzynski. ...Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WATSON)

I believe she will. Yes. Yeah. Go right ahead, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, first of all, there's probably room for you on this side of the aisle if the majority of your Members believe that. What Senator Molaro just said. But secondly, how many State employers -- employees are there in the State?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

There's always the change in number, depending on availability of employment. About forty thousand.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Burzynski.

SENATOR BURZYNSKI:

And exactly how many State agencies are there that could be impacted and what percentage of those employees are in each State agency?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

Every State agency that have employment that would have the ability of being laid off.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

And just a follow-up on -- on Senator Jacobs' comments. I do understand that we're not covered underneath that layoff provision?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lightford.

SENATOR LIGHTFORD:

That's correct.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, in view of that, I would suggest that the Members lay off this bill when we call it for final vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, that's great. Senator Lightford, to close.

SENATOR LIGHTFORD:

I ask for a favorable vote, and I'd also like to thank Reverend Lambert and the Illinois Association of Minorities in Government for their support.

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PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1174 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Take the record. Gotcha. All right. 55 voting Yes, 3 voting No, no voting Present. Senate Bill 1174, having -- having received the required constitutional majority, is declared passed. Senate Bill 1184. Senator Demuzio? Out of the record. Senate Bill 1189. Senator Judy Myers? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1189.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Judy Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. This is a bill that is intended to help the farm community. They've been going through very hard times in the last several months, and this bill amends the Illinois Farm Development Act to create an interest-buy-back program to subsidize interest costs for Illinois farmers. Within the last two years, agricultural markets have plunged toward record lows for this century. These Depression area {sic} prices, especially in the livestock industry, have forced most Illinois farmers to subsidize their operations with high-interest capital operating loans, and Senate Bill 1189 is an effort to provide Illinois farmers, especially livestock producers, an opportunity to refinance high-interest outstanding loans with low-interest State-guaranteed loans. The eligible applicants must be -- one, be a resident of Illinois, a principal operator of a farm, derive at least fifty percent of annual gross

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income from farming, and have a net worth of at least ten thousand dollars. I think this is a good bill to try to do something for the farmers in this State who have been suffering from low prices. And I would urge you all to vote for this good bill.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam -- Mr. President. I just had my red on and I wanted to be sure to vote Yes on -- on her first bill, Mrs. Lightford. No matter what Bob Molaro says, I'm glad she's here. Welcome. Thank you very much.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Thank you. Is there any discussion on 1189? If not, then the question is, shall Senate Bill 1189 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1189, having received the required constitutional majority, is declared passed. Senate Bill 1198, Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1198.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 1198 would amend the Property Tax Code with respect to property tax exemptions for disabled veterans. The property, which is used as a home, must be owned and used exclusively by the disabled veteran or the spouse or an unmarried survivor spouse of the veteran. Current law

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allows the property tax for assessed valuation of fifty thousand. This would raise it to fifty-eight thousand dollars. I might add that that exemption applies only to the veterans that had housing where federal funds have been used either to purchase or construct special adaptations to suit the veteran's disability and the exemption must be reestablished each year annually. And I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1198 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1198, having received the required constitutional majority, is declared passed. Senate Bill 1201. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1201.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

...President, Ladies and Gentlemen of the Senate. Senate Bill 1201 adopts federal regulations making the following changes to the motor carrier safety regulations. It updates the definition of commercial vehicle. It allows Department to apply to safety fitness procedures of the Federal Regulations to intrastate trucking. It also increases the time period of the exemption provided to agricultural transportation. I would answer any questions, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

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Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1201 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1201, having received the required constitutional majority, is declared passed. Senator Molaro, for what purpose do you rise, sir?

SENATOR MOLARO:

Thank you. A point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR MOLARO:

Mr. Chairman, now going on the Republican side, I think was a Page working for Senator Madigan. But I looked up and I don't know if that's a Page or her father, and I would like to welcome the Speaker of the House to the State Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Speaker Mike Madigan, Senator Molaro has just welcomed you to the Senate and we all welcome you. Glad to have you here. Senator Larry Walsh.

SENATOR L. WALSH:

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

PRESIDING OFFICER: (SENATOR WATSON)

State your point, Senator.

SENATOR L. WALSH:

Ladies and Gentlemen of the Senate, we have with us a guest today, a young lady that wrote me a very nice letter stating that she was going to be down in Springfield today with the 4-H group. She's from Kankakee, and asked if she could come and view the Senate while we were doing our work, and I said absolutely. So with us today is Jackie Iphoff and her father John, in the

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President's Gallery, and I would like to welcome them to the Illinois State Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Will our guests in the galleries please rise? Welcome to the Senate. I guess we should thank the 4-H'ers for our flowers, too. That was very nice. And box lunch. I guess everybody got a box lunch. Oh, you didn't? Oh. All right. Moving on down the Calendar, Senate Bill 1202. Senator Judy Myers. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill -- Senate Bill 1202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. This bill is brought to you by -- and is requested by the Illinois Sheriffs' Association. Presently in the State of Illinois, if there is a vacancy in the coroner's office or in the sheriff's office, either the sheriff takes the place of the coroner or the coroner takes the place of the sheriff. This would simply allow a county, if they wanted to, to allow a deputy coroner or a deputy sheriff to take over, rather than making the sheriff be coroner and the coroner be sheriff. It's -- it's sometimes a very difficult situation when, for instance, a sheriff, which happened in our county not long ago, had to take the place of a coroner while still performing the duties of his office. And the sheriff had to depend on the deputy coroner anyway. It doesn't require that they do this. There still is in place a law in a smaller county where there isn't a deputy coroner or perhaps anyone in the sheriff's office, it still allows them to have the sheriff become the -- the

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coroner and the coroner become the sheriff if needed, and this would only take place for the sixty-day period before the county board would appoint someone to take that place.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Link.

SENATOR LINK:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Link.

SENATOR LINK:

In committee we asked this question and I hope it got rectified, about the bonding problem, as far as would the acting sheriff or acting coroner be bonded, be able to execute the office in which they were acting in, in the same capacity as the elected official would be?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

...my understanding that they would be bonded and are bonded anyway as, for instance, like a deputy sheriff or a deputy coroner.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Link.

SENATOR LINK:

I understand that they're bonded, but I -- if I'm not mistaken, the elected official has a different type of bonding in their jurisdiction, and I want to make sure that we're not opening a can of worms by having this person execute this office. The reason I think in the past why we had an elected official take that position, as a coroner taking a sheriff and a sheriff taking a coroner, is because of the -- the bonding of an elected official is not the same as the deputy. And I'm wondering if this is

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completely covered with this now.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

My understanding, that it was. I would be happy, if we can pass this bill, as it goes to the House, to make sure that that is in place and that what I understand is correct. I'll check into it again.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just one quick -- question, if the sponsor would yield.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, this would not then affect the -- the term of office. If some sheriff, say, created a vacancy in his first year, or her first year, and you made an appointment, that appointment is only until the next regularly scheduled election, at which time the sheriff would be elected. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

Actually, in the case -- in the case I'm referring to, the coroner resigned during his term. And there's a sixty-day period in which the county board may appoint someone. So it did not affect the term of office at all.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Senator Myers, do you wish to close?

SENATOR MYERS:

I would just ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1202 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1202, having received the required constitutional majority, is declared passed. Senate Bill 1203. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1203.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. Chairman. Senate Bill 1203 is the General Obligation Bond Act that we'll probably need toward the end of the Session. I'd move for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1203 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1203, having received the required constitutional majority, is declared passed. Senate Bill 1204. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1204.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. 1204 is in the same category, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1204 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1204, having received the required constitutional majority, is declared passed. Senate Bill 1205. Out of the record. Senate Bill 1206. Out of the record. Senate Bill 1227. Senator Philip? Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1227.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1227 amends the Military Code of Illinois. Under the present statutes, to be the Adjutant General, you have to have ten years in the National Guard. That removes that qualification. In other words, a veteran who had been overseas, a veteran who might have the Congressional Medal of Honor could not be the Adjutant General because he didn't have -- he or she did not have ten years in the National Guard. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not,

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the question is, shall Senate Bill 1227 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 1227, having received the required constitutional majority, is declared passed. Senator Margaret Smith, for what purpose do you rise, ma'am?

SENATOR SMITH:

Thank you, Mr. President. I'd like to respectfully request a Democratic Caucus immediately in Senator Emil Jones' Office. As soon as we close. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

That request is in order. Do you have any idea how long you may need?

SENATOR SMITH:

I should say approximately a half hour.

PRESIDING OFFICER: (SENATOR WATSON)

About thirty minutes. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

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

PRESIDING OFFICER: (SENATOR WATSON)

State your point, sir.

SENATOR PHILIP:

Remind people there are a lot of House bills on 2nd Reading that have not been picked up. So if you'd go through the Calendar and pick those up, it would make it easy for us. And I would suggest if you have an amendment and it's not prepared on Wednesday, that we may not have another Rules Committee meeting. We might be not able to consider that amendment. So if you have amendments, please file them. So far we've done pretty good. The

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Calendar's in pretty good shape. Maybe we can do better later this afternoon and tomorrow.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR WATSON)

Go right ahead, sir.

SENATOR RAUSCHENBERGER:

Two things: The Appropriation Committee will meet immediately upon adjournment of the full Senate today; and also, on a good piece of news for those Appropriation people who've labored long and hard, there will be no hearings during the Easter break. We think we've worked out a schedule which makes it unnecessary for us to come down during the Easter break. So there'll be no hearings during the Easter break.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Larry Walsh, for what purpose do you rise?

SENATOR L. WALSH:

Thank you, Mr. President. I would just like to correct the record on Bill 1153 -- Senate Bill 1153. I inadvertently punched No and I wish to be shown as a Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. The record will reflect that, Senator Walsh. Senator Karpiel, for what purpose do you rise, ma'am?

SENATOR KARPIEL:

Thank you, Mr. President. Just to announce a Republican Caucus. There will be a Republican Caucus immediately in Senator Philip's Office.

PRESIDING OFFICER: (SENATOR WATSON)

Do you have any idea how long you might need?

SENATOR KARPIEL:

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I think it should be fairly short. About a half an hour.

PRESIDING OFFICER: (SENATOR WATSON)

All right. Very good. Well, it's the intention of the Chair to come back at 1:30 after both caucuses, and we will go to the beginning of the Calendar on 3rd Reading. Senate Bill 3rd Reading. So be prepared, when we come back, to start out where -- right at the beginning of the Calendar on 3rd Reading. And I believe that's on page 9. We will adjourn and -- I beg your pardon. We'll recess till 1:30.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate will reconvene. Resolutions.

SECRETARY HARRY:

Senate Resolution 70, offered by Senator Radogno.

It's substantive.

Senate Joint Resolution 27, Constitutional Amendment, by Senator Philip.

And Senate Joint Resolution 28, by Senators Dillard and Philip.

It's substantive also.

PRESIDING OFFICER: (SENATOR DUDYCZ)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 60, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 317, by Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 417, by Senator DeLeo.

(Secretary reads title of bill)

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House Bill 423, presented by Senator Radogno.

(Secretary reads title of bill)

House Bill 476, by Senator Smith.

(Secretary reads title of bill)

Senator Dillard offers House Bill 498.

(Secretary reads title of bill)

House Bill 512, Senator Sieben.

(Secretary reads title of bill)

House Bill 553, Senator Burzynski.

(Secretary reads title of bill)

Senator Burzynski offers House Bill 619.

(Secretary reads title of bill)

House Bill 631 is presented by Senator Cullerton.

(Secretary reads title of bill)

House Bill 779, by Senator Watson.

(Secretary reads title of bill)

Senator Noland offers House Bill 792.

(Secretary reads title of bill)

House Bill 807, offered by Senator Bomke.

(Secretary reads title of bill)

House Bill 811, offered by Senators Cronin, Berman and Bowles.

(Secretary reads title of bill)

House Bill 909, by Senator Sullivan.

(Secretary reads title of bill)

Senator Burzynski offers House Bill 939.

(Secretary reads title of bill)

House Bill 940, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 943, by Senator DeLeo.

(Secretary reads title of bill)

House Bill 979, Senator Demuzio.

(Secretary reads title of bill)

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House Bill 1154, by Senator Wendell Jones.

(Secretary reads title of bill)

House Bill 1163, by Senator Watson.

(Secretary reads title of bill)

House Bill 1280, Senator Karpel.

(Secretary reads title of bill)

Senator Smith offers House Bill 1307.

(Secretary reads title of bill)

House Bill 1310, presented by Senator Radogno.

(Secretary reads title of bill)

House Bill 1355, by Senator Robert Madigan.

(Secretary reads title of bill)

House Bill 1414, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1742, by Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 1510, Senators Luechtefeld and Donahue.

(Secretary reads title of bill)

Senator Jacobs offers House Bill 1809.

(Secretary reads title of bill)

House Bill 1837, by Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 1839, Senator Smith.

(Secretary reads title of bill)

Senator Luechtefeld offers House Bill 1863.

(Secretary reads title of bill)

House Bill 1864, by Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 1881, Senator Peterson.

(Secretary reads title of bill)

House Bill 1926, Senator Sullivan.

(Secretary reads title of bill)

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Senator Weaver presents House Bill 1953.

(Secretary reads title of bill)

House Bill 1968, offered by Senator Luechtefeld.

(Secretary reads title of bill)

House Bill 2008, Senator Cronin.

(Secretary reads title of bill)

House Bill 2146, Senator Smith.

(Secretary reads title of bill)

Senator Dudycz offers House Bill 2163.

(Secretary reads title of bill)

House Bill 2261, by Senator Klemm.

(Secretary reads title of bill)

House Bill 2263, by Senator Klemm.

(Secretary reads title of bill)

House Bill 2264, by Senator Klemm.

(Secretary reads title of bill)

Senator Sullivan offers House Bill 2345.

(Secretary reads title of bill)

House Bill 2494, by Senator Tom Walsh.

(Secretary reads title of bill)

Senator Syverson offers House Bill 2574.

(Secretary reads title of bill)

House Bill 2636, by Senator Klemm.

(Secretary reads title of bill)

House Bill 2733, Senator Weaver.

(Secretary reads title of bill)

Senator Syverson offers House Bill 2773.

(Secretary reads title of bill)

House Bill 2775, by Senator Bomke.

(Secretary reads title of bill)

And House Bill 2792, by Senator Myers.

(Secretary reads title of bill)

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1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

We will now return to the Order of Senate Bills on the Order of 3rd Reading. If the Membership will turn their Calendars to the bottom of page 9. The bottom of page 9, in the Order of Senate Bills 3rd Reading. Senate Bill 7. Senator O'Malley, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator O'Malley seeks leave of the Body to return Senate Bill No. 7 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 7. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator O'Malley {sic} (E. Jones).

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee {sic} Amendment No. 4 was suggested to me by Senator Emil Jones. It expands the list of places where a child sex offender is prohibited. It includes facilities providing programs or services exclusively directed towards persons under the age of eighteen. It also prohibits a child sex offender from knowingly operating, managing, working, volunteering or being associated with any facility providing programs or services exclusively for persons under the age of eighteen. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator O'Malley moves for the adoption of Floor Amendment No. 4 to Senate Bill 7. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. At the request of the sponsor, Senate Bill 20 will be held. Senate Bill 23. Senator Mahar. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 23.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. Senate Bill 23 and the following bill on the Calendar, Senate Bill 24, it is the intention of Senator Bowles and I to use this as a vehicle to address the issue of self-generation, co-generation, should a bipartisan agreement be reached. It'll only be used for those two purposes, or that purpose. And with that, be happy to answer any questions. If not...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, is this bill going to be used for any proposed change in the energy efficiency to -- law to encourage alternative uses of fuels as well?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

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SENATOR MAHAR:

No, Senator Welch. This is the agreement I have with the members of the Environment and Energy Committee to use this solely for the purpose for a bipartisan agreement on co-generation and self-generation. That issue exclusively.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

So this bill won't come back with a proposal to lift the cap on how much money Edison could make by selling off their coal-fired plants?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

No, Senator Welch. This will not be used for that purpose.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 23 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 57 Ayes, no Nays, none voting Present. And Senate Bill 23, having received the required constitutional majority, is declared passed. Now, on the top of page 10, in the Order of Senate Bills 3rd Reading, is Senate Bill 24. Senator Mahar. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 24.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

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It's the same reason we've -- requesting two bills be moved to the House for the previously stated purpose.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 24 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 57 Ayes, no Nays, none voting Present. And Senate Bill 24, having received the required constitutional majority, is declared passed. Senate Bill 25. Senator Jacobs. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 25.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 25 establishes the job training program to be conducted by community colleges, the State's university system, private business and vocational schools, and any other public {sic} (private) institution of higher or public education. It requires DCCA to approve agreements and establish criteria. Training will be paid in whole or in part by the new Industrial -- New Jobs Training Act, funded by the first year's income tax of new employees. The purpose of this bill is to allow us to compete with our sister states. Iowa, as an example, has had a program similar to this in place for over fifteen years and has added -- has created an increase in over six hundred and seven million dollars in annual payroll per year generated by six thousand six hundred new jobs. Over the fifteen-year program that they've had

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this program, they have created nine billion one hundred and three million in new payroll, and nearly a hundred thousand new jobs, many of those stolen from Illinois. I know of no opposition to this bill. Passed out of committee unanimously. I will attempt to answer any questions, otherwise ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 25 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 57 Ayes, no Nays, none voting Present. And Senate Bill 25, having received the required constitutional majority, is declared passed. Senate Bill 31. Senator Sieben. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 31.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Illinois Vehicle Code to prohibit the passing of a school bus receiving or discharging pupils while on a roadway on school property. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 31 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 57 Ayes, no -- no Nays, none voting Present. And Senate Bill 31, having received the required

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constitutional majority, is declared passed. Senate Bill 38.  
Senator Karpiel. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 38.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 38 changes the application deadline for model home assessments. Under current law, in order for an owner to take advantage of the alternative assessment, he or she must apply to the assessor's office by January 31st of each assessment year. This bill changes the application deadline for these assessments to April 30th for Cook County and December 31st for the rest of the State. This bill is worked out with the Assessors' Association and the Assessor of Cook County. And I know of no opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 38 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 Senate Bill 38, having received the required constitutional majority, is declared passed. Senate Bill 68. Senator Sieben. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 68.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This bill is merely a shell bill now. There's no language in the bill. Sending it to the House to keep it alive, so if we are able to work out an agreement on licensure language, we'll have a vehicle to put it on.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 68 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 51 Ayes, 4 Nays, none voting Present. And Senate Bill 68, having received the required constitutional majority, is declared passed. Senate Bill 70. Senator Radogno. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 70.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you. This bill will create the office of the Ombudsman in the Department of Public Health to investigate complaints related to the Mobile Home Landlord (and) Tenant (Rights) Act. The Department of Public Health is the logical place for this office since that is the -- the Department that licenses mobile homes. It will refer to the State's attorney or the Attorney General complaints that are found to be valid. The bill also increases the fee for the mobile home sites from three dollars to five dollars per year. This increase will fund this office. And it also creates an ongoing advisory board to the Department of

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Public Health to deal with issues related to mobile homes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 70 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 57 Ayes, 2 Nays, none voting Present. And Senate Bill 70, having received the required constitutional majority, is declared passed. Senate Bill 79. Senator del Valle. Senate Bill 80. Senator del Valle. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 80.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 80 amends the Criminal Code regarding domestic battery in the presence of a minor. The bill was amended and the amendment becomes the bill. And it indicates that if a child under eighteen years of age of the defendant or victim of domestic battery witnessed the battery, as part of the sentencing, the court may order the defendant to pay for counseling needed by the child. The Illinois Coalition Against Domestic Violence is in support of the bill and, as far as I know, there's no opposition. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

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SENATOR HENDON:

Our analysis on the Democratic side says the County Board President, John Stroger, is against the bill. Is that correct? Has him here as an opponent. I just want to make sure.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

As far as I know, the County Board is -- is fine with this bill. I'm not sure where that indication came from. But I'll be glad to talk to the County Board.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 80 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. There are -- on that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 80, having received the required constitutional majority, is declared passed. Senator Sullivan, what purpose do you rise?

SENATOR SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SULLIVAN:

Mr. President, Ladies and Gentlemen of the Senate, today we are joined by more 4-H students. Today, from -- from my district, which is in Cook County - you might not think of that as 4-H land, but it is - we have Amanda Weist and Julie Block, and their mothers are somewhere in the gallery. I don't see them right now, but if the Senate could please welcome them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery and on the Floor please rise

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and be recognized? Welcome to Springfield. Middle of page 10, in the Order of Senate Bills 3rd Reading, is Senate Bill 84. Senator Geo-Karis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 84.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Vehicle Code. Requires that motor vehicles have their headlights on from sunset to sunrise. It's supported by the Department of Transportation, State Police, Farm Bureau and the Illinois Chiefs of Police Association. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 84 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 57 Ayes, no Nays, none voting Present. And Senate Bill 84, having received the required constitutional majority, is declared passed. Senate Bill 85. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 85.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. This amends the Consumer Fraud and

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Deceptive (Business) Practices Act. As you know, a -- a shoppers club or a preferred shoppers card offers discounts on many of the products that people buy. These cards record precisely who buys every box of peas, and every aspirin, and every six-pack of beer and everything else about you. Company officials say that this helps in their internal management and I agree with that; however -- and the -- Senate Bill 85 recognizes that business practice. However, consumers are, I think, increasingly being asked to make trade-offs of information they provide in order to get discounts on their products. And what Senate Bill 85 does, in agreement with IRMA and others that worked with me on this bill, would make that exchange of selling of individual datas to outsiders of the corporation unlawful if the consumer objects. And I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 85 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 57 Ayes, no Nays, none voting Present. And Senate Bill 85, having received the required constitutional majority, is declared passed. Senate Bill 105. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 105.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. This legislation comes to us from the Illinois Fertilizer and Chemical Association from a

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growing problem that we're having throughout this State in regard to theft of anhydrous ammonia from fertilizer dealers and -- throughout this State. And with this anhydrous ammonia, unfortunately, we are seeing a growing use of methamphetamine, which, of course, is a substance of abuse. It's "speed", as most of us may know it. And this legislation came originally with several provisions. It went before the Judiciary Committee, and the Judiciary Committee wisely suggested, because of the single subject bill that -- or, the dilemma we're under, that we divide this -- divide this bill up so there's only one particular issue to deal with. And it amends the Civil Code Procedure {sic} by adding a new section that denies a cause of action to any person who illegally tampers with anhydrous ammonia against the lawful owner, dealer or seller of anhydrous ammonia used for chemical purposes -- agriculture purposes, as well as denying any derivative action against the same. Now, before all of our lawyer friends jump to their feet in -- in concern, the Illinois Trial Lawyers Association is neutral on the legislation. In fact, we have some provisions in here that -- that they asked for. I know of no objection or no...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Molaro.

SENATOR MOLARO:

Just a -- if the -- thank you, Mr. President. Just a question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

Is there any -- is there any -- is there any age restriction when you define the word person? Are we talking about any age? It's just a child or -- or a person?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

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SENATOR WATSON:

...restriction.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 105 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 57 Ayes, no Nays, none voting Present. And Senate Bill 105, having received the required constitutional majority, is declared passed. Senate Bill 107. Senator Munoz. Senator Munoz, do you wish this -- I beg your pardon. Senate Bill 109. Senator Munoz, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Munoz seeks leave of the Body to return Senate Bill 109 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 109. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. I'd like to table No. 1 and adopt Amendment No. 3.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz moves to table Amendment No. 1. Hearing no objection, leave is granted. Amendment No. 1 is tabled. Senator Munoz. Are there any further Floor amendments, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. Senate Amendment No. 3 was made at Senator Hawkinson's request. This amendment eliminates the forfeiture section of the offense of financial identity theft. The forfeiture section has been removed in order to ensure that whenever any money is recovered in the wake of financial identity theft, that money goes to those who were injured by the theft, that being the victims.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 111. Senator Clayborne. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 111.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes. Thank you, Mr. President and Members of the Senate. Senate Bill 111 extends the taxable year from 2004, which is currently now 1999, for individuals for the -- for a deduction for health insurance or long-term care insurance paid by a self-employed taxpayer, partner or partner -- a partner of a partnership, or a shareholder of a Subchapter S corporation. Basically, this was originally passed and this is just an

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extension.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any...

SENATOR CLAYBORNE:

I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 111 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 57 Ayes, no Nays, none voting Present. And Senate Bill 111, having received the required constitutional majority, is declared passed. Senate Bill 113. Senator Dillard. Senate Bill 121. Senator Cullerton. Senator Cullerton. Senate Bill 124. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 124.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This is a new licensure bill in the State of Illinois for perfusionists. Like to thank Senator Dillard for his hard work last year in bringing this to us and laying out the groundwork, of which we've got a final bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 124 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

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that question, there are 56 Ayes, 3 Nays, none voting Present. And Senate Bill 124, having received the required constitutional majority, is declared passed. Senate Bill 125. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This is an extension of the Sunset Act for the landscape architectures -- architects. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 125 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 125, having received the required constitutional majority, is declared passed. On top of page 11, in the Order of Senate Bills 3rd Reading, is Senate Bill 132. Senator Lauzen. Senate Bill 164. Senator Fawell. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 164.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

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I'd like to table this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

You heard the motion. Hearing no objection, Senate Bill 164 is tabled. Senate Bill 171. Senator Klemm. Do you wish this bill returned to the Order of 2nd Reading for the purposes of an amendment? Senator Klemm seeks leave of the Body to return Senate Bill 171 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leaving -- leave is granted. On the Order of 2nd Reading is Senate Bill 171. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

No. Just hold it please. Out of the record.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Senate Bill 175. Senator Klemm. Senator Klemm. ...Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 175 is one we've been working on for a number of years. What it does is it changes the high school districts to lower their calculation figure used in computing their local available resources. As you know, we've talked about this from different levels, from 1.2 to 1.1 to .1. We finally settled in committee, with the concurrence of the State

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Board of Education, to use 1.05, and that's the reason we're asking this compromise. And I ask for adoption of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 175 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 3 Nays, 1 voting Present. And Senate Bill 175, having received the required constitutional majority, is declared passed. Senate Bill 177. Senator Mahar. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 177.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. Senate Bill 177 requires that a person securely store a firearm if they know or have reason to believe a person under fourteen years of age could gain unauthorized access to the firearm. If that child should take the firearm, cause great bodily harm or death to someone else, then the -- the original possessor of the firearm would be subject to a Class C misdemeanor with a minimum of a thousand-dollar fine for the first offense. Second or subsequent convictions would be a Class A misdemeanor, where a person could be fined up to twenty-five hundred dollars. With that, I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Silverstein.

SENATOR SILVERSTEIN:

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Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Silverstein.

SENATOR SILVERSTEIN:

Is this the same bill that was passed in the House last night?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

I -- I'm -- I don't -- I'm not sure if it's identical or not.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 177 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 37 Ayes, 14 Nays, and 4 voting Present. And Senate Bill 177, having received the required constitutional majority, is declared passed. Senate Bill 180. Senator Smith. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 180.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Smith.

SENATOR SMITH:

Mr. President and friends, the Department of Public Health shall provide information to members of the public, patients, and health care providers regarding women's gynecological cancers, including signs and symptoms, risk factors, the benefit of early detection and treatment options.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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Bill 180 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 Senate Bill 180, having received the required constitutional majority, is declared passed. Senate Bill 188. Senator Dillard. Senate Bill 211. Senator Luechtefeld. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 211.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Senate Bill 211 amends the State Employees Group Insurance Act of 1971 and the Illinois Pension Code to allow certain participants in -- allow certain participants in the State University Retirement System to elect to forgo certain changes in the retirement annuity formula. We passed this bill out of the Senate last year. It deals with the SURS employees who were sort of left out of -- back two or three years ago when we passed the 2.2. These are the lower ending -- lower-paying end of the -- of the salary schedule, who were sort of left out of -- of that particular bill and were negatively affected by the bill. This would allow them to stay in the old system and take the insurance or elect to take -- take the new formula. I would be glad to answer any questions that you might have on this issue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 211 pass. All those in favor will vote Aye. Opposed will

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vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 211, having received the required constitutional majority, is declared passed. Senate Bill 217. Senator Syverson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 217.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 217 amends the Vehicle Code and the Motor Vehicle Franchise Act and allows the -- Illinois to register and regulate financing affiliates without having to actually register them as dealers. The language has been agreed to, I think, by all the parties, including the Secretary of State's Office. I know of no opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 217 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 57 Ayes, no Nays, none voting Present. And Senate Bill 217, having received the required constitutional majority, is declared passed. Senate Bill 223. Senator Halvorson. Senate Bill 224. Senator Larry Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 224.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

Thank you, Mr. President and Members of the Senate. What we're doing with this bill is the limitations of prosecuting a criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse if committed against a person under eighteen years of age, or predatory criminal sexual assault of a child is extended to five years from the commission of the offense. I know of -- answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 224 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 57 Ayes, no Nays, none voting Present. And Senate Bill 224, having received the required constitutional majority, is declared passed. Senator Wendell Jones, what purpose do you rise?

SENATOR W. JONES:

Yes, I forgot to vote on Senate Bill 84. Would you record me as a Yes, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will show -- reflect your -- will -- will reflect your intents.

SENATOR W. JONES:

Thank you. You're very kind.

PRESIDING OFFICER: (SENATOR DUDYCZ)

In the middle of page 11, in the Order of Senate Bills 3rd Reading, is Senate Bill 234. Senator O'Malley. Mr. Secretary,

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read the bill.

SECRETARY HARRY:

Senate Bill 234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, Ladies and Gentlemen of the Senate, Senate Floor Amendment 2 to Senate Bill 234 deletes an unnecessary provision that might have created an unintended loophole in the bill. I request that it be adopted. I -- excuse me, Mr. President. I'm informed that we did put that amendment on already. This -- what -- what Senate Bill 234 does is create the additional offense of unlawful purchase of a firearm. This has to do with the straw purchase issue that has been made so public over the years. It prohibits a person from knowingly purchasing or attempting to purchase a firearm with the intent to deliver that firearm to another person who is prohibited by federal or State law from -- from possessing a firearm. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 234 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 Senate Bill 234, having received the required constitutional majority, is declared passed. Senate Bill 238. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 238.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Dental Practice Act, provide for definition of an impaired dentist and provide a program of remediation, counseling, care and treatment for impaired dentists.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 238 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 Senate Bill 238, having received the required constitutional majority, is declared passed. Senate Bill 239. Senator Burzynski. Senate Bill 276. Senator Cronin. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 276.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill comes as a result of a lot of work by a group known as IRMA, Illinois Risk Management Association, which is a group of ninety municipalities. They pool their resources for purpose -- purposes of risk management. According to this group, and after we did some research, we discovered that the United States

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Department of Transportation regulations require that applicants for commercial driver's license to have minimum -- minimum hearing levels. They must be able to hear and they must have a minimal standard. However, the federal motor carrier regulation contains an exemption for transportation performed by federal government, State or any political subdivision of the State. So the point is, these people in this association are concerned that there may be municipal workers that are driving heavy equipment - dump trucks and everything else like that - and they may not be able to hear, and that's a risk. So this -- this legislation provides that -- that there should be a -- a -- a -- the applicant or those who seek to get a commercial driver's license from this day forward, in that they would be grandfathered in, they must have a minimal hearing capability. And it also provides that the CDL shall not be issued or renewed to a person who does not meet the hearing requirements, but they may meet the hearing requirements with the use of a hearing aid. Ask for your favorable consideration. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 276 pass. All those in favor will vote Aye. Opposed will vote Nay. The... Senator Cronin.

SENATOR CRONIN:

May I ask that this bill be taken out of the record, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Senate Bill 284. Senator Jacobs. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 284.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. When we passed the electric deregulation bill, part of the debate was that we promised to hold all communities that currently had utility taxes harmless. Unfortunately, thirteen communities in my district fell through the cracks. Senate Bill 284 allows these thirteen communities to establish rates calculated to produce revenues equal to the maximum total revenues the municipality would have received under the retail tax in either of the last two full calendar years which would fulfill the -- the request of the debate. For those concerned with -- that we may be tinkering with the electrical dereg bill, this provision does not address the dereg bill; rather, it's a change in the Municipal Code. The bill is permissive. I know of no -- no known opposition. I would just say to those who feel that in helping those thirteen communities, and that's all it affects, in my area that it may appear to be a -- a vote for a tax increase, I'd ask them to vote No. Otherwise, I -- I ask for everyone's support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 284 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 44 Ayes, 10 Nays, none voting Present. And Senate Bill 284, having received the required constitutional majority, is declared passed. Senate Bill 286. Senator DeLeo. Mr. Secretary, read the bill. Senator DeLeo, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator DeLeo seeks leave of the Body to return Senate Bill 286 to the Order of 2nd Reading for the purpose of an -- of an amendment. Hearing no objection, leave is granted. On the

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Order of 2nd Reading is Senate Bill 286. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 to Senate Bill 286, it was an amendment that satisfies the committee's request that a cap be reinserted in the amount of compensation for -- an airport authority board member can receive monthly. This cap in this amendment would be three hundred dollars monthly. Current law caps the amount at one hundred and fifty dollars. The bill was originally introduced and it removed the cap; this reinserts the cap back on the bill. I ask the amendment to be adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 12, in the Order of Senate Bills 3rd Reading, is Senate Bill 287. Senator Syverson. Senator Syverson. Senate Bill 291. Senator Cronin. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 291.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that's an initiative of the State Board. It seeks to amend various sections of the School Code and the school -- State Finance Act. It's -- removes the requirement of the State Board of Education to submit a report to the General Assembly summarizing the projected number of secondary special ed students that will be exiting the public schools. The reason for that is that there is a section remaining that requires actual collection of data. In the gifted children and transportation Articles, there's changes to the computation of equalized assessed valuation to make it correspond to the EAV formula and the -- the new formula, general State aid. And it requires the State Board to maintain accurate records of daily attendance for charter schools that are approved by the State Board. I ask for your favorable consideration. I believe this was unanimously supported in committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 291 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 59 Ayes, no Nays, none voting Present. And Senate Bill 291, having received the required constitutional majority, is declared passed. Senator Jones, Wendell Jones, what purpose do you rise?

SENATOR W. JONES:

Yeah. Mr. President and Members of the Senate, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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State your point.

SENATOR W. JONES:

I'd like to introduce a constituent from the great 27th District of the State of Illinois. A friend of mine, Luke Praxmarer, is here for the Illinois Insurance Agents. Luke.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest in the gallery please rise and be recognized? Welcome to Springfield. Senate Bill 293. Senator Burzynski. Senate Bill 307. Senator Mahar. Senate Bill 310. Senator Robert Madigan. Senate Bill 321. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 321.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My very favorite State bureau subagency of the Department of Public Health has been participating in some rather interesting decision making of late and has been hauled into circuit court with increasing frequency. This bill requires the Health Facilities Planning Board to quarterly report to the General Assembly the number of litigations it's involved in and the estimated cost of that litigation. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 321 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

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that question, there are 58 Ayes, 1 Nay, none voting Present. And Senate Bill 321, having received the required constitutional majority, is declared passed. Senate Bill 324. Senator Maitland. Senate Bill 330. Senator Link. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 330.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill will -- the court shall consider the following in determining a sentence for a felony conviction: that a defendant who -- was federally licensed firearm dealer, was previously convicted of transferring a firearm or firearm ammunition to a person without a current or valid FOID card, and has committed either a felony violation of the FOID Act or an act of an armed violence with a firearm. There's no known opposition. I would ask for a positive vote on this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 330 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 59 Ayes, no Nays, none voting Present. And Senate Bill 330, having received the required constitutional majority, is declared passed. Senate Bill 331. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 331.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is a proposal that comes to us from the Illinois State Bar Association and Chicago Bar Association. It does create the Illinois Equal Justice (Assistance) Act. It creates a not-for-profit foundation to fund legal information centers, regional -- regional legal service hotlines, self-help assistance desks, dispute resolution centers and civil legal service providers. This is still a work in progress because all the surcharges have been removed from the bill and any transfers from the trust fund. The only funding mechanism left in the bill is an income tax checkoff. I'd be happy to answer your questions, otherwise request a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 331 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, 2 Nays, none voting Present. And Senate Bill 331, having received the required constitutional majority, is declared passed. Senate Bill 353. Senator Sieben. Out of the record. Senate Bill 355. Senator O'Malley. Senator O'Malley, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senate Bill 355, on the Order of 3rd Reading. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 355.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 355 is a shell bill that deals with the -- the Consumer Installment Loan Act. Senator Rea and I are having that for the Senate Financial Institutions Committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 355 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? 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 Senate Bill 355, having received the required constitutional majority, is declared passed. Senate Bill 356. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 356.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Again, thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 356 is a shell bill that deals with the Interest Act. Again, it's sponsored by myself and Senator Rea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 356 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 2 Nays, none voting Present. And Senate Bill 356, having received the required constitutional

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majority, is declared passed. Senate Bill 357. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 357.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, thank you again. Senate Bill No. 357 is a shell bill that deals with the Banking Act and the Savings and Loan Act. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 357 -- 357 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 59 Ayes, no Nays, none voting Present. And Senate Bill 357, having received the required constitutional majority, is declared passed. Senate Bill 358. Senator O'Malley. Senate Bill 367. Senator Burzynski. 368. Senator Burzynski. ...the sponsor's request, we shall hold Senate Bills 369, 371. On top of page 13, in the Order of Senate Bills 3rd Reading, is Senate Bill 373. Senator Link. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 373.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

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Thank you, Mr. President. This bill amends the Property Tax Code concerning Senior Citizens Assessment Freeze of Homestead Exemption. Provides that household income limitation shall be adjusted annually to reflect the increase of the Consumer Price Index reported by the federal Department of Labor. I know of no opposition to this bill. I would hope that we could get a favorable vote on this. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 373 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, 1 Nay, and none voting Present. And Senate Bill 373, having received the required constitutional majority, is declared passed. Senate Bill 374. Senator Larry Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 374.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President, Members of the Senate. This bill amends the...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Walsh. Senator Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. This bill amends the Humane Care for Animals Act. It creates the offense of animal torture as a Class 4 felony for the first offense and a Class 3 felony for the second and any subsequent offenses. I know -- I know of no

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opposition and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Just a -- a comment: That my esteemed colleague, everything he has passed today had to do with sex or torture, and I intend to vote for this one as well.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Bowles.

SENATOR BOWLES:

Thank you -- thank you, Mr. President and Members of the Senate. I stand in strong support of this particular bill, because all of us have seen evidence of horrible...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Excuse me -- excuse me, Senator Bowles.

SENATOR BOWLES:

Thank you. All of us have been aware of the horrendous torture that has taken place in some areas of this -- the State of Illinois, as well as the United States, that have been shown on television and any -- and many times you can get videos from the Humane Society which reflect the attitude of some people who have -- toward torturing animals. And I would support this bill and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Yes. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

I see from our analysis that you've exempted out hunters or hunting?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Do you have anything in your bill that if someone doesn't torture animals, but I -- I assume it was for a cat, I think, was one of the examples you used. What if they just don't torture these cats? What if they just go around for their own purposes and kill them and kill them in such a way that it doesn't inflict pain, but it's just carnage? Does this bill address if they go around killing animals for no reason, for the same reason they would torture 'em - psychological disorder if -- whatever it is - would this bill - the way I read it - would it cover people who needlessly and -- and for frivolity just kill animals?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

This bill -- this bill deals with nothing but torture and if your opinion of somebody just -- somebody just killing a cat does -- is not affected by this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Petka.

SENATOR PETKA:

Will the -- will the sponsor yield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Petka.

SENATOR PETKA:

Senator, is -- is there anything in this legislation which would outlaw rodeos in the State of Illinois?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

No, does not deal with rodeos.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Senator, then would it be, as a matter of legislative intent, that it -- if any animals were used in a rodeo exhibit and were required to be killed as a result of being injured, that it was the intent of the sponsor that this legislation and criminal penalties would not be affixed?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

It -- it does not affect mercy killings or euthanasia in any way. Anything that is lawful right now will not be affected by this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senator, I -- this is really the first...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Senator, this is the first time I've had a chance to look at this bill and obviously I have not read the entire bill. My -- my concern is this: Is there a definition -- is there a definition for "torture" in the statute? Do you know exactly what -- what that covers? And I would ask him to respond, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Walsh.

SENATOR L. WALSH:

Thank you for that question, Senator. "Torture" means the "infliction of or subjection to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering, or agony of the animal."

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

All right. Thank you. I -- and you and I come from the same background, and let me just present to you a -- a possible case that I might be concerned about. I have -- I have cattle in a winter pasture. The temperature is twenty-five below zero; the wind chill is -- is fifty or sixty below zero. Now, you and I out in that kind of weather would be -- it would be torture for us, without question. Could someone view my cattle in that kind of a situation and -- and attempt to charge me with -- with cruelty to animals?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

As the law stands right now, Senator, it's already protected under the cruelty to animals, but any -- our bill -- this bill exempts anything in the agricultural field that you are doing lawfully with farm animals, animal husbandry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR L. WALSH:

Thank you, Mr. President. I think this is a good bill. The underlying -- one of the underlying facets of this bill is that it gives us the opportunity that if someone is found guilty of this,

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that a psychological evaluation can be placed on -- on those individuals which, hopefully - as we have seen and it has been demonstrated and proven, that a lot of times animal torture leads to human torture - and, hopefully, that we can stop a potential Jeffrey Dahmer or somebody like that coming -- coming around. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 374 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 57 Ayes, no Nays, none voting Present. And Senate Bill 374, having received the required constitutional majority, is declared passed. Senate Bill 384. Senator Rauschenberger. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Appropriations Committee - Senate -- Senate Amendment No. 1 to Senate Bill 20; refer to Commerce and Industry Committee - Senate Amendment No. 2 to Senate Bill 272, Senate Amendment No. 2 to Senate Bill 812, Senate Amendment No. 1 to Senate Bill 1039; refer to Insurance and Pensions Committee - Senate Amendment No. 1 to Senate Bill 418; refer to Judiciary Committee - Senate Amendment No. 3 to Senate Bill 26, Senate Amendment No. 2 to Senate Bill 223, Senate Amendment No. 1 to Senate Bill 574, Senate Amendment No. 2 to Senate Bill 734, Senate Amendment No. 2 to Senate Bill 729, (Senate Amendment No. 3 to Senate Bill 867); refer to Public Health and Welfare Committee - Senate Amendment No. 2 to Senate Bill 646, Senate Amendment No. 1 to Senate Bill 881, Senate Amendment No. 1 to Senate Bill 1111; refer to Revenue Committee - Senate Amendment No. 4 to Senate Bill 11, Senate Amendments 1 and 2 to Senate Bill 468, and Senate Amendment No. 1 to Senate Bill

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666; refer to State Government Operations Committee - Senate Amendment No. 2 to Senate Bill 1158; refer to Transportation Committee - Senate Amendment No. 2 to Senate Bill 29, Senate Amendment No. 2 to Senate Bill 276, Senate Amendment No. 1 to Senate Bill 989, and Senate Amendment No. 1 to Senate Bill 1151; Be Approved for Consideration - Senate Amendment No. 2 to Senate Bill 230, Senate Amendment No. 2 to Senate Bill 435, Senate Amendment No. 3 -- pardon me, to Senate Bill 575, Senate Amendment No. 1 to Senate Bill 795, and Senate Amendment No. 1 to Senate Bill 805, Senate Amendment No. 2 to Senate Bill 1026. (Measure within parentheses inadvertently not read into the record, but submitted in writing.)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 385. Senator Rauschenberger. Senate Bill 391. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 391.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill came out of the Judiciary Committee on the Agreed Bill List, and it amends the Juvenile Court Act and the -- or, Unified Code of Corrections and provides that a minor who is placed on probation or supervision, as a condition of probation or supervision, may be required to attend an educational program at a facility other than where an offense was committed if the minor was convicted or placed on supervision for a crime of violence as we define it in the Crime Victims Compensation Act. So, in other words, as -- as supervision or probation, a judge can send this

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child to a different school other than one where the crime was committed. Oftentimes the victim is back at that school, the original school, where they have relatives there. And this came from a judge in DuPage County who said, "I want the ability to send a kid to a different school, rather than send them back to the school in which he or she perpetrated a crime." Be happy to answer any questions and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I support your bill, but my question is: Is this another school within the same school district, and if not, does the originating school district pay the tuition in the receiving school district?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Hawkinson, I don't think it's limited to just the school district where the perpetrator of the crime would have come from, and I can't answer your question today with respect to a reimbursement. But I know we have extensive types of programs or laws where we reimburse, on a tuition basis, somebody going to the other school.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

If it's another school district, does the receiving school

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district have to agree to acceptance of the student?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Hawkinson, there's no provision for the receiving school to -- to balk at it, and I would hope that whomever the judge is certainly would have thought about where he's going to send this other student.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Will you address those two matters in the House?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Yes, and I will -- I'll handpick my House sponsor carefully and try to clear these things up.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

Thank you. Is there any criteria in the bill that a judge would use to determine? Just because of an act of violence -- obviously if he gave -- if he gave the -- he or she gave the defendant supervision, that means he didn't want a conviction on his record. Would they have to follow some recommendation by the probation department, or is it just strictly up to the judge whether or not sending this kid to a different school?

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Senator Dillard.

SENATOR DILLARD:

It's up to the judge, Senator Molaro, and what we do is we add this right in the -- the litany list of probation and supervision sections of our Codes. And it's just one more thing -- it's one more tool, one more option for a judge to do with a student. And literally this comes from a case and -- a real case where -- and -- and the definition of crime, it's got to be a violent crime under the Crime Victims Compensation Act. But, a judge did not want to send this kid back to the same high school that he came from, knowing that that would be a real problem not only for the victim, but also for the victim's fellow siblings who attended that public school. And this particular judge said, "I want some flexibility to be able to send this kid..." In this case, Senator Hawkinson, it was another high school in the same school district, but it was a different building.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR DILLARD:

I would just appreciate a favorable roll call and will guarantee Senator Hawkinson that we will address his fine concerns in the House.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 391 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 wished? Have all voted who wished? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 391, having received the required constitutional majority, is declared passed. Senate Bill 394. Senator Parker. Madam Secretary, read the bill.

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Senate Bill 394.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 394 amends the Income Withholding for Support Act to provide that an employer -- if he knowingly fails to deduct the amount of child support designated in the income withholding notice and supplemental notice, that that employer is subject to a penalty of a hundred dollars a day that the designated amount is not deducted. I would ask -- ask to have a favorable vote and will answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 394 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 59 Ayes, no Nays, none voting Present. And Senate Bill 394, having received the required constitutional majority, is declared passed. Senate Bill 395. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Senate Bill 395 allows for increased penalties if certain crimes are committed within a thousand feet of a day care center.

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I will ask for a favorable vote and answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 395 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 59 Ayes, no Nays, none voting Present. And Senate Bill 395, having received the required constitutional majority, is declared passed. With leave of the Body, we shall return later to Senate Bill 397. Senate Bill 402. Senator O'Malley. Senate Bill 411. Senator Maitland. Senate Bill 412. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 412.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Members of the Senate, the State Property Control Act says that we must -- with the sale of any State property that has clear title, that the proceeds must go into the State's General Revenue Fund. From time to time, we have made special exemptions to the Act and that's what I bring to you this afternoon. This is a case at Illinois State University -- this is a case at Illinois State University where the University research farm is -- is now completely surrounded by urban area, and it's no longer the proper thing to have in that -- in that location. The farm has a lot of livestock, and -- and obviously it just isn't fitting in with the environment any longer. The University is seeking to find property -- the University is seeking to find property several miles from the town

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of -- or, town -- City of Bloomington or the Town of Normal. They are looking at a couple of farms, and what they plan to do is to sell this land and purchase, with that money, the new land and develop it to a stage that is consistent with the research capabilities of the current farm. Any residual that's left, after this transaction is made, obviously comes to the State's General Revenue Fund. But, again, we have done this for other universities in the past. The private sector works a bit different from the way we do it. You sell something, they have to have the money if you're going to buy something on the other side. And this, I think -- we've drafted this legislation very narrowly. I believe the State's interest is protected, and I would seek your support of Senate Bill 412.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 412 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 59 Ayes, no Nays, none voting Present. And Senate Bill 412, having received the required constitutional majority, is declared passed. Senate Bill 418. Senator Robert Madigan. Senate Bill 419. Senate Bill 420. Senate Bill 430. Senator Bomke. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 430.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 430 simply amends the Municipal Code in re-enacting

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certain provisions relating to the Capital City (Railroad) Relocation Authority. We passed a very similar bill a year ago extending the sunset date from June of '98 to June of '99. Unfortunately, the Governor didn't sign it till September, making the law invalid, and we're simply bringing it back to correct it. We are extending the date to June 30th, to make certain what happened last year doesn't happen again this year. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 430 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 Senate Bill 430, having received the required constitutional majority, is declared passed. Senator Lauzen, what purpose do you rise?

SENATOR LAUZEN:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR LAUZEN:

Mr. President, Ladies and Gentlemen of the Senate, today is Small Business Day at the Capital. Over one hundred and fifty small business owners, from associations such as the National Federation of Independent Business, are in Springfield today to talk with their local legislators. Please give them your time and attention. After all, small business is the engine that drives our economy and the largest employer in the State of Illinois. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The bottom of page 30 {sic} (13), in the Order of Senate Bills

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3rd Reading, is Senate Bill 434. Senator Robert Madigan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 434.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 434 exempts game birds or game that is purchased for release at a hunting preserve or exotic game hunting area from the sales tax. That's what Senate Bill 434 does. I'd be happy to answer any questions on Senate Bill 434.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 434 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 57 Ayes, no Nays, none voting Present. And Senate Bill 434, having received the required constitutional majority, is declared passed. ...of page 14, in the Order of Senate Bills 3rd Reading, is Senate Bill 435. Senator Robert Madigan, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Robert Madigan seeks leave of the Body to return Senate Bill 435 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 435. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Robert Madigan.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 2 makes some grammatical corrections to Senate Amendment No. 1 to Senate Bill 435. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 436. Senator Robert Madigan. Senate Bill 458. Senator Syverson. Senator Syverson. Senate Bill 460. Senator Silverstein. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 460.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

Silverstein, Syverson, same thing. Thank you -- thank you, Mr. President. This bill was referred to me by the Chicago Bar Association. What it does, it just simplifies the Act regarding poor people and the waiver of costs and the waiving of transcripts for appeal. It came out of committee on the Agreed List. We'd ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the -- the question is, shall Senate Bill 460 pass. All those in favor will vote Aye.

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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. And Senate Bill 460, having received the required constitutional majority, is declared passed. Senate Bill 462. Senator Watson. Senator Watson. Senate Bill 463. Senator Watson. Senator Watson. Senate Bill 464. Senator Watson. Senator Watson. Senate Bill 465. Senator Berman. Senator Berman? Senator Berman, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Berman seeks leave of the Body to return Senate Bill 465 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 465. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Thank you. When the bill was originally presented, it dealt with -- with estates of minors who were developmentally disabled. The question was raised in committee regarding all minors, and that's what the amendment does, brings it into conformity with that question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 469. Senator Sieben. Senator

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Sieben. Senate Bill 473. Senator Donahue. Senate Bill 475.  
Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 475.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amends the Trustees of Schools Article of the School Code and clarifies that a waiver of a mandate established under a section concerning county school units may not be requested. And this is a waiver of a mandate dealing with referendums.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 475 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 59 Ayes, no Nays, none voting Present. And Senate Bill 475, having received the required constitutional majority, is declared passed. Senate Bill 477. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 477.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 477 is an initiative of the Attorney General's Office.

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It redefines the definition of an elderly person and a person with a disability, as far as financial exploitation. Rather than proving that the victim was incapable of avoiding/preventing the commission of the offense, the prosecutor would need to prove that the victim's ability to avoid/prevent was impaired. I will answer any questions and would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 477 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 wished? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 477, having received the required constitutional majority, is declared passed. Senate Bill 480. Senator O'Malley. Senate Bill 481. Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 481.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. This Senate Bill 481 amends the Consumer Fraud and Deceptive (Business) Practices Act. It provides that those provisions which currently apply to new and used car vehicle dealers will now also apply to holders of retail installment contracts within the meaning of the Motor Vehicle Retail Installment Sales Act. The -- those provisions include the prohibition against punitive damages, the requirement of proof of public injury, provisions regarding certain pre-trial settlement offers, and also that there be

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written notice describing the nature of the alleged violation. This bill is supported by the Illinois Bankers Association, the Illinois Credit Union League, the Illinois Automobile Dealers Association and the Illinois Financial Services Association.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Clayborne.

SENATOR CLAYBORNE:

No. I just speak out in support of this bill. I think this is a good consumer bill and I think that this one deserves our support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I just wanted to indicate to -- that I was really paid a compliment on this bill. Somebody asked me to not speak against it and -- and to vote Present, as I did in committee. And I think I'll take 'em up on that. So I -- I -- but I really appreciate the compliment and -- as if something I would say against this bill might have something to do with the outcome. So rather than speak against it, I'll just not speak against it and indicate that I'm going to vote Present.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR PETKA:

I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 481 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, and 2 voting Present. And Senate Bill 481, having received

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the required constitutional majority, is declared passed. Senate Bill 483. Senator Radogno. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 483.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill amends the Criminal Code by making domestic battery or a violation of an order of protection a Class 4 felony if the defendant has a prior conviction against a family member for aggravated battery, stalking, aggravated stalking, unlawful restraint, or aggravated unlawful restraint. Obviously, we're trying to get repeat offenders to be severely dealt with.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any -- is there any discussion? Senator Hendon.

SENATOR HENDON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Hendon.

SENATOR HENDON:

Senator, does this cover both male and female batterers or stalkers?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Yes, Senator, it would.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 483 pass. All those in favor will vote Aye. Opposed will

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vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, and none voting Present. And Senate Bill 483, having received the required constitutional majority, is declared passed. Senate Bill 486. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 486.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate -- excuse me, this bill amends the Criminal Code by providing that a person convicted of theft less than three hundred dollars commits a Class 4 felony if that person has been previously convicted of forgery, unlawful use of credit cards or debit cards, or possession of a stolen or converted motor vehicle. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 486 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 Senate Bill 486, having received the required constitutional majority, is declared passed. Senate Bill 496. Senator Rauschenberger, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Rauschenberger seeks leave of the Body to return Senate Bill 496 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is

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granted. On the Order of 2nd Reading is Senate Bill 496. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. Amendment No. 1 is technical in nature and it cleans up a definition in the bill. I'd appreciate its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 15, in the Order of Senate Bills 3rd Reading, is Senate Bill 498. Senator Rauschenberger. Senate Bill 503. Senator Cronin. Senator Cronin. Senate Bill 507. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 507.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, and as Senator Smith would say, friends. This bill is exactly what it says on the Calendar. It's a bill that makes stylistic changes - another euphemism for a vehicle bill - amending the Physicians Lien Act. And this is an

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attempt to keep the process open, where the Trial Lawyers and the Medical Society negotiate over what they want to do with respect to physician liens. My suggestion is we throw it over to the other Chamber and let the powerful Trial Lawyers and the Medical Society to -- continue to negotiate. I'll be...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 507 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 56 Ayes, no Nays, none voting Present. And Senate Bill 507, having received the required constitutional majority, is declared passed. Senate Bill 517. Senator Dillard. Senate Bill 541. Senate -- Senator -- Senate Bill 541. Senator Dillard, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Dillard seeks leave of the Body to return Senate Bill 541 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 541. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senators Obama and Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. This amendment retains the underlying bill. It simply adds a provision that was recommended, whereby we will be punishing individuals who recklessly release medical records. The underlying bill pertained to requiring hospitals to maintain medical records, and this would provide a

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penalty as part of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 544. Senator Syverson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 544.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 544 makes some technical changes in the KidCare Program. And be happy to answer any questions you might have, otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 544 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 59 Ayes, no Nays, none voting Present. And Senate Bill 544, having received the required constitutional majority, is declared passed. Senate Bill 545. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 545.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 545 will expedite the collection of the Illinois estate tax by giving the Attorney General prompt access to federal estate tax returns in the custody of banks and other financial institutions. It passed out of committee unanimously. There's no known opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 545 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 545, having received the required constitutional majority, is declared passed. Senator Clayborne, what purpose do you rise?

SENATOR CLAYBORNE:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, please.

SENATOR CLAYBORNE:

Behind me, I -- I have one of my State's attorneys from -- the State's Attorney from St. Clair County, Bob Haida. I'd like for you all to recognize him.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Middle of page 15, in the Order of Senate Bills 3rd Reading, is Senate Bill 546. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 546.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 546 amends various tax Acts to state that taxes collected by a business from its customers in sales tax and employees' withholding taxes are held in trust for the State. The proposed language allows the State to take advantage of various provisions of the federal Bankruptcy Code.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 546 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 546, having received the required constitutional majority, is declared passed. Senate Bill 547. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 547.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

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SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 547 creates the Vital Records Automation Fund as a special fund in the State Treasury. Requires that money in the Fund be appropriated to the Department of Public Health to automate the State's vital records registration system, including an electronic reporting system for death registrations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. Are we allowed to debate any of these bills?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion?

SENATOR CULLERTON:

I have a question about this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

It -- it...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

This increases fees, and I was just wondering where the money's going to go and what it's going to be used for.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Senator. Increases from two dollars to four dollars for additional certified copies of a delayed record of birth or new certificate of birth or an amended birth record. Requires that a dollar of the fee collected for each certified

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copy of birth or death be deposited in the Vital Records Automation Fund. It allows the State Registrar of Vital Records to create an electronic reporting system to facilitate death registration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

So if you could answer this question: What percentage increase is that fee and how much money is expected to be raised by it next year?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

It goes from -- from two dollars to four dollars. I believe that that is a hundred percent. So that's a doubling of that figure, from two dollars to four dollars. Hopefully people will get their records and their -- the proceeds of life insurance policies that much more quickly. And as far as how much money is going to be raised, I believe that the estimate is that 1.2 million dollars will be raised so that people can get the -- the resources or proceeds from life insurance that much quicker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Well, I stand in support of -- of Senator Lauzen's bill. The -- the -- one of the things that this is going to do is that -- recently, in DuPage County, there was a -- there was a crisis where we had a number of people dying of food poisoning and we didn't know about it because of the fact that there wasn't a computerized way of keeping these records. Now, the increase in the fee here, which is two dollars, is going to be used towards putting these records, these death

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certificates, on a computer so that we may be able to, hopefully, more quickly figure out where there might be some type of a crisis. Right now, these things are done on paper and we might not know for four or five months that there was, you know, maybe some type of a health crisis going on somewhere. So this is, I feel, a good bill and it's worth -- well worth the hundred-percent increase in the fee there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR LAUZEN:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 547 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all -- have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Aye, 9 Nays, and none voting Present. And Senate Bill 547, having received the required constitutional majority, is declared passed. Senate Bill 548. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 548 amends the confidentiality provisions of the Illinois Income Tax Act and the Retailer's Occupational {sic} Tax Act and the Unemployment Insurance Act to authorize the Departments of Revenue and Employment Security to share employment and asset information with

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other State agencies and the Attorney General when they are pursuing collections of receivables due to those other agencies.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

If the sponsor would yield for a question, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

Senator Lauzen, all I'm asking is a simple, why are we -- why are -- why are we doing this? Why is the request being made by the Attorney General?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

We have a very serious problem, which I know you and I have seen in Audit Commission meetings, about the accounts receivable of the State of Illinois getting away from us. This is a way of the Departments cooperating together so that we can collect the State's receivable more expeditiously.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

I don't have any quarrel with that. Let me pose this question. Is -- is this information now is -- is sealed, it is confidential, it's not disclosed by the universities to the -- I'm sorry -- to the Attorney General upon request?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

I believe that the current law already allows exceptions to the confidentiality rule, such as audits by the State -- Illinois

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State Scholarship Commission for delinquent student loans - these are examples of where the information can be used - reciprocal arrangements with the U.S. Treasury Department - the IRS, or other State revenue departments, the Illinois Department of Human Services for program administration purposes, State license agencies regarding failure to file or pay taxes, or the Illinois Industrial Commission for purposes of verifying insurance coverage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

I'm just curious because it says that: In addition, the Director may make available to another State agency information concerning a taxpayer's place of employment, bank accounts, other financial information contained in the department's records if the taxpayer owes a -- a debt to a State agency making the request for information. And I'm just curious as to, again, why all such information. Under -- under -- what triggers the Attorney General's request to the agency for the information?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

As far as the specific trigger, I believe that the last point in the cycle of the receivable having been generated, the different agency that's in charge of collecting it - whether that's the Illinois Department of Revenue or the Department of Employment Security - in the end, when they are not able to collect it, it goes over to the Attorney General's Office, and in the final analysis they collect it or they have to write it off. So, I can give you a -- if it'd be of any value to you, the statement from the Attorney General's Office of why they need the information to pursue the collection of the State's receivables.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

This only applies to directors of State agencies; this does not apply to the university system, as I read it, and I read it very quickly. The Attorney General does act as the legal counsel on behalf of these various departments or he hires counsel -- independent counsel under his authorization, and I don't understand why that information is just not provided to him, that we have to come to the State Legislature to say, "Please, give -- give him that information." Has there been some problem with the Attorney General receiving such information from the departments?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Senator, I think your -- your point's well made. According to the Attorney General, at the present time, the confidentiality provisions generally preclude the employees of the Department of Revenue and Department of Employment Security from sharing the information with anyone, including other State agencies. So it has been a problem.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Okay. Then just -- I -- I agree with -- I think, what you're doing. I just want to know what triggers the Attorney General to make the request for the information? Is it only after the department says so-and-so owes us this money and we'd like for you to collect it? Is that the trigger in this -- in this matter?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

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Actually, Senator, I'm not sure, but I believe that, at some point, debts are turned over. I don't know exactly what the triggering mechanism is. But at some point, it is turned over to the Attorney General, and at that point, they would then claim access to the information to do their job.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

...only deals with those amounts that have been requested by the Attorney General from the department to look into, I don't think I have a quarrel with that. If there's some other methodology here that requires the -- or, gives carte blanche authority to the Attorney General something to ask for a taxpayer's information - and I don't think that's what you're asking for - so I -- perhaps, I'll reread the thing and -- and maybe get my mind cleared up as to what this is, but I think I know what you're trying to do. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, the main purpose of this bill, isn't it, to get those people who owe money to start paying some money back that they owe to the State, is that right?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

That's correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I hate to say it, but we've had lawyers and doctors and other professional people who've been delinquent in making payments to the State under scholarships and under loans from when they go to school. And I think that's absolutely despicable and deplorable. So I would say the motivation to the Attorney General and to Senator Lauzen is the people of Illinois who get sick and tired of having their -- their -- the monies owed to the State not paid to the State when others of us have to pay them. I certainly support this bill in full.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Lauzen, to close.

SENATOR LAUZEN:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 548 pass. Those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 548, having received the required constitutional majority, is declared passed. Senator Cronin, on Senate Bill 554. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 554.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 554 is a response to the -- some complaints and concerns voiced by school bus drivers, and they point out that they routinely have discipline problems on the bus but that those problems are dealt with in a different manner than the discipline problems that are -- they way in which they're handled in a classroom. And so this bill seeks to simply point out to the parent-teacher advisory committee and ask them to work in cooperation with the school bus personnel to develop, with the school board, policy guidelines and procedures to establish and maintain school bus safety procedures, and the objective is to treat a child the same way on a bus as they would be treated in a classroom. There's no known opposition. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 554 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 554, having received the required constitutional majority, is declared passed. Senator Clayborne, on Senate Bill 564? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 564.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Senate Bill 564 is an initiative

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of the Secretary of State. Since 1992, the corporate division of the Secretary of State's Office has -- has had an expedited services section. This bill will allow limited liability and limited partnership documents to be expedited in the same manner as corporate documents, and the expedited filing fees will be the same as -- as the corporate division. There are also other technical changes in this bill as well. I will ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 564 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 564, having received the required constitutional majority, is declared passed. Senator Halvorson, on Senate Bill 566? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 566.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 566 is an initiative of the Secretary of State. It's clean-up language that deals with the Business Corporation Act. There was some things in there with regards to the franchise tax, but we made the Taxpayers' Federation very happy by taking that all out.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing

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none, the question is, shall Senate Bill 566 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 566, having received the required constitutional majority, is declared passed. Senator Hawkinson, on Senate Bill 574. Out of the record. Senator Dudycz, on... Senator Dudycz, do you wish to recall Senate Bill 575 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 577 {sic}. Read the bill, Madam Secretary. Have any amendments...

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz, on Floor Amendment No. 2.

SENATOR DUDYCH:

Thank you, Madam President. I move to table Floor Amendment No. 2 to Senate Bill 575.

PRESIDING OFFICER: (SENATOR DONAHUE)

Floor Amendment No. 2 is... You've heard the motion. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and Floor Amendment No. 2 is tabled. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz, on Amendment No. 3.

SENATOR DUDYCH:

Thank you, Madam President. Floor Amendment No. 3 is technical in nature, and it corrects a drafting error in the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on Senate Bill 576. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 576.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 575 {sic} is an attempt to prevent abuses relating to the awards of support for educational expenses. It provides that (if) educational expenses are ordered payable, each parent and the child shall sign any consents necessary for the educational institution to provide the supporting parent with access to the child's academic transcripts, records and grade reports. Senate Bill 576. I would ask for any -- an Aye vote and answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 576 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate

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Bill 576, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on Senate Bill 579. Out of the record. At the request of the sponsors, the bills on page 16, page 17, page 18, down to -- down to Senate Bill 624 will be held for further consideration. Senator Thomas Walsh, on Senate Bill 624? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 624.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. This bill is for the Auditor General, and this transfers the expenses to cover the auditing costs for the Auditor General's Office. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President. Is this the managed care health reform bill? Is this that, Tom?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, the question is, shall Senate Bill 624 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 624, having received the required constitutional majority, is declared passed. Again, I will say that Senate Bill 625 through Senate Bill 632, at the request of the sponsor, those bills will be held. Senator Weaver, on Senate Bill 640? Out of the record. Senator Munoz, on Senate Bill 642. Senator Munoz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 642.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Madam President and Members of the Senate. Senate Bill 642 amends the Criminal Code of 1961 relating to prostitution, soliciting for a prostitute, patronizing a prostitute, or pimping. Creates offenses of prostitution, solicitation of a -- patronization of a prostitute or pimping within a thousand feet of real property of school. Enhances penalties to a Class 4 felony. Creates offenses of pandering within a thousand feet of real property of a school. Enhances penalty to a Class 3. Senate Bill 642 recognizes the recent focus on the protection of children from sexual crimes. Senate Bill 7, Senator O'Malley's; Senate Bill 224, Larry Walsh; Senate Bill 729, Senator Jones, protects children in places where they normally are, such as schools and parks, from -- from child sex offenders. This bill does not create enhanced penalties for involving the schoolchildren in the commission of the offenses; for example, prostituting with a high school student. I also may add, there was two commanders from the Chicago Police that gave support, that they're having problems in the 25th district, as well as the 9th

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district, with the prostitution with -- right within a thousand feet of a school. There's no known opposition at this time. Proponents are the Illinois Education Association, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

If I could have the Body's attention. We simply cannot hear. If you will please take your seats. Will the staff take your conferences off the Floor? Things will move a lot quicker. Is there further discussion? Senator Molaro.

SENATOR MOLARO:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

Is there -- you know, I -- I could certainly understand -- sooner or later we're going to have it where we can't do anything within a thousand feet of a school. I mean, you're right. This is about the sixth or seventh bill, and I certainly hate to pick on your bill, Senator Munoz. So -- but let me ask a couple of questions. First of all, is there -- is there any restriction as to time? So, in other words, if I'm a block or half a block away and I don't know anything about the school and this is 2 o'clock in the morning, where there are no schoolchildren, it's not a school crime, and usually prostitution or soliciting or involved in a john is usually a misdemeanor. Do we have a time restraint, or is it anytime near a school?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Munoz.

SENATOR MUNOZ:

As far as that question, Senator Molaro, I think it's for any time. We're not showing any in the bill, as of right now.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

Thank you. One last question, as to knowledge, just so I'm -- I'm clear on this. Does the defendant have to have knowledge that he's within the school, or is it imputed knowledge in the fact that as long as he's near the school, whether he knew about it or not? Because when you use a thousand feet, he may not know he's near a school. So do you have to prove, as an element of this particular crime to elevate it to a felony, that he knew or should have known he was within a thousand feet or is it just like strict liability? If you're within a thousand, you're stuck.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Munoz.

SENATOR MUNOZ:

Senator, I would -- I would have to say that he would've had -- no, he wouldn't have not have known. The bottom line is, though, if it helps any, you know, it's still -- their still soliciting prostitution or pandering, whatever the case may be, and it's in the school, you have schoolchildren there, and even though it's problematic in certain areas now, but eventually it can spread all over. And that's a problem that we're going to have in the future.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

One last -- one last comment then, 'cause I don't want to belabor this bill because it's -- it's probably good legislation. But I just want to state that we're -- we tend to be going too far. Every time we look at these misdemeanor -- they have been misdemeanors for hundreds of years throughout this country and this State, and now we come up and raise them to a level of a

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felony. So now we take, you know, the so-called victimless crime of prostitution and nobody wants people soliciting or prostitutes anywhere in their neighborhood, let alone by schools, 'cause that's a problem, especially in the City of Chicago. Some of the biggest complaints is, hey, there's prostitutes outside on 47th Street or 83rd Street or whatever. But I would just like to hope that the Body some day slows down about raising them to felonies because when you raise it to a felony and you convict these people of felonies, not only the prostitute themselves, but the way I read the bill, possibly even the john, so to speak, who might be out there, we're giving felony records, and I just -- I just think that we're losing the differentiation between misdemeanor and felony, as though it's all one and the same, ah, let's call them felons now. So what? But you lose a heck of a lot. The penalty from being a felon, even if it's probation, is big time because you can never, ever, ever, ever go out and expunge a felony, and it stays with you the rest of your life. And in any walk of life, most jobs now, you'd be precluded from a felon. So I just hope that as we start raising these to felonies, that we just give it some thought and they don't just completely start flying out of here at all times. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Senator Munoz, to close.

SENATOR MUNOZ:

Thank you. Just -- just a real quick response, Senator Molaro. Just remember, you can be charged with this, but actually when you go for trial, it's up to the judge for them to make the decision if, in fact, you're going to be charged with that felony. Just wanted you -- you know that, being an attorney. At this time, again, I ask Members of the Senate - no known opposition - I would ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 642... Question is, shall Senate Bill 644 -- 642 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 2 voting Present. Senate Bill 642, having -- having received the required constitutional majority, is declared passed. Senator Munoz, on Senate Bill 644. Do you wish to have this bill returned to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 644. Are there any amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Munoz, on Amendment No. 3.

SENATOR MUNOZ:

Thank you, Madam President and Members of the Senate. Amendment No. 3 is a technical change. The offenses added as of July 1st, 2001, include actual and attempted robbery, armed robbery, burglary and possession of burglary tools.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator O'Malley, on Senate Bill 648. Senator O'Malley? Out of the record. Senator Larry Walsh, on Senate Bill

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650. Out of the record. Senator Peterson, on Senate Bill 666?  
Out of the record. Senator Maitland, on Senate Bill 668. Read  
the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill -- Senate Bill 668.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate.  
668 begins to address some very serious concerns that we've had  
for a number of years with respect to long-term health care in  
Illinois. I would -- I would say at the outset that we are still  
in negotiations on this issue. It is -- it is an attempt to bring  
some of the lower-funded nursing homes in this State up, and it  
contains a Medicaid rate increase. It provides that nursing homes  
and intermediate care facilities with reimbursement rates  
presently less than the actual, audited cost, rates established on  
July 1 of '99, shall be increased no less than the lower of,  
number one, the average cost in the facility's geographic area or,  
number two, the facility's actual audited, adjusted costs. The  
bill has a hold harmless. Those that are above the line don't lose  
any money. Approximately three hundred and thirty out of three  
hundred and seventy long-term care facilities licensed in Illinois  
would be positively affected. Again, Madam President, this is --  
President Philip and I and others met -- and you, as a matter of  
fact, met this afternoon on this issue with -- with the Governor  
and this is -- we're moving forward with negotiations, but I would  
seek a positive roll call on Senate Bill 668.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing

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none, the question is, shall Senate Bill 668 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 668, having received the required constitutional majority, is declared passed. Again, at the request of the sponsor, Senate Bill 688 through Senate Bill 713 on the Calendar will be held. Senator O'Malley, on Senate Bill 728. Senator O'Malley. Out of the record. Senator Bomke, on Senate Bill 735. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 735.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 735 amends the Criminal Code by providing that reckless homicide is a super special Class 2 felony when the defendant causes the death of more than one individual and the defendant was determined to have been under the influence of alcohol or drugs or in cases in which the defendant is proven beyond reasonable doubt to have been under the influence of alcohol and drug. In essence, what this bill will do is double the penalty if someone kills more than one person while driving under the influence, from a minimum of three to a maximum of fourteen years to six to twenty-eight years. And I'll be happy to address any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 735 pass. Those in favor

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will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 735, having received the required constitutional majority, is declared passed. Senator Mahar, on Senate Bill 737? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 737.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President, Members of the Senate. This bill increases the -- the penalty for driving in a school zone by fifty dollars. This fifty-dollar increase will go to the school district where the violation occurred to be used for school safety purposes. This passed unanimously two years ago in the Senate, was held up in the House. I know of no opposition and would ask for its passage.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Molaro.

SENATOR MOLARO:

We're not making this a felony, are we, to the school zone?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the question is, shall Senate Bill 737 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 737, having received the required constitutional majority, is declared passed. Senator Geo-Karis,

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on Senate Bill 739. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 739.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, this bill amends the Criminal Code of 1961 and includes, in the definitions of "reckless homicide", the killing of an individual in the operation -- by the operation of a snowmobile, all-terrain vehicle or watercraft. We've had very many terrible cases of death by snowmobiles and by -- by watercraft, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 739 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 739, having received the required constitutional majority, is declared passed. Senator Silverstein, on Senate Bill 747? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 747.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you very much, Ms. President. This is a -- a Act to --

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to add life -- individuals in life care facilities to obtain the senior citizen exception. Presently there is some confusion in the statute. This is just to clarify it. This is a very pro-consumer, pro-senior bill. I'll take any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 747 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 2 Nays, none voting Present. Senate Bill 747, having received the required constitutional majority, is declared passed. Senator Parker, on Senate Bill 752. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 752.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 752 creates the Small Business Incubator Fund. It provides that DCCA may make grants to small business incubators for capital improvements. The grants shall not exceed fifty percent of the State income taxes paid in the previous calendar year by qualified businesses leasing space from eligible small business incubators. I will answer any questions and would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 752 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, there are 56 Ayes, 1 Nay, none  
voting Present. Senate Bill 752, having received the required  
constitutional majority, is declared passed. Senator Cronin, on  
Senate Bill 756? Out of the record. Senator Cronin, on Senate  
Bill 757. Read the bill, Mr. -- Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 757.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam President, Ladies and Gentlemen of  
the Senate. This bill, Senate Bill 757, is part of the Attorney  
General's Safe to Learn package of legislation. This specifically  
provides a grant program. It amends the Illinois Violence  
Prevention Act and it requires the Illinois Violence Prevention  
Authority to establish and administer a grant program to be known  
as the Safe to Learn Program. The funds appropriated to this  
Authority can be used for building security, violence prevention  
and intervention, crisis management, and training of teachers and  
other school personnel. The Attorney General is seeking an  
appropriation of 13.9 million dollars for the first year of this  
program. I know of no opposition to this bill. It's a wonderful  
concept. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the  
question is, shall Senate Bill 757 pass. Those in favor will vote  
Aye. Opposed, Nay. And the voting is open. Have all voted who  
wish? Have all voted who wish? Have all voted who wish? Take the  
record. On that question, there are 55 Ayes, no Nays, none voting

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Present. Senate Bill 557 {sic}, having received the required constitutional majority, is declared passed. Senator Fawell, on Senate Bill 764. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 764.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This bill came out of an incident that happened in my district office. My district office was slammed. It took me a year to find out who had slammed me. The only telephone number that was on the bill was a -- was an automatic 800 number. When I called it, it said, "If you have a problem with your bill, punch one." I punched one, and it said, "Call your local telephone company, now punch three." I punched three, and they said, "Have a good day." Click. I called back, and they said, "If you have any other problem, punch two." I punched two. They said, "Call your local telephone company, now punch three." I punched three, and they said, "Have a nice day." Click. I called the local telephone company. They didn't know anything about it. I called Sprint in Kansas City. They didn't know anything about it. In fact, they didn't know why they were billing me, although they were. I finally got a number in New York. They admitted they knew the guy that was slamming me, but they wouldn't give me his name until I threatened them with the Attorney General's Office. Then they called him. It was a guy in Minnesota who said, "You know, I didn't do anything wrong." So what this bill does is it says if you're going to do business in the State of Illinois as a telephone company, you got to give a name and an address, not a post office box, and you have to have a

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real human being during business hours to answer the telephone to tell us who in the world you are and what you're doing. That's all the bill does.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 764 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 764, having received the required constitutional majority, is declared passed. Senator Dillard, on Senate Bill 773. Out of the record. Senator Bomke, on Senate Bill 774. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 774.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 774 amends the Children's Advocacy Center Act. Provides that the Illinois Child Advocacy Commission may provide technical assistance to the advisory board and may make a single annual grant fund appropriated for the purpose of certain not-for-profit corporation for technical supports and assistance. This bill was brought to me by the Attorney General, and it will pave the way for the creation of a statewide office to help develop children advocacy centers and help coordinate the county-to-county centers that we currently have. And be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 774 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 774, having received the required constitutional majority, is declared passed. Senator Bomke, on Senate Bill 775. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 775.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 775 amends the State Parks Designation Act, designating Site M Fish and Wildlife Area as the Jim Edgar Panther Creek State and Wildlife Area -- State Fish and Wildlife Area.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, is this the same area that we named after Senator Babe Woodyard?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

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SENATOR BOMKE:

That is correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Well, in deference to the Governor, I think Babe Woodyard was a very good man who had a very high interest in conservation and with the needs of this Senate. And I just personally think we're making a mistake by changing it and naming it -- designating it as the Governor Edgar site.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Bomke, I'm a little puzzled by the Jim Edgar Panther Creek Fish and Wildlife Area. Is there a lot of panthers out there, and what does Panther Creek have to do with this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Senator Demuzio. I -- you know, I've never heard anyone not -- say they wouldn't answer a question. You didn't give me a chance to respond, but -- but I -- but I will. The Panther Creek comes from -- and, incidentally, there were some concerns with the last time we attempted to name this. It was vetoed by the Governor. The county board in Cass County had concerns with the name. Panther Creek comes from a creek that runs by or near the property or -- or through the property. It's called Panther Creek. In my conversation with the county board

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chairman, indicating to me they thought Jim Edgar was an appropriate name since he was the one that instigated Site M, but they also thought Panther Creek should be part of the title, and that's how it happens to be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Another question, if the Senator might. Has anyone asked Governor Edgar whether or not this is what he wanted?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

I personally have not, although friends have contacted me indicating that he would like to have this named after him.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I guess, has anybody said anything to Babe Woodyard's family about the name change? I remember when they were all up there for that ceremony. Has anybody contacted the family? No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

You -- you may recall that it never was named. It was vetoed. It was never named after Senator Woodyard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, are you telling me that Jim Edgar always wanted this to be named after him, that's why he vetoed the -- the -- the first one? Is that what you're saying?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Bomke.

SENATOR BOMKE:

I thought I was clear, and obviously I wasn't. The reason it was not named, according to Senator {sic} Edgar, named after Senator Woodyard, was because -- that Cass County had problems with the name.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, if this is going to be called the Jim Edgar Panther Creek State Fish and Wildlife Area, that turns out to be the JEPCSFW Area. I don't know. Is there enough -- we have a long enough sign for that? I mean, it costs a lot of money, it seems to me.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. I just want to clarify this. This is -- last year there was a bill for -- to name this area after Babe. That was vetoed?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR SYVERSON:

And this is the same area, then, that we're trying to rename here?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

That's correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- Senator Syverson.

SENATOR SYVERSON:

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Is this something that has been discussed with other Members of -- of the caucus or with the -- or with the -- with the families or other leaders before this move?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Well, I didn't know that it was necessary to discuss with the caucus; however, there has been another conservation area named after Senator Woodyard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Bomke, is this your first bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- Senator Bomke. Senator Burzynski.

SENATOR BURZYNSKI:

Well, I -- it -- it is kind of ironic. And just for clarification, again, there was a site in Vermilion County that was named after Senator Woodyard. The Governor did that last year. But it is ironic that we would now be naming a State park that we had tried to name in honor of Babe Woodyard, for Governor Edgar. But, anyway, I just wanted to clarify that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Myers.

SENATOR MYERS:

It was -- would the -- would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Myers.

SENATOR MYERS:

This was my bill last year, to honor a man that I have a great amount of respect for and one that I thought should have some kind of natural area designated in his name. This is a man that was,

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for all of his life in the Legislature, very supportive of conservation kinds of bills. So I was happy that we were able to designate an area in Vermilion County, close to his home, what we call "Babe's Woods". It's a beautiful area with hiking trails. There's an extension of a bike/hiking trail in that area. And I was happy that we were able to designate some area in honor of a man who spent most of his life with the land and who respected the land and wanted all of us to be able to enjoy a different -- wild area.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I haven't spoken with our former Governor, my former employer, since he stepped out of office in January. But just for a little historical purposes here: We all love Babe Woodyard, and if anybody knows how Babe Woodyard became a State Legislator, it was that he took Jim Edgar's House seat when Jim Edgar resigned as a Member of the House of Representatives. And I guess there's probably no other Member of the Legislature that Governor Edgar was closer to than Babe Woodyard. The two of 'em were east-central Illinois Legislators for years, and, Jim Edgar, while we criticized him for never coming around to see us in our offices, was a frequent visitor to Babe Woodyard's offices. It was -- he was one of the Senators that Jim, our Governor, always visited. The reason Governor Edgar - and I was not his chief of staff at the time - vetoed the Babe Woodyard designation over in Cass County was the local residents asked him to do it. Governor Edgar then renamed a facility over in Senator Myers' area, more appropriately, where Babe was from, where his constituents who elected him, his loved ones and his family are. They named that a Babe Woodyard facility. And I guess just -- and I just signed on

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to this bill recently - like I said, I haven't spoken to Governor Edgar - but I believe naming Site M, which Jim Edgar had the vision to find and to get our approval on, is a fitting name for him. In his final message to us and to the people of Illinois, one of the two or three things that Jim Edgar said he was most proud of was the number of acres of land that we were able to preserve, to buy, under his administration. So one of the things that Jim Edgar believes is his legacy to the people of Illinois - and Site M is a gigantic site - is how many acres of land we are going to have available to the public for recreational availability in the future, for future generations. And I think this is an appropriate recognition of our former Governor, a former Member of the Illinois General Assembly, Jim Edgar.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there -- is there further discussion? Further discussion? Seeing none, Senator Bomke, to close.

SENATOR BOMKE:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 775 pass. Those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 2 Nays, 9 voting Present. Senate Bill 775, having received the required constitutional majority, is declared passed. Senate Bill 777. Senator Lauzen. Senator Lauzen. Out of the record. Senator Peterson, on Senate Bill 778? Out of the record. Senator Dillard -- oh. Senator Peterson? Senator Dillard, do you seek to have Senate Bill 784 returned to the Order of Senate -- on 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 784. Madam Secretary, have there been any amendments approved for

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consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on Amendment No. 2.

SENATOR DILLARD:

Thank you, Madam President. This -- this is an amendment that was suggested by Chairman Hawkinson of the Judiciary Committee, and -- and it deletes the portion of a bill that requires a defendant to make an oral speedy trial demand in addition to a written demand. And it's -- it's a good suggestion from Senator Hawkinson and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on Senate Bill 786. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 786.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 786 creates an eleven-member council within the Illinois Department of Commerce and Community Affairs to

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advise DCCA on promoting micro-enterprise and self-employment as alternatives to welfare and traditional wage labor. It requires the council to make reports and recommendations to DCCA, the Governor and the General Assembly on an annual basis. I will answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 786 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. Senate Bill 786, having received the required constitutional majority, is declared passed. Senator Petka, on Senate Bill 794. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 794.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President, Members of the Senate. Senate Bill 794 would provide that a summary suspension would terminate at the end of the period of suspension regardless of when the reinstatement fee has been paid. This is to -- this amendment seeks to avoid an unjust result where a person has gone to court, has convinced a judge that perhaps a summary suspension should not be given because of lack of a probable cause in the stop, and then the person would possibly incur a felony penalty if he continued to drive even though he had successfully convinced the judge that there was no basis for the -- for the stop. The concerns that were raised by the Secretary of State's Office were

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removed when an amendment was attached to this legislation, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 794 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 794, having received the required constitutional majority, is declared passed. Senator Petka, do you wish to return Senate Bill 795 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 795. Madam Secretary, have there been any amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka, on Amendment No. 1.

SENATOR PETKA:

Thank you very much, Madam President, Members of the Senate. Amendment No. 1, which came directly to the Floor from Rules, is a clarifying amendment on language within the legislation. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

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3rd Reading. Senator Noland, on Senate Bill 800. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 800.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

Thank you, Madam President. Senate Bill 800 amends the Dental Practice Act, and it will add an additional person to the Board of Dentistry and that person will be a dental hygienist, bringing the number of board members to two for them. It'll also allow a dental hygienist to monitor and administer nitrous oxide to patients, and also provide that dental assistants can polish teeth. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Lauzen.

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Lauzen.

SENATOR LAUZEN:

Senator, I -- I am now receiving a lot of telephone calls, unfortunately, on the bill, and they're saying that there's some kind of change from how -- the calls that I'm receiving I believe are from dental hygienists and they're concerned that dental assistants are going to be doing things that only they have the training for and that -- that's their first objection. And then the second objection is that the dentists will have control over the regulations within their profession. So could you address those two concerns of the dental hygienists?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

The first point, Senator, you're correct; there is some concern by the dental hygienists. The assistants are now going to be able to do some -- some polishing of teeth, but it's very limited. Matter of fact, the -- the language was provided to the dentists by hygienists, which allow what area of the tooth they can polish, and it's called coronal polishing. And also, the Board of Dentistry is providing to Professional Regulation the rules and regulations to -- to -- as a draft for education so that the assistants will have some -- an approved course to allow them to successfully complete this class and -- and be proficient at coronal polishing.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

Sponsor yield, please?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shadid.

SENATOR SHADID:

Senator Noland, what -- what do the assistants do presently?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

The assistants now, Senator, assist the dentist.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Would you tell me what type of training they have to assist the dentists?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Noland.

SENATOR NOLAND:

Well, having never been a dental assistant, but I've been in an office on occasion, they are employed by the dentist. They do -- if your question is do they have the same training as a hygienist, the answer is no, and that's why they're not doing the same functions as a hygienist. They will work under the -- the tutelage of the dentist. And the concern by the hygienists is they're going to be doing something that they aren't qualified for. The dentists share that concern, and that's why I have with me a draft of the language the Board of Dentistry is providing to Professional Regulation to give them adequate course work and an approved class so the assistants will have the ability to do a -- do a good job of -- of this tooth polishing.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

Well, I'm a -- I'm a little concerned that -- that there won't be the type of training that's going to be necessary, and if we give them this -- allow this to happen, then next they'll be wanting to do more things in the dental office without being properly trained or certified.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

And I share that concern, Senator, but that's our function. If -- if they want to do something else, they will come to us. But I'm telling you the -- the Board of Dentistry is -- is working with Professional Regulation. There will be some rules and regulations and an approved class for assistants. So they're not going to -- and also, you have to realize, the dentist has his name on that door, or her name on that window, and so the dentist

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is not going to allow someone in their office, who is not proficient, to hurt their livelihood. So I think -- also, the -- the dental assistants want this. So they realize that -- that this procedure called limited coronal polishing, that they also want some kind of formal education, and I believe that will happen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

I would assume then that this should reduce the cost for the consumer to go to the dentist office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

I believe when you go to your dentist in Peoria and tell them you voted for this bill, you will get a sufficient discount. And I don't mean AARP and that kind of stuff. I mean because you are a good man. You'll get it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

I don't think under our new laws of campaign and ethics, I don't think I could accept that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor, too.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator, how much training does a dental -- dental hygienist have to have to become a certified dental hygienist?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

Senator Welch, you may know, and I don't, but I'm speculating. Normally it's a two-year degree. Many of our community colleges have dental hygienist programs and they're very successful. So I'm assuming it's at least a two-year program.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, that's what I was thinking, too, and now we've got a provision for the dentist to apparently use anyone, the way this bill is written, to come in there and stick a brush in your mouth and start working on your teeth. So if the secretary or the person answering the phone isn't busy, according to this bill, they can come in and start working on your teeth. That doesn't make sense. You know, we...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator...

SENATOR WELCH:

We licensed the dental hygienists because they came in here and told us how it was -- it was a profession that was well regulated and they needed to be licensed because this was a technical facility. Now we can have whoever answers the phone. You know, they put you on hold, then they go in and work on somebody's teeth and come back and get the call. I don't understand this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

You should change dentists. But my dentist -- my dentist would not allow that to happen, nor will this happen under this

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bill. There will be appropriate training and an education component for assistants. They are not going to be the janitor and the receptionist and the -- the billing clerk as well. They'll -- they are an assistant that's in that office now, and we're giving them some limited increased duties. And at the same time, you know, the hygienists -- it's a little bit of a turf battle, I'll admit, but hygienists are also being able to now monitor and administer nitrous oxide, which they couldn't do before. So we're trying to -- the dentists are trying to expand duties with -- with -- in a prudent manner, I believe.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, I -- I understand that the dental hygienists are still negotiating on their -- on the qualifications. Why don't we -- why are we rushing -- are you going to hold the bill then or not move it out of the House until this is settled with the dental hygienists? Is that -- are you promising to hold it up until there is an agreement or are you going to push forward regardless of the outcome?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

I mean, I -- I didn't -- I didn't infer that. If you -- my goal is to receive at least thirty votes. Now, I am amenable, obviously, to -- to working out more language, but once it receives the -- in the House, I'm going to have to defer to the powers over there. But would I like to see some compromise language? Certainly. This is the best we could do at this point, and if it takes a different fashion in the House, then we'll address it at that time.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. I just rise in support of what Senator Noland is trying to do. There has been a tremendous amount of discussion over this over the last two or three months, and basically the bill has three components. Number one, it allows dental hygienists to be able to give nitrous oxide. Number two, it adds another dental hygienist to the licensing board. Instead of one member, they'll now have two members. And then, number three, it does allow for dental assistants to be able to do coronal polishing, which is polishing of the teeth. And so basically those are the components, and they can't do anything that -- that -- that is detrimental, other than that. And so, anyway, I -- I would just rise in support of the bill, and I'm sure that if there are other questions, they will be worked out in the House.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator Noland, to close.

SENATOR NOLAND:

I'd appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 800 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 1 Nay, 8 voting Present. Senate Bill 800, having received the required constitutional majority, is declared passed. Senator Robert Madigan, on Senate Bill 801. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 801.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 801 amends the Collection Agency Act to provide that a contingency or hourly arrangement established under an agreement between a collection agency and a creditor to collect a debt shall be presumed to be prima facia reasonable. This language is patterned after language that is found in the Illinois Credit Union Act. I'd be happy to answer any questions on Senate Bill 801, otherwise would ask for its approval.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 801. Those in favor will vote Aye. Opposed, 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 52 Ayes, 4 Nays, none voting Present. Senate Bill 801, having received the required constitutional majority, is declared passed. Senator Maitland, on Senate Bill 802. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 802.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Bill 802 amends the relevant sales tax Acts in Illinois to make several changes. First of all, it provides a sales tax exemption for -- tangible personal property purchased in Illinois and distributed to other states for use in that state. Currently

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there is an exemption for purchase of property out-of-state and used in another state. It only applies to multistate companies with centralized warehousing in Illinois. It only applies to property that's transferred to other states for use in another state. It applies to property purchased from an Illinois supplier. The bill obviously solves some problems that Illinois companies have with respect to sales tax. We believe the bill would encourage purchases in Illinois -- from Illinois companies and encourage the warehousing of these products in Illinois. And -- and, finally, currently, if an Illinois business purchases out-of-state for shipment to other states, the purchase is exempt from tax. If the business purchases in-state, tax is due. This is kind of a final use issue. We believe it to be consistent with -- with other exemptions we -- or, other -- the final use concept with sales tax. And I would be happy to respond to any question that you might have, otherwise would appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Clayborne.

SENATOR CLAYBORNE:

...President, I -- I rise in support of this bill, representing an area that's -- that has another state that borders it. Obviously this makes the companies in my area more competitive with Missouri and will encourage companies in Illinois to buy in Illinois when they're shipping, and eventually they'll ship those products to other -- other states. I encourage a favorable vote on this -- this bill, as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. I, too, would like to rise in support of Senate Bill 802. It's long overdue. It will help many areas, as Senator Clayborne just mentioned. It's supported by the

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Taxpayers' Federation of Illinois and the Illinois Chamber, and I ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Let me see if I got this right. If it's bought from an Illinois company and they use it in Illinois, they pay a tax. If they are going to transfer it out of the State, it's considered temporarily stored. Is then, whenever that is then passed on to another state, is it taxed in that State, or does everyone just miss out on the taxes altogether?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

I really -- I think I -- I think I heard the question. The question was, is it taxed in that other state if they have a tax. The answer then, under this bill, is yes, if they have the tax. Right. It's a final use issue. Yes, sir.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Senator Maitland, to close.

SENATOR MAITLAND:

Madam President, I appreciate the discussion on this issue and -- and would appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall Senate Bill 802 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, there are 58 Ayes, no Nays, 1  
voting Present. Senate Bill 802, having received the required  
constitutional majority, is declared passed. Senator Mahar, do  
you seek leave of the Body to recall Senate Bill 805 to the Order  
of 2nd Reading for the purposes of an amendment? Hearing no  
objection, leave is granted. On the Order of 2nd Reading is  
Senate Bill 805. Mr. Secretary, are there any amendments approved  
for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar, on Amendment No. 1.

SENATOR MAHAR:

Thank you, Madam President. This amendment clarifies that the  
legislation is subject to the appropriations process, and I move  
its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Watson, on Senate Bill 820. Read the  
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 820.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Watson.

SENATOR WATSON:

Yes, thank you, Madam President. This legislation provides that a municipality with fewer than twenty-five hundred inhabitants, a municipal board member may also hold certain educational offices. Unfortunately, we're finding, in some of the rural areas, smaller communities, few and fewer people are willing to come up and step up to the plate and participate in the responsibility of holding office, whether it be a school board or a municipal government. This gives an individual the opportunity to hold both positions. Of course, obviously, they have to be elected, but they could -- this gives them that potential to do so.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Watson, I don't -- if you might, one question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

I don't quarrel. You're talking about the board of education, the regional board of trustees, board of school directors, or board of school inspectors. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, that is correct. Those are all, I guess, means by which boards of education, as I know it, are in some other areas of the State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio. Just put your button on.

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SENATOR DEMUZIO:

I'm sorry. What about -- what about the community college board. Would that be applicable in this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

No, it would not.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Just a quick question then. Why -- why would we exclude them, or they hadn't been thought about or perhaps...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

This addresses a problem of a constituent of mine in my area. That's why I introduced the bill. No particular reason that I left out community colleges.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Watson, to close.

SENATOR WATSON:

This is John Nicolay's first bill, so I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 820 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 820, having received its required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 823. Out of the record.

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Senator Noland, on Senate Bill 824. Senator Noland. Out of the record. Senator Robert Madigan, on Senate Bill 825. Read the bill, Mr. Secretary. Oh! Out of the record. Senator Klemm, on Senate Bill 826. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 826.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. Senate Bill 826 amends the Municipal Code in relation to compensation of corporate authorities. Apparently the legislation is intended to clear up some ambiguity within the municipal legal minds as to whether municipal officials may be compensated for attending committee meetings. The bill simply says it would provide that the municipal officers may be compensated in two ways: one, at an annual rate; or, two, for each meeting attended if a public notice of the meeting was given. And that should clarify that for the municipal leagues, and I ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 826 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, 1 voting Present. Senate Bill 826, having received the required constitutional majority, is declared passed. Senator Klemm, on Senate Bill 827? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 827.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. Senate Bill 827 amends the Water Reclamation Act to allow two different parcels to be included in this territory. One is a territory in Village of South Barrington. It comprises of sixty-eight acres which is currently owned by Allstate Corporation. They want to abandon and decommission their on-site sewer treatment plant, and the district -- the reclamation district feels that it's acceptable to them and so does the Village of South Barrington. The other, which is Amendment No. 1, takes some area in Rich Township, for Senator Mahar, and it comprises the unincorporated Crawford Countryside subdivisions and, again, everybody is in support of those two for parcels. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 827 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 827, having received the required constitutional majority, is declared passed. Senator Trotter, do you seek leave of the Body to return Senate Bill 844 to the Order of 2nd Reading for the purposes of an amendment? Out of the record. Same thing on Senate Bill... Senator O'Malley, do you seek leave of the Body to return to the Order of 2nd Reading Senate Bill 845 for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 845. Mr. Secretary, are there any amendments approved

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for consideration?

SECRETARY HARRY:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley, on Amendment No. 2.

SENATOR O'MALLEY:

Thank you, Madam President and Ladies and Gentlemen of the Senate. The amendment to Senate Bill 845 would -- would, in effect, clean up some of the language and make it conform with some of the ideas that have been expressed during the -- during the Judiciary Committee's deliberations this Session. Be happy to answer any details, but would ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Maitland, on Senate Bill 851. Out of the record. Senator Madigan, Robert Madigan, on Senate Bill 854. Out of the record. Senator Maitland, on Senate Bill 855. Out of the record. Senator Robert Madigan, on Senate Bill 856. Out of the record. Senator Viverito, on Senate Bill 861. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 861.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam President. This is a senior citizen bill. It amends the Senior Citizen Assessment Freeze, and it just increases it from thirty-five to forty thousand dollars. It's long overdue. This will help all the people across the State of Illinois that are in the lower income. I -- I hope for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 861 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. Senate Bill 861, having received the required constitutional majority, is declared passed. Senator Dudycz, on Senate Bill 868. Out of the record. Oh! Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 868.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senate Bill 868 amends the Municipal Code in the sections concerning removal or suspension of employees. It provides that a collective bargaining agreement may include an alternative or supplemental form of due process based upon impartial arbitration in lieu of a hearing. This legislation affects nonhome rule municipal police officers, as well as firefighters, and those municipal employees that are covered by

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civil service. This legislation was brought to me by the downstate -- by the downstate Fraternal Order of Police and Associated Fire Fighters of Illinois in regards to several court cases. Certain collective bargaining agreements between nonhome rule municipalities and these organizations...

PRESIDING OFFICER: (SENATOR DONAHUE)

Excuse me, Senator Dudycz. Can we sit down and get in our seats and take our conferences off the Floor? Senator Dudycz.

SENATOR DUDYCZ:

Well, certain collective bargaining agreements between these nonhome rule municipalities and the Fraternal Order of Police and -- and the Associated Fire Fighters, as well as other organization collective bargaining groups, have included provisions for disciplinary matters to be submitted to a grievance procedure -- grievance arbitration procedures, rather than the customary hearing before a board of police or -- or -- or fire commissioners. The Illinois Supreme {sic} (Appellate) Court has ruled that the Municipal Code does not provide for such an alternative form of due process. So this measure provides for an alternative means of deciding the disciplinary employment issues that would be agreed to in collective bargaining agreements. And, specifically, it provides that a hearing must be held prior to a removal, discharge, or suspension of more than thirty days of an employee, unless the corporate authorities and a labor organization negotiate an alternative or supplemental form of due process based on arbitration. Current law only allows for a hearing before a -- the -- before the civil service board or the fire and police board of commissioners, and this change would provide that a municipality and labor organization could bargain with these organizations - not must bargain, but could bargain - to replace the hearing with a grievance/arbitration procedure, which would then be binding.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

First of all, you know, as you indicate, Senator, this is a little break in tradition, especially for nonhome rule units throughout downstate, which has always had the board of police and fire commissioners take care of any of the actions with hiring, firing and the whole ball of wax, and I think they've taken that pretty seriously. And I'm not really railing on your bill, but I do think that there is a danger here that I'm not sure that even the -- the FOP and -- and the Fire Fighters and everything else have looked at. And I think what makes the bill at least palatable, it is a negotiated item, and that makes it palatable. But if I were a police officer or a firefighter, under the rules of the police and fire commission, you really have to prove your case in order to dismiss someone. The problem I have and if I were one of those members of FOP or the Fire Fighters, et cetera, is that if I chose an arbitrator - we know how arbitrators work: you're hired by whomever, the city and/or the union; you take turns - and I sure as heck would not want to be the person who chose arbitration whenever we had the arbitrator whose turn it is, is to -- to satisfy their employer, which may be the city. And I think there's an inherent danger here for those people. If they go into it with their eyes wide open, God bless 'em, but I just would say to my friends from both the Fire Fighters and FOP, this may not be the -- the pill that they think it is and I think it's one that we should continue to look at during the course of this

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bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator del Valle.

SENATOR DEL VALLE:

Our analysis indicates that the City of Chicago is opposed to this bill. Could you tell us why they're opposed, number one? Number two, would this bill change in any way the function or the role of the police superintendent in the decision-making process and of the police board?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

Senator del Valle, I have no idea why the City of Chicago would be opposed to this. This legislation does not affect the City, and the answer to your second question is, no, it would not affect them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

Yes. Presently, I believe the -- when I was a sheriff, we negotiated the type of discipline, whether it went through a merit commission or it went through an arbitrator, and this was usually negotiated. I think what's going to happen -- and let me ask you this question: Is the purpose of this to get all the merit commissions and police and fire commissions out of the area of discipline? 'Cause that's what's going to happen, I believe. But that's not the...

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Dudycz.

SENATOR DUDYCYZ:

No, Senator, that would -- that would remain as is, unless the corporate authority and the union decided to negotiate and reach a contract whereby that would be part of the bargaining agreement. If the city decides that they do not wish grievances or discipline to be part of the negotiation, that could be removed off the table.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

And this does not affect the home rule counties or cities, is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

That's correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Why doesn't it affect all of them, if it's such a good thing?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

Well, Senator, this bill does not affect the Illinois Public Labor Relations Act. As you know, the -- the -- since the enactment of the Act, municipalities through -- throughout the State have negotiated contract provisions providing employees with the right to choose the impartial discipline review. In 1988, in the City of Decatur versus AFSCME, the Supreme {sic} (Appellate) Court held that discipline was a mandatory subject of bargaining, and then the Markham court {sic} recently said that the contract

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provisions in nonhome rule units -- or -- of cities are illegal because these municipalities do not have the authority to negotiate these disciplinary procedures that supplement fire and police commission procedures. This legislation changes Municipal Code whereby the police officers and the firefighters now would have the ability to at least discuss disciplinary procedures with the corporate authorities, whereby the Markham decision would prohibit that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Yeah, just a comment then. I think, very strongly, that we should leave this up to the collective bargaining arrangements that each one of these municipalities or sheriffs' departments have, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Petka.

SENATOR PETKA:

Madam President, would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Petka.

SENATOR PETKA:

Senator Dudycz, I can't remember a bill that I've had this year that I've received more lobbying in opposition than this legislation, from the City of Naperville, from the -- from the sheriffs of Will, Kendall, Kane County, a number of police chiefs who have -- who've called me and personally asked for interviews on this. I'm -- I'm wondering, and if -- you know, if you could perhaps allay their fears that they feel that this is a rather radical departure from the way that we have traditionally handled procedures dealing with grievance and also whether or not this is, in fact, a way of just simply circumventing the -- the police and

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fire boards and the merit review boards.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. Senator Petka, I -- I would hope that the -- I would understand why the police chiefs and the -- the nonhome rule communities, the municipalities, would like to remove this provision where it would not be -- it would be -- they would be prohibited from even bargaining with the -- with the -- with the unions the discipline part of the collective bargaining process. That would give them an upper hand. It would just remove another issue off the table because they already won it. If there is no negotiation over -- over a -- a disciplinary matter, then -- then there's no -- there's no negotiation. The municipality wouldn't -- I would understand why they would not wish to -- to have that as -- as a bargaining tool. But then again, I must stress that this is voluntary. This is not mandatory. And if the municipality says, "No, this is off the table; we are not going to bargain collectively on discipline", well, then, it's off the table. What the language does is makes it permissive, where they can include it, where currently they are prohibited.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

At the present time, municipalities have a -- the fire and police commission which handles the discipline of all the members of the fire or police departments, except for the chiefs. Now,

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you are saying that this bill just is permissive and lets the municipality bypass that commission and deal directly. Is that -- that my understanding of it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCH:

If I understand your question, Senator, that is correct. Currently, not only the -- some of the municipalities have the police and fire commissions that determine discipline. There are other communities throughout the State of Illinois where they have collective bargaining agreements in place, as we speak, that deal with the discipline matters in an arbitrary manner - or, the arbitration process.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Much as I would like to help you, I am -- I feel confined to the opinions that have been expressed to me by the people in my district, and I can honestly tell you they feel that the commission on -- the fire and police commission should be adequate for discipline and they don't want to me tinker out with something else. I -- I happen to concur with Senator Shadid on this. I -- I feel that we don't really need the bill, but it's -- I can honestly tell you that I have had no favorable comments on this bill from back home.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Yes, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Molaro.

SENATOR MOLARO:

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In -- in most cases - 'cause I'm from the City of Chicago, so I don't know - enlighten me, these local police and fire commissions, are they elected or appointed by the mayor or appointed by the township?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCH:

They are appointed by the mayor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Well, then -- then, I am going to rise in support because I believe even when we have these hearings where - I think we had a tollway bill and we have parking tickets - where you go to administrative hearing, and the hearing officers are all paid by the city who brought the charges. So it's very difficult, when you're going to appear before people who are appointed by the people who brought the charges, to get, sometimes, a fair hearing. But I do have to clarify one thing, Senator Dudycz, if you could, for us, because Sheriffs' Association, they have language that says that this is permissive and it could be bargained. Okay? And I assume you mean that, when you say that it's permissive and it should be bargained, because in bargaining, the local police union could say, "Hey, we'll stick with the local merit board." But they said if you couple with the State Labor Relations Act, that if there is an impasse in bargaining, then the language is no longer permissive but becomes mandatory. Now that -- that -- so, I would like to know how you would respond to that, that say it's bargained for and they just -- they just reach an impasse. What then becomes the law?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

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SENATOR DUDYCZ:

Well, in that case, my understanding is that it -- it becomes a mandatory subject of collective bargaining, that that -- the fact that it is bargained -- that is it -- part of the bargaining process is what makes it mandatory, not the end result of the choice, whether it's a police board or -- or to the arbitrator.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Further discussion? Senator Myers.

SENATOR MYERS:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Myers.

SENATOR MYERS:

Thank you. Since hearing this in committee, I, too, as Senator Petka have, have received a lot of negative comments. One of the concerns that they have, and it's been expressed, I think, in different ways, is an erosion of the Merit Commission Act, and there's a great concern from my constituents that this would be an adverse part of this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz. Was that -- was that a -- you... That is a question. Senator Dudycz.

SENATOR DUDYCZ:

Could you repeat the question, Senator?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR MYERS:

There is a fear that this is an erosion of the Merit Commission Act. Is it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

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SENATOR DUDYCZ:

Well, my understanding, Senator, is that it's -- this is, again, permissive. If the police commission -- if the municipality desires to maintain the status quo, as -- as you will, then it can. What -- what current law states is that these municipalities, these nonhome rule -- nonhome rule units of government throughout the State, are prohibited, based upon the Markham decision, from even entering into a collective bargaining whereby a grievance procedure can be bargained. So what this will -- what this language will do will allow that to be inserted into collective bargaining, if the municipality and the unions agree to -- to bargain over it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. Chairman. I rise in opposition to this particular bill, and I know it's a very difficult one, and I think the Senator is well-meaning. But I do feel strongly that this takes the local authority away, and I do feel the possibility of a metropolitan-type police and fire department will come soon after. I do not think it's in our best interest to vote for this particular bill, for those obvious reasons. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR DUDYCZ:

Thank you, Mr. President. Just to briefly state, you know, Ladies and Gentlemen, employees in home rule municipalities currently can use the Illinois Public Labor Relations Act bargaining rights to improve the quality of their due process. And under the Markham decision, only the firefighters and police officers who happen to be employed by nonhome rule municipalities

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are denied this opportunity. This actually creates an unfair two-tier system of discipline between nonhome rule and home rule units, and I'd like for you to support this legislation to help correct this inequity.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 868 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 18 Ayes, 32 Nays, 5 Members voting Present. Senate Bill 868, having not received the required constitutional majority, is declared failed. Bottom of page 22. Senate Bill 897. Senator Klemm. Senator Klemm? Top of page 23. Senate Bill 910. Senator Trotter. Senator Trotter, 910. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 910.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 910 increases civil penalties for open dumping from five hundred dollars per offense to fifteen hundred dollars for the first offense and three thousand dollars for a second or a subsequent offense, plus any PCB or EPA hearing costs. It also requires that IEPA, DCCA and the Department of Public Health return ninety percent of the revenue generated within the City of Chicago -- I was adding the amendment to it. Sorry about that. It increases penalties for dumping in the City of Chicago.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Is there discussion?

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Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter indicates he'll yield.

SENATOR HENDON:

Senator, I see Senator O'Malley is your cosponsor on this legislation. What -- can you explain how the two of you came together on this and what significance it has?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

It's a great bill, and it's certainly something that you should even have signed on to, sir, since there's a lot of illegal dumping in your community. And certainly I'm looking at -- hopefully, that you'll vote for this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. Just to comment. I'm -- I'm rising in support of Senate Bill 910. Senator Hendon, I'm very supportive of this. There are dumping -- there's dumping going on all over the State of Illinois, I think, and I -- I applaud Senator Trotter's efforts to, with this legislation, to curtail some of it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing none, Senator Trotter, to close.

SENATOR TROTTER:

...very much, Madam President. As stated in all seriousness, dumping is a serious problem in the City of Chicago. Many

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individuals have found it cheaper to dump and maybe get caught, to pay the five-hundred-dollar fine, than going to regular dumping sites or authorized dumping sites. This dollar -- this fifteen hundred dollars, three thousand dollars, is a bigger disincentive for them doing that, and I ask for a positive roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 910 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 910, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senate Bill 933. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 933.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill seeks to cure some of the notice questions and problems and goes into the various Acts and corrects the amount of time necessary for a clerk to give notice of a question on a bond referendum to be on the ballot. If this passes, theoretically the clerks will all be able to find their proper reference in the statutes and we won't have to do Veto Session bills. Appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the

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question is, shall Senate Bill 933 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 933, having received the required constitutional majority, is declared passed. Senate Bill 935. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 935.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is permissive and it allows, if there's an agreement between an election authority and a clerk, for the election authority to agree to deliver absentee ballots to polling places on behalf of a municipal, township, or road district clerk, who, in their offices, conducts absentee balloting. Again, it's permissive. Both sides have to agree, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill -- Senator Shaw.

SENATOR SHAW:

Yeah. Thank you, Mr. President. I don't think -- Senator Dillard, would you explain exactly what this bill does again? I didn't hear it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard, would you explain the bill a second time, please?

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SENATOR DILLARD:

Sure, Mr. President. I thought I explained it in committee twice. This -- if there's an agreement - so there's got to be an agreement between the election authority and the clerk, both sides have to agree - they may agree to allow the election authority, rather than the clerk which -- where the burden is today, to deliver absentee ballots to the various polling places on election day. This is an idea of a couple of clerks, who state that on election day, for example, they get a lot of telephone calls in their office about where polling places are and questions on elections. Even though they are not the election authority, they say election days are very busy days. And if the election authority has the personnel to do it - and certainly they are going to very much safeguard these precious ballots because they are the election authority - the election authority may take these ballots to the various polling places. And again, both sides have to agree.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw.

SENATOR SHAW:

Well, let me ask you a question. On the -- if there -- just for an example, if there's a discrepancy in DuPage County where that this agreement has taken place, who does the State's attorney go after if some hanky-panky is going -- going on with the ballots? Who does the U.S. Attorney or the State's attorney go after at that -- at that point if I've agreed to turn my ballots over to you?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

It would depend on the circumstances, but most likely the election authority, who would take the ballots physically, would

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probably be where any problems might occur. And you know, if you can't trust the election authority, who can you trust? I mean, I trust the election authority as much as anyone out there in the realm of possibilities. And while I respect clerks, I certainly trust the election authority, 'cause if we can't trust them, we have a real problem.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw.

SENATOR SHAW:

I -- I, too, trust them, but I just don't want all those hands in the pot. And I think that too many hands in the pot would make the stew come out kind of bad, or it could. So who want this bill? Did...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

There are a variety of people who -- who want this bill. This was suggested by several DuPage County township clerks. But let me say that the election authorities, again, if you -- you know, while I agree with you that too many cooks spoil the stew, the election authority's always going to be involved in this process anyway. So we're not bringing anybody new into this. And, in fact, with the township clerks or the city clerks involved in this, you're liable to have more people inexperienced in balloting than you would if you turned this over to the election authorities.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Shaw.

SENATOR SHAW:

It's -- well, long as -- it seemed like only, because we had our own county clerk representative at the meeting, and long as -- and long as DuPage County is the one who wanted it, why don't we

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limit this bill to DuPage County?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Believe it or not, every now and then DuPage County has a good idea or two. I just want to point out, Senator Shaw, that this bill would have fewer individuals touching and monkeying around with a ballot than under today's system. And again, it's permissive. So if Cook County or the City of Chicago doesn't want to do this, or your municipal clerk in your municipal -- municipality doesn't want to do this, you don't have to do it. It's permissive. And maybe the only place in the world this will happen is DuPage County.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me make it clear what we're trying to do here. There are nine townships in DuPage County where people vote in person absentee. Those townships are required on -- on election day to deliver those to each specific precinct in their township. Now some of my townships have a hundred and fifty precincts. They would rather have the election commission, which is a bipartisan commission, come to the township, pick up those ballots and deliver the ballots that were voted in the county along with the township. So it saves the township money. That's how simple it is. I might remind you, DuPage County, in a hundred and eighty-one years, has never had anybody convicted of election fraud.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. Chairman. I can see your point, Senator. I

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can see the -- in DuPage County how this is necessary, but I must say, I'm a Cook County suburban committeeman, along with being township supervisor, and the problem that we have, especially in Cook County, is that we have seen an elimination of many road districts now. And the clerks, frankly, we have tried to make it where they even have more to do in township government, and they do a good job. And if they didn't have this particular job, I'd be afraid that there'd be a movement to abolish our township clerks in Cook County. So I would hope that the sponsor of this particular bill might exclude Cook County and maybe keep it into DuPage.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dillard.

SENATOR DILLARD:

Senator Viverito, as I tried to point out to Senator Shaw, if you don't like this, you don't have to do it. And if Dave Orr in Cook County doesn't like it, he doesn't have to do it. So it's totally permissive. It takes both sides to agree to it, and I think we ought to leave Cook County in it, because there might be, in that huge, vast, big physical County of Cook, somebody that might want to do this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Senator. But I'll just give you a prime example. I believe it's -- and I don't want to say positively, but I think there was a supervisor from Barrington that recently met with the county board president and the county board to eliminate all township government in Cook County. So you can see my anxieties, in terms of we feel we do a great job with our people, and obviously we've got people in our own particular township government that are opposed to township government. And all that

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I'm saying is if it's by a referendum in a particular township and they feel the township isn't doing a good job, let them abolish it. But what I am concerned about is that if -- if Cook County wants to pass a referendum to abolish us all, you know, we'd have a difficult time. I know I could sustain our township, in Stickney Township, on any given day and I probably, if I may say, without -- with all due respect to our mayors, I believe they -- they'd eliminate the villages and cities before they'd eliminate the Township of Stickney. So I am concerned and I'm giving it to you the way I feel from the bottom of my heart. I'm not trying to be difficult, but I am concerned for township government in Cook County, because we're right at the end of the road, and sooner or later somebody's going to come out and try to abolish us.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I want you to know that my first elected position about a hundred and fifty years ago was township auditor. We had two meetings a month, thirty-five dollars a meeting. Today it -- it is called a trustee in the particular township that I was an auditor, seventy-five hundred dollars a year for one meeting a month. But I'll tell you one thing, I believe in township government. I'm there for township government. And I made a mistake. I didn't tell you exactly the truth. We have nine townships. One of the townships decided not to do it, Winfield Township. So the other eight have done it, and they -- their rationale for not doing it was they didn't have enough space. But the other eight townships do it. It just saves them money. The election commission agreed to do it, but they say we have no authority. This gives them the authority.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Dillard, to close, again.

SENATOR DILLARD:

Thank you. This is another bill that I'm sponsoring at the request of the Senate President, but it's a good bill and I urge you to vote Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 935 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, 2 Nays, 1 voting Member voting Present. Senate Bill 935, having received the required constitutional majority, is declared passed. Senate Bill 936. Senator Dillard. Senate Bill 937. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 937.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 937 amends the Municipal Code in regard to construction of waterworks. It gives the same authority to municipalities that public water districts have had for the past fifty years, and it authorizes the use of road or street right-of-way for the purpose of constructing and maintaining water mains. The committee amendment requires that municipalities obtain permits from the appropriate highway authority, and with that amendment, it removes all objection. And I would simply ask for your favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

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All right. Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 937 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 937, having received the required constitutional majority, is declared passed. With leave of the Body, we will -- return to Senate Bill 939. Senate Bill 941. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 941.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Well, thank you, Mr. President. This bill amends and tightens the Local Government Tort Immunity Law by clarifying certain provisions of the law that we passed in 1995. It does three things basically. One, it adds a preamble that declares that, as a matter of policy, the unauthorized use of tax revenues from a levy by a local public entity for insurance, risk management or tort liability is strictly prohibited. Secondly, it specifically prohibits tort funds to be used for unrelated operations or for maintenance or new construction. And three, it provides for public disclosure of the expenditures from the tort levy and the reserves and the audit or an annual report of the local government. As you know, some local governments have used some creative, if you will, interpreting of these tort immunity Acts. You know that tort immunity has no cap and no limit to the amount they can levy in tax. Those that are in tax-capped counties, of course, it does affect them to some degree. We worked several --

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in fact, all Session with this. We had -- the people in the committee meetings were with the County Officials, the Municipal League, the School Board Association, the Park Districts and the Community Colleges. They all agree that this is the language we should do. We've had the Attorney General assist us on this. This -- we've had some abuses. When we passed this some time ago, we, I think, corrected about ninety-five percent of all the abuses of people using tort immunity. But, for example, I can give you some where people have used it for their custodians, their food service people, they're paying salaries for their lawyers and police departments and everything else that is over and above it. So I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. I rise in support of this legislation. Even though I believe it doesn't go near as far as it should go, the important thing is it does clarify some of the issues that are out there. The fear is that so many of these taxing districts, as Senator Klemm mentioned, have used this tort fund for things that many of us do not believe that the -- falls under the definition of the tort fund, and if it's not clarified, one of these funds are going to be challenged, and if they lose in court, these taxing districts will be forced to pay those dollars back, which would become very problematic for those taxing districts. So I -- I support this as a good first step and hope it'll -- hope it'll clarify the problems that local governments have had.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Halvorson.

SENATOR HALVORSON:

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

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PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator.

SENATOR HALVORSON:

Senator Klemm, I had one of my community colleges call me with a concern that they could no longer hire their security officers -- or, pay the security people out of that line item. Is that true?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

If they called you, I guess it's true. I don't know whether they called you or not, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

...discussion? Senator Halvorson.

SENATOR HALVORSON:

Senator Klemm, I'll clarify this time. One of the community colleges in my district pay their security officers out of that line item. Is that something that's still okay to pay out of that line item, or is that going to cause them a problem?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

We're asking the Attorney General to give us an opinion that they agree that this would resolve it, so that they would help it. You have to understand, most of the people that are elected, school boards and community..., are really following the advise of their legal counsel with their interpretation. So these people really are trying to do an honest, fair job. Unfortunately, maybe the interpretations, we think, may be in error. We're asking, on that particular issue that you've asked about, for the Attorney General to give us an opinion, and then that we'll send to the different colleges and then they can act as they wish.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Klemm, to close.

SENATOR KLEMM:

Just ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Question is -- the question is, shall Senate Bill 941 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 53 Ayes, 2 Nays, 3 Members having voted Present. Senate Bill 941, having received the required constitutional majority, is declared passed. Senate Bill 943. Senator Shaw. Senator Shaw? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 943.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw.

SENATOR SHAW:

This is a -- a bill dealing with the criminal sex offenders, and what it does, it'll allow the State's attorneys to seal any records, and this is permissive legislation to seal -- file suit with the court to seal any victim's record after being sexually -- criminally sexually -- sexually assaulted. That's basically what the bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 943 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no

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Nays, no Members voting Present. Senate Bill 943, having received the required constitutional majority, is declared passed. Senate Bill 945. Senator Bomke. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 945.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 945 addresses salary increases, or increase in compensation -- will not allow increase in compensation received during the ninety days following a general election of a general election at which a Governor is elected, unless the increase is specifically provided for by statute or collective bargaining agreement or the person was a member of the System earning eligible credited services on the day the proceedings of the effective date of this amendatory Act. This legislation was instigated by -- as a result of actions by the former State Police Director, who after the most recent general election, gave himself and a number of other individual raises, and then they retired. And as we know, under the alternative formula, your pension is based on your last day pay. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Molaro.

SENATOR MOLARO:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Molaro.

SENATOR MOLARO:

Well, I just want to know, he said they gave the raises

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themselves. If they gave the raises themselves, why the ninety-day thing to an election? Can't they do that at any time? What is the ninety days of a general election have to do with it then?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Thank you. That's a good question, Senator Molaro. But we -- we would assume that any responsible or reasonable person who is anticipating appointment to that position wouldn't do it at any time, that they would hope to keep their job. But you're right; they could do it at any time, with the exception of that ninety days.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Well, I guess I don't understand. So, in other words, this guy's -- this person is leaving office and he gave himself a raise and he's -- was he -- when you say he gave himself a raise, he works for the State of Illinois and he was just able to give himself a raise? Wasn't he, like, appointed to something else, or took a different title? And -- and -- 'cause I don't understand how you could give yourself a raise and then retire the next day. And then, of course, if you can do that, you could do it at any time. I still want to understand what the ninety days from a general election mean. Why is that important in this bill? Unless of course, he was appointed to a different title by someone.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Well, first of all, it was an interim director that gave

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himself a raise, but we -- I think, most would expect and assume that in -- the ninety-day period is at the time that the new Governor would make his appointment of director. If one is prevented from giving himself a raise during that period of time, we would hope that that wouldn't happen during or throughout the rest of the year. Any responsible person would not do that.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

One last question, 'cause obviously it's a good idea. I don't know why we're not expanding it. I -- I just got to get this 'cause maybe -- maybe I -- other... You mean to tell me, then, all these State agencies with -- with State formulas, that anybody or any director can just give themselves raises? Don't they have to go to the Governor's office or come to us, or can they just give raises at any time? That -- that's all I was concerned with.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I think I can answer that question. Any -- anybody who's in the pension system with the -- in State agencies under control of the constitutional officers - let's center right now on the Governor - except the alternative formula, has to go to the Governor. If the -- if the amount of the pay raise exceeds three percent or a hundred and fifty dollars, it has to be signed off by the Governor's Office. The only pension system that does not have that check-off procedure is those agencies that are in the alternative formula, or more specific, those that are in -- that are sworn, the sworn officers. The question, I guess, with respect to this bill, and I -- and I agree with what you are saying, but when it says not to include any increase in the compensation received during the ninety days following any general

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election at which the Governor is elected, this pension problem that we're attempting to do has nothing to do with the Governor being elected at all, since the Governor's office does not receive any prior notice or does not receive any notification that they have to summarily approve or deny any pay raises from the, let's say, State Police - that's what we're attempting to get to - because he has nothing to do with it. After the -- after he -- the appointment of the -- of the superintendent, I think superintendent of police or director of police, whatever it is, he may -- he may do as he so desires regardless of whether or not it is ninety days prior to the election of a Governor or whenever. Now, what in this provision now says that the Governor, if any, would have prior approval on any -- any such pay raises? Does that address that at all?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Well, again, as you pointed out, Senator Demuzio, we're talking about the alternative formula, -- is -- which is different. This does not address any other time other than the ninety days following the election of the Governor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, again, I guess, you know, there's different ways to attempt to try to get to this problem and I guess this is a way that -- that you're attempting to get to it. But I don't want anybody to have the notion that somehow or other that a Governor has any authority whatsoever to approve or deny pay raises in the alternative formula, because, in fact, they do not. It would seem to me that if, in fact, this bill will pass today - and I will support it - goes over to the House, that perhaps we ought to look

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at tightening even -- it even more to see whether or not we cannot, like we do in the other pension systems, make sure that there's a certain percentage, and that percentage now is three percent in the other systems, or a hundred and fifty dollars has to have prior approval of the Governor. It would seem to me that would tighten it up even more. But I -- this is an approach that you've taken and -- and today I'm prepared to support it. It does not, by the way, also get to another problem and that is giving pay raises to the extent that, if you continue to be an acting director of the department, you make a higher salary than does the constitutional or the statutory director of the department, whose salary is set by the Compensation Review Board. There's some people seem to think that somehow or other we're attempting to resolve that problem with this bill, and, in fact, we are not. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Bomke, you wish to close?

SENATOR BOMKE:

Thank you, Mr. President. I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you. The question is, shall Senate Bill 945 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 945, having received the required constitutional majority, is declared passed. Senate Bill 946. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 946.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This bill does exactly what the Calendar says. It amends the Income Tax Act by making a technical change. The reason for that is the Illinois Lumbermen's Association and Department of Revenue are negotiating trying to come up with some language that will allow for the Lumbermen's/Dealers' Association and the businesses in Illinois to get a tax -- federal tax credit. Won't have any impact on the State at all, but it would -- would benefit them from a federal tax point of view. I know of no objection, but anyway appreciate the Membership's support and move this along.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 946 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 946, having received the required constitutional majority, is declared passed. Senate Bill 956. Senator Philip. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 956.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 956 amends the Election Code. I don't know, fifteen or twenty years ago, DuPage County decided to get away from

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letting the clerk run the elections, and we created a election commission, a bipartisan commission - two Republicans and one Democrat. It's worked very well, quite frankly. Anyway, in those days we allowed the chief judge to make those three appointments, and Bill Redmond and myself worked out those accommodations very well. What has happened since then is we've had a lot of election contests where people are unhappy with -- that commission has done, their rulings. So, of course, they come up to the circuit court - we even had one go to the Appellate Court. So it creates a conflict of interest with the judges, because they made the appointment of the judges at the election commission. So all this does is, instead of the judges appointing the bipartisan commission, the president of the county board appoints. The chief judge has no objection. The president of the county board is on board. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 956 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. Senate Bill 956, having received the required constitutional majority, is declared passed. Senate Bill 958. Senator Klemm. Senator Klemm, do you wish this bill returned to 2nd Reading for the purpose of amendment? Senator Klemm seeks leave of the Body to return Senate Bill -- 958 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 958. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Amendment No. 2, offered by Senator Klemm.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Yes. Amendment No. 2 simply changes a section that we're amending, and I ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Discussion? Further discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 966. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 966.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 966 amends the Illinois Vehicle Code dealing with persons soliciting charitable contributions. It allows the municipality to adopt, by ordinance, their own criteria in deciding which organizations will be permitted to -- to solicit contributions on the roadways within their jurisdiction. Currently, to be eligible to solicit such contributions, a solicited agency must be a statewide fund-raising activity. This legislation eliminates that requirement so that local charitable organizations can solicit funds, as well. I'd be happy to answer

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any questions there may be. If there are none, I certainly would solicit your support. By the way, this is a good idea that came from -- out of the Village of Orland Park that has enumerable local organizations that they work very closely with. Their attorney has advised them recently, and brought to their attention, that State law did not permit them to do it just for -- or, for individual local organizations. I would appreciate your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 966 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 966, having received the required constitutional majority, is declared passed. Senate Bill 967. Senator Radogno. Senate Bill 980. Senator Emil Jones. Senator Jones. Senator Emil Jones. All right. Thank you. Senate Bill 987. Senator Philip. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 987.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 987 amends the Vehicle Code. This has been a request from the DuPage County Sheriff. I would make a suggestion that you never let your county sheriff go to a national convention with other sheriffs, because they come back with a lot of ideas. This

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is one of the ideas. This bill will require all school buses purchased after January 1, the year 2000, to be equipped with a strobe light on top of the vehicle. The current law already allows school buses to use these lights in bad weather. According to the State Board of Education, the cost of these lights would be eligible for reimbursement from the State. This bill also requires buses to have their emergency exits outlined with reflective tape. The sheriff tells me that if a school bus is involved in an accident at night or in bad weather, having the emergency exits with reflective tape makes it much easier for the deputies to rescue those people on the bus. This would only apply to buses prior to 1994, since the federal government already requires this on buses made after that date. I'll be happy to ask -- answer any questions. My advice is: Don't let your sheriff go out of state.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 987 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 987, having received the required constitutional majority, is declared passed. Senate Bill 993. Senator Mahar. Top of page 24 is Senate Bill 997. Senator Luechtefeld. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 997.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

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Thank you, Mr. President and Members of the Senate. Two years ago we established the Grape and Wine Council, which was funded, basically, with add-ons for the last couple of years. This particular Council, I think, has proven itself to be extremely effective. More has happened in the grape and wine industry in the last two years than had happened in probably the fifty years before that time. This is an attempt to come up with some sort of more permanent funding. This would give the Grape and Wine Council, which would be put into DCCA, some five hundred thousand dollars a year for five years. Would be glad to answer any questions, and would ask for your vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

What does the Wine Council do? The Grape and Wine Resources Fund, what -- what do they do? Do they promote Illinois wine, or do they promote wine from -- just everybody should drink wine?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, basically they provide expertise for promotion and growing of -- of Illinois grapes and Illinois wines, and they have nothing to do with any kind of wine outside the State. It's an attempt to promote our industry, hopefully, in the process, promote tourism throughout these areas.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

SENATOR HENDON:

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Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator, this is a five-year program, as I understand it. So we're actually giving 2.5 million dollars to the Wine Council to promote wine in Illinois, is that correct? 2.5 million? That's an expensive bottle of wine.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes. This is over a five-year period, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Luechtefeld, to close.

SENATOR LUECHTEFELD:

I just would ask for a positive vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall Senate Bill 997 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 4 Nays, 1 voting Present. Senate Bill 997, having received the required constitutional majority, is declared passed. Earlier we asked leave of the Body to go back to two separate bills, one from Senator Dudycz, one from Senator Maitland. On page 13 is Senate Bill 397. Senator Dudycz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 397.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Dudycz.

SENATOR DUDYCH:

Thank -- thank you, Madam President. Senate Bill 397 amends the Criminal Code relating to the offense of indecent solicitation of a child. It provides that it is a Class 3 through a Class 1 felony, depending on which crime is intended, to knowingly solicit a child under the age of seventeen to perform an act of sexual penetration or sexual conduct with the intent to commit an aggravated criminal sexual assault, criminal sexual assault, predatory criminal sexual assault of a child, or aggravated criminal sexual abuse. This bill came out of the Sex Crimes Task Force of the Attorney General and the State's Attorneys Association. It appears to be in response to a DuPage County case where a police -- where the police had solicited an undercover -- where -- excuse me, where a person solicited an undercover adult police officer believing that that police officer was, in fact, a child, and the -- this offender could not be prosecuted for indecent solicitation of a child at that time, and this legislation is intended to correct that. This passed out of the Judiciary Committee as an agreed bill, and I know of no opposition.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 397 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 397, having received the required constitutional majority, is declared passed. Next on page -- whoops. Page 23, Senate Bill 939, is Senator Maitland. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 939.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. Senate Bill 939 simply requires that interest earned on any funds held by the circuit clerk shall be turned over to the county general revenue fund. This was an omission at one time. It affects counties having a population of one hundred and eighty thousand or less. This came, frankly, from my circuit clerk, who said that the language had -- was not in the statutes and asked that it be put in there, and that's what we're doing.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Madam President. Senator Maitland, I had asked you earlier on in regards to this bill, where did the interest that was accrued at -- before be placed?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Madam President. And -- and, Senator, you did ask me that and I did check, and for the most part she believes that most circuit clerks are already doing that. It's just that there wasn't the statutory authority there to say that's where it went.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, the question is, shall Senate Bill 939 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 939, having received the required constitutional majority, is declared passed. Earlier when Senator Watson was presiding as the Senate President, he asked leave of the Body to go back to Senate Bill -- or, to Order of 2nd Reading to move two of his bills. We will do that. On page 2 is Senate Bill 40. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 40.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Watson, on Senate Bill 149. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 149.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No amendment reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. ...Membership's permission, or information, we

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are going to page 51 of the Calendar. ...Motions in Writing to Reconsider the Vote is Senate Bill 929. Read the motion, Mr. Secretary.

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 929 passed.

The motion filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I'm not necessarily opposed, in some circumstances, to the review or extension of enterprise zones, but I think we need to figure out who gets these tax breaks, and are the corporations which receive these tax breaks becoming rich, are there areas -- or, are these areas still impoverished. And I think there's a number of us that believe that the Illinois Department of Commerce and Community Affairs really should give us a report as to what's happened to these enterprise zones and who are the companies that have benefitted from these, and are they working. And, in theory, this legislation could cost the State of Illinois over thirty million dollars, thirty million dollars which could be used for education or senior citizens or tax relief, or other meritorious causes. So, having voted on the prevailing side, I would move that we reconsider the vote of Senate Bill 929, on which it passed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Madam President. Will the sponsor yield on the motion?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Indicates he'll yield, Senator Obama.

SENATOR OBAMA:

I confess that when this motion was originally filed, I was a bit confused. I -- I was so pleased to see the bipartisan support for this bill originally. We had 45 Yeas. The majority of my colleagues on the other side of the aisle supported this bill, and I don't think it's any surprise why the majority of you supported it. Enterprise zones, we will remember, were, in fact, Republican initiatives. They were started under Republican administrations. In the years since the programs have started, they've had a track record of success throughout the State. I've got a list here of enterprise zones that are active throughout the State, and it turns out that these are not just Chicago initiatives. We've got -- in Beardstown we've got enterprise zones, in Belvidere, in Blue Island, in Bloomington, Carbondale. I could go on and on. And unlike some of the programs that are out here, I think that there has been no documented evidence of abuse, with respect to the use of enterprise zones. I know that a number of persons, including Senator Radogno and Senator Rauschenberger, had expressed concerns about the lack of accountability in extending these enterprise zones. But, in fact, unlike, for example, TIF legislation, or -- or the TIF programs that are out here, there has not been any complaints on the part of municipalities, school districts, et cetera, that I'm aware of, with respect to how the enterprise zones have been used. Now, with respect to the issue that Senator Dillard raised about accountability, as I indicated not only to Senator Dillard, but also to the Senate President, I'm all for accountability. In fact, I was a cosponsor of a bill introduced by Senator Clayborne in the commerce department -- in the Commerce Committee that would have examined all the tax credits that we utilize throughout the State to see how effective they were. That bill was killed in committee. I have pledged to work with anybody

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on the other side of the aisle that is interested in examining across the board how effective the various tax credits that we implement throughout the State have been, and if they need to be altered, then they should be altered. What I am concerned about, I guess, is a selective -- a selective approach to this accountability issue. If we're interested in accountability, then we should be looking not just at enterprise zones, but at a whole host of corporate tax breaks that we provide throughout the State. And so I -- I guess I'm a little concerned that this bill is being held hostage, if, in fact, it is being held hostage on account of the accountability issue. Now, if it's an issue of certain enterprise zones that are out there that people feel are being abused, then I'm more than happy to listen, but I haven't heard any of these stories yet. And so, let me shift to a question, Senator Dillard. Can you tell me specifically whether there are any instances that are documented of enterprise zones that, right now, don't appear to be working very well and, as a consequence, merit the kind of scrutiny that you're calling for, apparently, as -- through this motion to reconsider?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

...know of any instances right offhand where there's been a problem. In fact, I bet you the majority of 'em, as I said at the onset, are -- are doing great. But if we're going to extend the length - I mean, enterprise zones were set up to help an impoverished area get rolling again, and now we're going to give 'em another ten years or so, I just think we need to -- to take a look at this. And, Senator Obama, I -- I believe maybe we should take a look at other taxes that are out there, but your bill is limited to enterprise zones. And what makes enterprise zones somewhat more unique than a lot of tax breaks that we give, as

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Senator Radogno pointed out eloquently last week, is the State of Illinois, from Springfield, picks up the tab for the -- the cost of these things. And, you know, maybe some of 'em, in -- in very wealthy suburban areas, that money could be better used giving school districts downstate the money.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Obama.

SENATOR OBAMA:

Well, let me point out with respect to the -- the issue, because if it turns out that there are individual enterprise zones that aren't working effectively and we should end, then we have the mechanism in place, even under my legislation, to do that. For those of you who may not be aware, an -- this legislation does not automatically create these various enterprise zones. What ends up having to happen is that each locality that wants an enterprise zone has to apply for the enterprise zone. It has to pass an ordinance in that locality to ensure that the enterprise zone is, in fact, supported by that municipality. It then has to go to DCCA. DCCA has to approve and certify that the enterprise zone, in fact, meets these various -- requirements. The important point, I guess, I want to make is that there is a built-in check. If there is an enterprise zone out there that is not working, who will know that better than the locality that is deploying the enterprise zone? If the City of Chicago has an enterprise zone that's not working well, if the City of Chicago should not be passing an ordinance to further an enterprise zone. Typically, in debates throughout the General Assembly, we tend to say that the folks at the local level know better than we do on a whole bunch of issues. And that certainly has been a philosophy that I hear often expressed on the other side of the aisle. Here is a situation where the local municipality knows whether these enterprise zones are working well or not. It strikes me that

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there is no reason why we have to try to impose our will on the local municipality when there are already those local checks in place, as well as the Department of Commerce and Community Affairs providing these checks.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. A parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DONAHUE)

Make your inquiry.

SENATOR JACOBS:

In Rule 7-15, under Reconsideration, it says: "A Member who voted on the prevailing side of a record vote on a legislative measure still within...control of the Senate may on the same or following day move to reconsider the vote." To me, "move" is an action word. I'd like a parliamentary inquiry as to what the term "move" means.

PRESIDING OFFICER: (SENATOR DONAHUE)

Well, the motion was filed on the same day that the bill was passed. And we believe that that complies with the rule, as -- SR 7-15(a) requires that a Member move either on the same day or the following day. Senator Jacobs. Senator Demuzio.

SENATOR DEMUZIO:

I have another parliamentary inquiry, then. And that is, that this bill that received forty-five affirmative votes in the -- in -- on March the 18th, now Senator Dillard has -- on the prevailing side, has moved to reconsider that vote. So when that motion is put to this Body, those that wish to support the position of Senator Obama would be voting in -- in the negative. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Question right now is, are we to reconsider the vote by which

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the bill passed. That is the motion. Senator Demuzio.

SENATOR DEMUZIO:

So for those that don't have that grade point average above three percent -- 3.0, means no.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro, what is your question? We're -- we're -- we're only -- we have one proponent and one opponent. Do you have an inquiry about a parliamentary procedure, Senator Molaro?

SENATOR MOLARO:

Yes. Well -- yes. Is this -- is this considered an extraordinary remedy, or is this just an ordinary motion to reconsider, 'cause most of the time - I've been here seven and a half years or so - I've only seen it when a bill were to fail. I've never seen it where a bill passes. And do the rules differentiate for something that fails as opposed to something that passes? Are there different rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

The rules are the same, Senator Molaro. The motion -- we have heard the motion and having voted on the prevailing side, Senator Dillard moves to reconsider the vote by which Senate Bill 929 was passed. Those in favor will say Aye. All right. Roll call has been requested. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Take the record. On that question, there are 32 Ayes, 25 Nays, none voting Present. The motion carries. Now, on 3rd Reading is Senate Bill 929. Senator Obama. Read the bill, Mr. Secretary. Senator Obama.

SENATOR OBAMA:

I'd like to hold the bill at the moment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record. We are going to Supplemental Calendar No.

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1. Supplemental Calendar No. 1 is Motions in Writing to Reconsider the Vote. Read the motion, Mr. Secretary.

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 175 passed.

The motion filed by Senator Klemm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. We passed Senate Bill 175, I -- I think, unanimously, but we found out that one of the amendments was mixed up and it got confused, and therefore, the amendment is in error and we've got to start all over. So I'm going to have to bring it back. So I do ask for your support to help us do that clerical correction.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Having voted on the prevailing side, Senator Klemm moves to reconsider the vote by which Senate Bill 177 {sic} passed. Those in favor will vote Aye. Opposed, Nay. All those in -- we need a roll call. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present, and the motion carries. Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your inquiry.

SENATOR HENDON:

Are we at the end of our business for today, Madam President?

PRESIDING OFFICER: (SENATOR DONAHUE)

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No, sir. We're going to the Order of Resolutions. On page 50. Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

For announcement, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just wait a while, would you please?

SENATOR SYVERSON:

Okay.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon, for what purpose do you request recognition?

SENATOR HENDON:

Well, my -- my light was -- I was trying to get recognition when Senator Obama's bill was on the Floor, and in my most humble way that I possibly can, I did want to point out once again to this Body that less than fifteen percent of all legislation that has come through this Senate has been on the Democratic side of the aisle. I find that appalling, especially since Speaker Madigan is allowing fifty percent of the bills coming out of the House to be Republican-sponsored bills. And to have one little bill out of several hundred that's gotten by this Chamber, by a Democrat, to be recalled, I found that reprehensible and I think we really should take a look at this bipartisanship that's clearly deteriorating here in the Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

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 Senate Bill 527, Amendment 2 to Senate Bill 529, Amendment 2 to Senate Bill 648, and Amendment 2 to Senate Bill 823; to the Committee on Executive - Amendment 1 to Senate Bill 1183; to the Committee on

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Insurance and Pensions - Amendment 1 to Senate Bill 778, Amendment 1 to Senate Bill 824; to the Committee on Judiciary - Amendment 1 to Senate Bill 759; to the Committee on Licensed Activities - Amendment 1 to Senate Bill 367, Amendment 1 to Senate Bill 368, Amendment 2 to Senate Bill 445; to the Committee on Local Government - Amendment 2 to Senate Bill 171, Amendment 2 to Senate Bill 844, Amendment 3 to Senate Bill 880; to the Committee on Public Health and Welfare - Amendment 2 to Senate Bill 818; to the Committee on Revenue - Amendment 2 to Senate Bill 666; to the Committee on State Government Operations - Amendment 1 to Senate Bill 113; to the Committee on Transportation - Amendment 3 to Senate Bill 1042; and Be Approved for Consideration - Amendment 2 to Senate Bill 132, Amendment 2 to Senate Bill 175, Amendment 2 to Senate Bill 323, Amendment 1 to Senate Bill 1061, and Amendment 1 to Senate Bill 1184.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, for what purpose do you seek recognition?

SENATOR MAITLAND:

Thank you very much, Madam President. Earlier in the afternoon this Body voted on Senate Bill 775 and in error I pushed my red button instead of my green one, and I want the record to -- to show -- note that, had I been paying attention, I would have voted green.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect. On page 50 of the Calendar is the Order of Secretary's Desk, Resolutions. Senator Petka, do you wish to have Senate Resolution 39 read? Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Resolution 39, offered by Senator Petka.

No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Petka, on Resolution 39.

SENATOR PETKA:

Thank you very much, Madam President, Members of the Senate. Senate Resolution 39 urges Congress to take whatever steps are necessary to ensure that the 2000 decennial census is conducted fairly and legally. To further expand, it calls upon the Census Bureau to conduct the 2000 decennial census consistent with a recent United States Supreme Court decision, which was a unanimous nine to zero decision, which rule -- or, which required an actual head count and bars the use of statistical sampling. Also this would -- would ask the Census Bureau to ensure that the numbers that are sent back to the states are consistent. And that is consistent with the United States Supreme Court decision of an actual head count. With that I will entertain any questions, and I...

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. We did debate this -- this resolution in -- in committee, Senator, and there was concern expressed about the fact that the court decision affected reapportionment for congressional districts only. And we felt that at this time we should not be making a statement regarding lack of support or no support for the sampling process. As you know, there was an undercount in the last census, and there was an undercount in the previous census. The Department of Commerce has looked at this and we've talked about the need to make sure that we use other methods, including sampling, to see if we can protect ourselves from losing federal dollars that we are entitled to, that we should be receiving but are not receiving because of the undercount. Now, does this resolution, Senator, rule out, totally, sampling?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Senator, what this resolution insists upon is that the data which comes back from the Census Bureau be consistent, in other words, that it should reflect an actual head count. The -- the technique of -- of sampling, in -- in my opinion, creates something known as "virtual people", and I think that the Constitution of the United States, as interpreted by the Supreme Court, at least in terms of reapportionment, requires an actual head count. And that's all we're asking, so that we don't get back two sets of numbers.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Well, again, for the Members, what this resolution says is that, then, we're willing to accept an undercount and that the State of Illinois, then, will lose federal dollars once again.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, ma'am. I move the previous question.

PRESIDING OFFICER: (SENATOR DONAHUE)

We have two speakers. Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President. I think that you're making a mistake here. I think, if I understood the Supreme Court decision, from the Republican point of view, you had the best of both worlds. The one thing you're most concerned about with sampling, I would -- I would take it, is redistricting, because if sampling is allowed, there'll be a greater increase in the minorities that are counted, who tend to vote Democratic. So the

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Supreme Court decision said, you can't use sampling in the reapportionment, which is what you want, but they did open the possibility of using sampling for the way they distribute federal dollars. So for Illinois, if you use sampling, that would be an advantage. So what this -- I know it's only a resolution, and I know it probably doesn't mean much anyway, but I think you ought to really think about what you're trying to do. If I understand this resolution, you're saying philosophically we never want to use sampling. Well, that's fine if that's the way you feel philosophically, but if you want to be a little more -- have a little more self-interest here in the State, you win the Supreme Court decision, you can't use sampling for your reapportionment, but we get to use the higher count to get more federal dollars when they do the formulas. So that's why you shouldn't be voting for this resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing none, Senator Petka, to close.

SENATOR PETKA:

Well, thank you very much. Just a brief comment. The -- this is urging Congress and the Census Bureau to send back to us consistent numbers, in other words, for purposes of not only congressional reapportionment, but also for -- for legislative redistricting. And, you know, I just feel that we're mixing apples and oranges if we adopt the last speaker's comments. I would certainly urge a -- an Aye vote in connection with this resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Petka moves the adoption of Senate Resolution 39. Those in favor will vote Aye. Those 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

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question, there are 32 Ayes, 26 Nays, none voting Present, and the resolution is adopted. Senator Larry Walsh, on Senate Resolution 40. ...the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 40, offered by Senator Larry Walsh.  
No committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Madam President. What this resolution does is that we -- are -- the 91st General Assembly express our commitment to maintaining, preserving, and where appropriate upgrading the Illinois system of waterways and their associated locks and dams. And we invite the United States Congress to join us in this commitment; that we respectfully but urgently request the United States Congress to express its commitment to the Nation's waterways by making available additional financial and technical assistance to aid the State of Illinois in preserving and maintaining its important waterways and critical locks and dams. Basically we're just asking for a commitment. There's been a lot of discussion throughout our State about the importance of our waterway systems, and at a time when the U.S. government is looking at the financial surplus they have, it'd be an excellent opportunity.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, Senator Walsh moves the adoption of Senate Resolution 40. Those in favor will vote Aye. Opposed, 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 resolution is adopted. Senator Parker, on Senate Resolution 41. Read the bill -- read the resolution, Mr.

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Secretary.

SECRETARY HARRY:

Senate Resolution 41, offered by Senator Parker.

The Committee on Executive adopted one amendment. There were no Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Resolution 41 recreates the Mental Health Evaluation and Treatment Task Force, which will examine State laws to determine whether Illinois is fulfilling its responsibilities towards its citizens who may need mental health evaluation and treatment with respect to involuntary psychiatric examination.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, Senator Parker moves the adoption of Senate Resolution 41. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Resolution 41 is adopted. Senator O'Malley, on Senate Resolution 42. Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 42, offered by Senator O'Malley.

The Committee on Financial Institutions adopted one amendment. There were no Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Madam President, Ladies and Gentlemen of the Senate, Senate Resolution 42 directs the Department of Financial Institutions to

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conduct a study of the business of making payday loans. At the request of Senator del Valle, we amended the resolution in committee to include title loans as well. I'd ask for your support. So you know it, it does require the Department of Financial Institutions to report its findings and recommendations to us not later than September 15th, 1999.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, Senator O'Malley moves the adoption of Senate Resolution 42. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Resolution 42 is adopted. Senate -- Senator O'Malley, on Senate Resolution 43. Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 43, offered by Senator O'Malley.  
No committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Again, thank you, Madam President. Ladies and Gentlemen of the Senate, Senate Resolution 42 {sic} (43) urges Governor Ryan to sign a proclamation declaring the third Wednesday of the month of March each year as "All-American {sic} (All-Illinois) Academic Team Recognition Day and Community College Student Lobby Day". I would urge your support for it. I would also let you know that, tomorrow morning when you come in, Illinois' best and brightest community college students will be assembling early in the Rotunda and there'll be a presentation there. I hope some of you can attend. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there discussion? Is there discussion? Seeing none, Senator O'Malley moves the adoption of Senate Resolution 43. Those in favor will vote Aye. Opposed, Nay. And the voting's 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. Senate Resolution 43 is adopted. Senator Maitland, on Senate Resolution 48. Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 48, offered by Senators Maitland and Philip. No committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President. This resolution urges Congress and the Clinton Administration to recognize state interests and enact legislation to prohibit the Department of Health and Human Services from recouping the tobacco settlement funds as a third-party recovery under the Medicaid law. As you -- most of you know by now, this is an issue that's being discussed. There is a Senate bill sponsored by just a heck of a bunch of Senators in the Congress that would prohibit this, but there are efforts to -- to kill the effort. This is the states' money. We feel strongly about this, and I would urge your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is -- or, no -- Senator Maitland moves the adoption of Senate Resolution 48. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Resolution 48 is adopted. Senator Bowles, on -- on Senate

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Resolution 49. Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 49, offered by Senators Bowles and Sieben. The Committee on Agriculture and Conservation adopted one amendment. There were no Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

Thank you, Madam President, Members of -- Ladies and Gentlemen of the Senate. Senate Resolution 49 would create an Industrial Hemp Investigative and Advisory Task Force to study the economic viability of industrial hemp production in the State of Illinois. At the present time, several states, including Hawaii, Vermont, Colorado, Minnesota, North Dakota, Virginia and Missouri, are investigating the possibility of growing industrial hemp. We know that industrial hemp has been grown for over two thousand years, but much of what we know about current hemp production comes from Canada, which legalized commercial hemp production in 1998. We've also learned from an extensive study conducted by the University of Kentucky and the Kentucky Hemp Growers Cooperative Association that there are many benefits to commercial hemp production. For example -- for example, the -- the Kentucky study indicated that industrial hemp grown in rotation after soybeans can increase the soybean yield by ten to twenty percent. Additionally, hemp is not a host of cyst nematodes and actually decreases their number found in the soil, and thus, it requires fewer herbicides for later soy production. This task force would be composed of the Director of Agriculture as the Chair, or his designee, six members appointed by the President of the Senate, and six members appointed by the Minority Spokesman of the Senate, in -- in cooperation -- in cooperation with the Department of Agriculture of the University of Illinois. You might not realize this, but the sails on

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Columbus' ships were hemp. Christ's sandals were hemp. The first flag made by Betsy Ross was made on hemp. Hemp has been used and utilized successfully, and it was utilized in World War II for housers {sic}, for ropes, and after World War II, they found it growing wild in the State of Illinois because, after that, nobody paid much attention to it. It is distinctly - let me emphasize - "distinctly" different than the other kind of hemp, readily identifiable and certainly, they tell me, does not have the potency. With that, I would appreciate a positive vote on my amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Molaro.

SENATOR MOLARO:

Would the -- she yield for a question? What -- no -- how does Illinois hemp compare to, like in late sixties. The Mexican hemp and the Jamaican hemp was -- was perhaps the best in the -- in the world. And I was just wondering how Illinois hemp compares to that. 'Cause that was really good stuff back then. I was just...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

Madam President, I would like to correct my last statement, in that I asked for an affirmative vote on the amendment. It should be an affirmative vote on the resolution. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion with legitimate questions? Are there legitimate questions? Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. These are legitimate questions, and I would hope that we all ask legitimate questions. Senator Bowles, what's the difference? I mean, I -- can you please explain to us, other than flag making, what is the hemp used for?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

Oh, absolutely. Had you -- had you had the opportunity, Senator Dudycz, to have been in the committee hearing, we had a show-and-tell. I had there present all -- many, many, many of the products that are now being sold legally through outlets in the State of Illinois. Lotions, fabrics, fabric for shirts, for trousers, for -- for sandals. They -- I had a hemp cap, a little visored cap. The seeds can be eaten. There's oil made from the seeds. There are so many different availabilities and the thing is this: That with the dealers - with the legitimate dealers -- with the legitimate dealers and outlets in the State of Illinois, the one complaint they have is the availability of -- they're having a problem of getting sufficient supplies of products from outside the State of Illinois. They're even having to go to Spain and some of the foreign countries in order to access products that will be available for sale here in Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

Senator, you mentioned that it does not have the potency of the other hemp. Does that mean -- are you saying that there is some sort of hallucinogenic effect if someone were to take this industrial hemp and ingest it or smoke it, or...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR DUDYCH:

...or -- or are you telling us that this particular industrial hemp does not have the hallucinogenic effects of the other one?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

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SENATOR BOWLES:

...my understanding, Senator Dudycz, that it does not.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

Well, can you tell me what the -- where the State Police is on this resolution?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

Thank you. Frankly, Senator Dudycz, at this point, this is purely investigative. We're simply trying to find out what we need to know about the possibility of considering hemp in the agricultural picture. The traditional crops of agriculture are going -- are disappearing, and the -- the farmers of this State are not going to be able to be dependent upon the traditional crops anymore, totally. We need to look for alternatives and that's exactly what this resolution would propose. It's a study, first. Once we find out what's out there and what -- what impact economically and financially and fiscally it could have on the State of Illinois' economics situation, then we can start looking at some of the other aspects. But until we know something through -- through searching and through this -- the advances -- or the information that the University and the Task Force can accumulate, I -- I -- I don't think that we -- be going into the police investigative end of it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

Well, Senator, it's my understanding that the State Police are, in fact, opposed to this resolution and -- and they're strongly opposed to it. For one reason, if they were to conduct

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an investigation, it would be very difficult for them to try to -- to determine from -- from viewing this hemp whether it is, in fact, marijuana or whether it is just industrial hemp. And I guess for -- it's very hard to -- to distinguish between the two, according to the information I got, and the State Police are, in fact, opposed to this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

Senator Dudycz, all due respect to whomever gave you the information about the -- the sameness of this -- these two hems, they are distinctly different, and it's my understanding, and I have read reports on this, where they're actually distinguishable from an aircraft. There is a distinct difference between industrial hemp and the kind that is utilized for the -- for the hallucinogenic experience, if you want to call it that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. I rise in strong support of the sponsor's resolution here. And obviously, as we can see, this is a -- the type of resolution, because of the title, that we can have a little bit of fun with. But in all seriousness, this is an important commercial crop that is gaining prominence around the world, significantly in Canada. I think the -- the sponsor's resolution creates an investigative task force using -- utilizing University of Illinois personnel to take a serious look at this as a -- a crop - a commercial crop - on Illinois farmland. There are many, many, many uses for industrial hemp, and I think those of you that are concerned about something appearing in a campaign piece in your next race, remember to keep your comments here relative to industrial hemp. There is significant difference

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between industrial hemp and smokable marijuana. They are related plants. Obviously, there's some similarities, but as the sponsor has indicated, there is significant and unique differences between the two plants that is distinguishable by law enforcement. Now, in response to a previous speaker's comment, there was nobody in the committee that presented any testimony in opposition to this resolution. There were no witness slips filed in the committee in opposition to this legislation. So if a law enforcement agency has come on lately to have some opposition, I think they really haven't done their homework or their research to know that we're not legalizing anything. We're not creating access or making it easier for somebody to get into the business of -- of smokable marijuana production. We're looking at industrial hemp that has significant commercial value to farmers -- could have significant commercial value to the farmers of this State to be used as fiber, to be used as food, to be used as an oil crop, to be used, certainly, for rope and fabric, and -- and a multitude of other things. The resolution merely creates this task force to look at the potential and the possibility, and we will certainly consider the concerns of law enforcement at that time. And I urge everyone to -- to support the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Seeing none, Senator Bowles, to close.

SENATOR BOWLES:

I would simply close, Madam President, requesting an affirmative vote on the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles moves the adoption of Senate Resolution 49. All those in favor, say -- vote Aye. All those -- 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, there are 48 Ayes, 6 Nays, 1 voting Present. And the

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resolution is adopted. Senator Rauschenberger, on Senate Resolution 50. Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 50, offered by Senator Rauschenberger. The Committee on Commerce and Industry adopted one amendment. There were no Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President and Ladies and Gentlemen of the Senate. Senate Resolution 50 is far less controversial, and you cannot tell the difference from an airplane. It simply -- it simply encourages the Governor's Office to expeditiously appoint the seven vacancies on the -- the Department of Labor Advisory Board. Recommends that they be people with labor experience and recommends that the Board meet at least quarterly. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, Senator Rauschenberger moves the adoption of Senate Resolution 50. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And the resolution is adopted. Senator Madigan, on Senate Joint Resolution No. 3. Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 3, offered by Senator Robert Madigan. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR R. MADIGAN:

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Thank you, Madam President, Members of the Senate. I'm joined on this resolution by Senators Shadid, Sieben, Hawkinson and Maitland. And basically, as everyone knows, Ronald Reagan was born and spent his early childhood and went to college in the -- central Illinois, and this resolution is a effort of those communities that were touched by Ronald Reagan in his early years and -- and is an attempt to bring some economic development, through tourism, to those communities that are on the following highways: portions of Illinois Routes 172, 92, Route 26 and Routes 29 and 24. And I would ask for approval of Senate Joint Resolution No. 3.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, Senator Madigan moves the adoption of Senate Joint Resolution No. 3. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Joint Resolution No. 3 is adopted. Senator Maitland, on Senate Joint Resolution 15. Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 15, offered by Senator Maitland.  
No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Joint Resolution 15 requests and petitions the U.S. Congress to propose for submission to the states for ratification an amendment to the U.S. Constitution restricting the ability of the U.S. Supreme Court, as well as any of its inferior federal courts, from mandating that any state or political subdivision of

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a state levy or increase taxes. This was passed last year out of this Chamber, and -- and that's as far as it went. It, at one time, did pass the House as well. There are a couple of incidents where this has caused a problem, and I would seek your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

Senator Maitland, I don't have a copy of the resolution, but I have this question. For example, there are federal court cases - a recent one, I think it was Iowa - where the federal court ruled that the public schools in that state had to provide services -- nursing services to disabled children. And that was the court ruling. Now, that court ruling is going to cost that local community and that state additional dollars. Would that kind of a decision be prohibited by this -- by the resolution and the constitutional amendment that you have in mind?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Senator Berman, let me -- let me say to you that this issue, in part, came from a case that was heard in a federal court. I'm not sure what court. It was in, I believe, the Rockford area where a decision - and in their view, an arbitrary decision - was made and that forced a property tax increase upon the local unit of government to -- to pay for whatever it was. And I'm sorry, I don't have the information. Maybe Senator Syverson, who's nodding his head yes, could answer. So I -- I -- I guess, indirectly, it could have, Senator Berman, an effect. That obviously was --

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affected the State as a whole in -- in Iowa, as I recall. I mean, it was a mandate. Is that not true?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Berman.

SENATOR BERMAN:

Yes. The -- the special ed case. Yes, it is, and it was, and I -- I think it may be similar to what I believe you're talking about in Rockford. Even though the court didn't -- and -- well, somebody could -- if the court ordered a tax increase, that would be very unique. But the federal courts oftentimes order actions to be taken that involve local money or State money. Now, I guess my question is, is this so specific that you're only talking about not ordering a tax increase, or are you talking about a court order that can result that will require local expenditure of local dollars?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Yes. The court decision, as I understand it, cannot order the tax increase or a property tax rate increase, or whatever. That is my understanding.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Then -- then let me just understand what you're saying. The proposed constitutional amendment would prohibit a federal court from ordering a tax increase, but it would not prohibit federal courts from ruling on cases where the -- the -- the decision could require the expenditure of local dollars. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

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That -- that is correct, and the language that I read to you earlier specifically states they do not have the power to mandate or levy a -- they can't tell the local unit of government or whatever unit of government that they have to do this to generate the money. I mean, it's one thing to make the decision and say you have to do it, and we have that all the time - we put up with that all the time - but this specifically says how they get the revenue to pay for the cost of the decision they are about to make.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

I'm sorry to impose, but I -- okay. I'm reading on page 2 of this resolution, and it says that the courts would be prohibited from, quote, "mandating any state or political subdivision of the state to levy or increase taxes." And that's -- that's the key wording there. Right?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam President, Members of the Senate. Senator Maitland, a comment: While I favor the -- the intent of this resolution - I certainly strongly support it - to pass a constitutional amendment now requires not only affirmative action by Congress but thirty-seven states. Under the judicial power of the federal Constitution, it is my opinion that Congress can limit the jurisdiction of the federal and appellate courts, and such -- such a constitutional amendment would be unnecessary if Congress

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simply did the job that was given to them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. I was just going to rise and support what Senator Petka said. This is something that Congress has the ability to do and hasn't done. In the case of Rockford, Senator Berman, the situation was -- and I -- and I agree with you. The judge can order the remedy, but in Rockford the judge ordered specifically that taxes had to be raised; in fact, told the school district which tax to raise, which was using the tort fund. He said: You will use the tort fund; you will raise it by this amount; and you'll raise it by December 31st of this date. And so that's what -- he not only ordered the -- the remedy, but he ordered the tax increase as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Maitland, to close. Senator Maitland has moved the adoption of Senate Joint Resolution 15. Those in favor will vote Aye. Opposed, Nay. And the voting's 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, 1 voting Present. Senate Joint Resolution 15 is adopted. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Just to do what a lot of people should do. I'd like to table three of my bills. So with leave of the Body, I'd like to table Senate Bill 15, Senate Bill 519 - that's 5-1-9 - and Senate Bill 523 - 5-2-3. To table all three of those.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard seeks leave to table Senate Bill 15, Senate Bill 519 and Senate Bill 23 {sic} (523). Leave is granted. Senator Syverson.

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SENATOR SYVERSON:

Just point of personal privilege, a announcement for the Senate Public Health Committee - will meet tomorrow morning at 8:30. We've moved back for a half an hour. 8:30, Public Health.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

Thank you. I just want to encourage the Appropriation members to go immediately to committee. We're going to hear a -- an amendment to Senate Bill 20. Then we have two small agencies and two fairly good-sized ones. We have some supplementary things available -- will be available in the vault room behind, because I know it's been a long day, and I know how hard all of you work. So if you'd go directly to committee as soon as you could, I would appreciate it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any other announcements? Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 71, offered by Senators Berman, Rauschenberger and Trotter.

And Senate Resolution 72, offered by Senator Robert Madigan. They are both substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

For the Members' edification here. 9 a.m. tomorrow morning. 9 a.m. we will be back in Session. 9 a.m. in the morning. House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 42, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 222, offered by Senator Rauschenberger.

(Secretary reads title of bill)

Senator Rauschenberger offers House Bill 578.

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(Secretary reads title of bill)

House Bill 839, by Senator Klemm.

(Secretary reads title of bill)

House Bill 902, offered by Senators -- pardon me, Senators Burzynski, Philip and Klemm.

(Secretary reads title of bill)

Senator Rauschenberger offers House Bill 923.

(Secretary reads title of bill)

House Bill 1353, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 1370, offered by Senator Bowles.

(Secretary reads title of bill)

House Bill 3388 {sic} (1388), sponsored by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 1393, by Senator Rauschenberger.

(Secretary reads title of bill)

Senator Dillard offers House Bill 1464.

(Secretary reads title of bill)

House Bill 1732, offered by Senator Peterson.

(Secretary reads title of bill)

House Bill 1841, offered by Senators Dillard and Jacobs.

(Secretary reads title of bill)

Senator Clayborne sponsors House Bill 2306.

(Secretary reads title of bill)

House Bill 2646, by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 2721, offered by Senator Klemm.

(Secretary reads title of bill)

House Bill 2744, offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 2772, sponsored by Senator Rauschenberger.

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(Secretary reads title of bill)

And Senator Cronin offers House Bill 2827.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DONAHUE)

If there is no further business to come before the Senate, Senator Weaver moves that the Senate stand adjourned until 9 a.m., Wednesday, March 24th. That's 9 a.m. Senate is adjourned.

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