

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

20th Legislative Day

March 30, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd 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 Dr. Richard Ahlgrim, Berean Baptist Church, Springfield, Illinois. Dr. Ahlgrim.

DR. RICHARD AHLGRIM:

(Prayer by Dr. Richard Ahlgrim)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, March 27th, and Wednesday, March 28th, 2001.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journals 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 Journal of Thursday, March 29th, in the year 2001, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bills 1, 233, 428, 429, 562, 1011, 1012, 1233, 1235 and 1297 Do Pass; and Senate Bills 21, 28, 250, 494, 604, 747 and 1305 Do Pass, as Amended.

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 5, 264, 294, 418, 1069, 2236 and 2470.

Passed the House, March 29th, 2001.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 98, offered by Senator Shadid.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. If I could just have your attention for one minute. We're going to do 2nd and 3rd Readings. Hopefully we'll go through the Calendar at least one time. Like to get out of here before 3 o'clock, but hopefully no later than 3 o'clock. So without further ado, Senate Bills 2nd Reading. Top of page 2. Senate Bill 11. Senator Mahar. Senator Mahar. Take it out of the record. Senate Bill 16. Senator O'Malley. Senator O'Malley. Take it out of the record. Senate Bill 22. Senator

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Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 22.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 38. Senator Silverstein. Senator Silverstein. Take it out of the record. Senate Bill 42. Senator Hawkinson. Senator Hawkinson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 42.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 55. Senator Rauschenberger. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 55.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Are there any further amendments been approved for consideration?

ACTING SECRETARY HAWKER:

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No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 57. Senator Peterson. Senator Peterson. Take it out of the record. Senate Bill 58. Senator Peterson. Take it out of the record. Senate Bill 70. Senator Radogno. Take it out of the record. Senate Bill 72. Senator Sullivan. Senator Sullivan. Take it out of the record. Senate Bill 75. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 75.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 88. Senator Rauschenberger. Senator Rauschenberger. Take it out of the record. Senate Bill 89. Senator Rauschenberger. Senator Rauschenberger. Take it out of the record. Senate Bill 94. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 94.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 114. Senator Radogno. Take it out of the record. Senate Bill 146. Senator Rauschenberger. Senator

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Rauschenberger. Take it out of the record. Senate Bill 151.

Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 151.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 163. Senator Syverson. Senator Syverson. Take it out of the record.

PRESIDING OFFICER: (SENATOR WATSON)

Top of page 3, Senate Bill 172. Senator Dillard. Senator Dillard. Out of the record. Senate Bill 173. Senator Philip. Senator Pate Philip. We want to welcome his brother, Art. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 173.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No -- further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 188. Senator Philip. On 188, out of the record. Senate Bill 193. Senator Dudycz. Out of the record. Senate Bill 206. Senator Roskam. Peter Roskam. Out of the -- out of the record. Senate Bill 208. Wendell Jones. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 208.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 251. Senator Dillard. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 251.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 269. Out of the record. Senate Bill 286. Wendell Jones. Out of the record. Senate Bill 318. Senator Tom Walsh. Tom Walsh on the Floor? Out of the record. Senate Bill 333. Senator Tom Walsh. Out of the record. Senate Bill 356. Senator Karpel. Senate Bill 372. Senator Radogno. Out of the record. Senate Bill 392. Senator Mahar. Out of the record. Senate Bill 405. Senator Sieben. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 405.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

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Thank you, Mr. President. Floor Amendment No. 3 is merely a technical amendment to correct a line numbering problem that LRB is correcting with -- with the amendment.

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 Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 417. Senator Rauschenberger. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 417.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Parker, on Senate Bill 441. Out of the record. Moving to page 3 -- pardon me -- top of page 3 -- top of page 4. Senate Bills 2nd Reading. We have Senate Bill 445. Senator Sullivan. Out of the record. Senator Sullivan, on Senate Bill 447. Out of the record. Senate Bill 453. Senator Jacobs. Out of the record. Senate Bill 464. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 464.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 473. Senator Noland. Out of the record. Senate Bill 489. Senator Molaro. Senator Molaro. Out of the record. Senate Bill 496. Senator Silverstein. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 496.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 497. Senator Silverstein. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 497.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator DeLeo, on Senate Bill 500. Senator DeLeo on the Floor? Out of the record. Senate Bill 508. Senator Silverstein. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 508.

(Secretary reads title of bill)

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

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Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 517. Senator Dillard. Out of the record. Senate Bill 526. Senator Burzynski. Out of the record. Senate Bill 538. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 538.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. 3rd Reading. Senate Bill 542. With leave of the Body, Senator Halvorson will handle that for Senator Smith. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 542.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on -- Committee -- pardon me. The Committee on Commerce and Industry adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

There any Floor amendments approved for consideration?

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ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 548. Senator Sieben. Senator Sieben, on 548. Out of the record. Senate Bill 557. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 557.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. With leave of the Body, we'd like to go back at a later time to Senate Bill 571. Leave is granted. Senate Bill 573. Senator Lauzen. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 573.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 598. At the top of page 5, Senate Bill 598. Senator Petka. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 598.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 602. Senator Halvorson. Out of the record. Senate Bill 603. Senator Lauzen. Out of the record. Senate Bill 608. Senator Syverson. Senator Syverson on the Floor? Out of the record. Senate Bill 627. Senator Philip. Senator Philip. Out of the record. Senate Bill 632. Senator Sullivan. Senator Sullivan. Out of the record. Senate Bill 633. Senator Bowles. Senator Evelyn Bowles. Do you want your bill called? Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 633.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 634. Senator Munoz. Senator Munoz on the Floor? Out of the record. Senate Bill 635. Senator O'Malley. Out of the record. Senate Bill 636. Senator O'Malley. Please read the bill. There's a fiscal note pending on that, Senator, so we cannot call the bill at this time. Senate Bill 640. Senator Cullerton. Senator Cullerton. Senate Bill -- 653. Senator Lauzen. Out of the record. Senate Bill 657. Senator Halvorson. Out of the record. Senate Bill 664. Senator Noland. Out of the record. Senate Bill 687. Senator Dillard. Out of the record. Senate Bill 694. Senator Karpziel. Senate Bill 696. Senator Radogno. Out of the record. Senate Bill 698. Senator Radogno. Please read the bill, Madam Secretary.

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Senate Bill 698.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 713. Senator Tom Walsh. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 713.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 717. Senator Cronin. Dan Cronin. Out of the record. Senate Bill 724. Senator Shaw. Out of the record. Senate Bill 725. Senator Clayborne. Senator Clayborne on the Floor? Out of the record. Senate Bill 727. I beg your pardon. Out of the record. Senate Bill 727. Out of the record. Senate Bill 729. Senator Roskam. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 729.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

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No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 750. Senator Radogno. Out of the record. Senate Bill 751. Senator Burzynski. Brad Burzynski. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 751.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 754. Out of the record. Senate Bill 756. Out of the record. Senate Bill 778. Senator Weaver. Out of the record. Senate Bill 788. Out of the record. Senate Bill 789. Senator Lauzen. Senate Bill 789. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 789.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 794. Senator Lauzen. Senator Lauzen. Out of the record. Senate Bill 795. Out of the record. Senate Bill 796. Out of the record. Senate Bill 799. Senator Rauschenberger. Out of the record. Top of page 7. Tom Walsh, on 834. Please read the bill, Madam Secretary.

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Senate Bill 834.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 845. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 845.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 856. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 856.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 860. Senator Myers. Out of the record. Senate Bill 887. Senator Geo-Karis. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 887.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 889. Senator Donahue. Laura Donahue on the Floor? Out of the record. Senate Bill 921.

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Senator Lauzen. Out of the record. Senate Bill 923. Senator Lauzen. Out of the record. Senate Bill 926. Senator Dudycz. Out of the record. Senate Bill 930. Senator Parker. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 930.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Senate Bill 933. 3rd Reading. Excuse me. Senate Bill 933. Out of the record. Senate Bill 942. Senator Robert Madigan. Out of the record. Senate Bill 943. Robert Madigan. Out of the record. Senate Bill 944. Out of the record. Senate Bill 947. Out of the record. Senate Bill 959. Senator Tom Walsh. Out of the record. Senate Bill 960. Senator Tom Walsh. Out of the record. Top of page 8. Senate Bill 965. Senator Lauzen. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 965.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

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3rd Reading. Senate Bill 970. Senator Sullivan. Out of the record. Senate Bill 980. Senator Munoz. Out of the record. Senate Bill 991. Senator Viverito. Out -- please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 991.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 993. Senator Philip. Out of the record. Senate Bill 1014. Senator Rauschenberger. Out of the record. Senate Bill 1032. Senator Philip. Out of the record. Senate Bill 1035. Senator Sieben. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1035.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1039. Senator Link. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

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Senate Bill 1039.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1050. Senator Petka. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1050.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1069. Out of the record. Senate Bill 1075. Senator Donahue. Laura Donahue on the Floor? Out of the record. Senate Bill 1107. Out of the record. Senate Bill 1111. Senator Obama. Senator Obama. Out of the record. Senate Bill -- 1116. Senator Clayborne. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1116.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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3rd Reading -- are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Clayborne, to explain Amendment No. 1.

SENATOR CLAYBORNE:

Thank you, Mr. Chairman. Basically, what has happened in -- in all counties, except St. Clair, the -- pretty much the assessor is elected. I mean, in all the counties, except St. Clair, the assessor's appointed and there were different qualifications for the assessor. And, basically, what this amendment does, it makes the assessor's qualifications consistent with all the appointed assessors. For some reason, St. Clair County had been carved out and the assessor did not have to be certified. And in this case, we're just making it consistent with all the assessors in the rest of the State.

PRESIDING OFFICER: (SENATOR WATSON)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1137. Senator Rauschenberger. Out of the record. Top of page 9. Senator Molaro, on 1148. Out of the record. Senate Bill 1151. With leave of the Body, I'd like to go back to that. Leave is granted. 1166. Senator Sieben. Madam Secretary, please leave -- please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1166.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1173. Senator Tom Walsh. Tom Walsh on the Floor? Out of the record. Senate Bill 1175. Senator Walsh. Tom Walsh? Out of the record. 1180. Tom Walsh. Out of the record. 1195. Senator Philip. Pate Philip, on 1195. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1195.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. 1196. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1196.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. 1197. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1197.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. 1198. Senator Philip. Please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1198.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. 1199. Senator Philip. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill -- pardon me. Senate Bill 1199.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1200. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill -- pardon me. Senate Bill 1200.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Please read the bill, Senate Bill 1201.

ACTING SECRETARY HAWKER:

Senate Bill 1201.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. 1202. Please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1202.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1209. Senator Tom Walsh. Tom Walsh on the Floor? Out of the record. Senate Bill 1210. Out of the record. Senate Bill 1213. Out of the record. Senate Bill 1214. Out of the record. Senate Bill 1275 -- 1225. Senator Burzynski. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1225.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill -- at the top of page 10. 1226. Senator Burzynski. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1226.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1227. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1227.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1229. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1229.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1230. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1230.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1231. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1231.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1272. Senator Syverson. Madam Secretary -- out of the record. 1283. Bob Madigan. Robert Madigan, on 1283. Are you on the Floor, Senator Madigan? Out of the record. Senate Bill 1284. Robert Madigan. Out of the record. Senate Bill 1306. Senator Luechtefeld. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1306.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1309. Out of the record. Senate Bill 1340. Senator Bob Madigan. Out of the record. Senate Bill 1497. Senator Tom Walsh. Out of the record. Senate Bill 1514. Senator Dudycz. Out of the record. Senate Bill 1518. Senator Dudycz. Out of the record. Senate Bill 1519. Senator Dillard. Senator Dillard. Out of the record. Senate Bill 1521. Senator Lauzen. Out of the record. Senate Bill 1522. Senator O'Malley. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1522.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. It's the intention of the Chair -- on page 10. We'll be on page 10. The bottom of page 10, we have Senate Bills 3rd Reading. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Mr. President, I'd like the record to reflect that Senator Jones is not here today. He's attending the funeral of his best friend back in Chicago. Like the record to reflect that. I also should make a comment, also, that his sister passed away yesterday, too. We don't know what is -- what the arrangements are, but as soon as we do, I'm sure his office will be

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communicating with all the Members. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. We're on 3rd Reading. This will be final action. We -- bottom of page -- of 10, we start off with Senate Bill 3. Senator O'Malley. Out of the record. Senate Bill 10. Senator Mahar. Out of the record. Senate Bill 19. Senator Lauzen. Out of the record. Senate Bill 24. Senator Cullerton. Out of the record. Senate Bill 30. Senator Geo-Karis. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 30...

PRESIDING OFFICER: (SENATOR WATSON)

Excuse me, Mr. Secretary. Out of the record. Excuse me. We're on 3rd Reading. Remind the Members, this is 3rd Reading. Senate Bill 31. Senator Dillard. Senator Dillard. Ah, go ahead. All right. Senate Bill 31. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 31.

(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. I'll start us off today with a real beaut here. Senate Bill 31 amends the Sanitary District Act, and this Act allows a member of the board of trustees in the sanitary district to receive no more than six thousand per year, rather than three thousand per year, which is currently in the statute. This District Act deals with populations under ten thousand people. It's been a long time since the compensation -- 1977, since it's been authorized to be increased here. And I'd appreciate a favorable vote.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, all those in favor of this real beaut, 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 this question, there's 33 voting Yes, 19 voting Aye {sic}, 1 voting Present. Senate Bill 31, having received the required constitutional majority, is declared passed. Senate Bill 32. Senator Dillard. Out of the record. Senate Bill 39. Senator Silverstein. Out of the record. Senate Bill 48. Senator Parker. Out of the record. Senate Bill 62. Senator Obama. Out of the record. Senate Bill 71. Senator Sullivan. Out of the record. Senate Bill 74. Out of the record. Senate Bill 107. Senator del Valle. Out of the record. Senate Bill -- 113. Senator Parker. Out of the record. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

I just -- on Senate Bill 51 -- on 31, Senate Bill 31, my intention was to vote No. If I -- if you could have the record reflect that.

PRESIDING OFFICER: (SENATOR WATSON)

The record will reflect that, Senator Lauzen. So we are on Senate Bill 118. Senator Klemm. Out of the record. Senate Bill 130. Senator Robert Madigan. Bob Madigan on the Floor? Out of the record. Senate Bill 131. Out of the record. Senate Bill 132. Out of the record. And Senate Bill 133. Senator Parker. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 133.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amends the Limited Liability Company Act and provides that a limited liability company may be formed for the practice of medicine if all of the managers are licensed to practice medicine under the Medical Practice Act under certain conditions. I would ask for a favorable vote and answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 133 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 54 voting Yes, no voting No, no voting Present. Senate Bill 133, having received the required constitutional majority, is declared passed. We're moving on to page 12. Top of page 12. Senator O'Malley, on Senate Bill 136. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 136.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, Ladies and Gentlemen of the Senate, thank you. What this legislation does is provide that the threshold with respect to poverty grants will no longer be set at twenty percent to participate; it will lower it to zero. And I'd appreciate your support, but I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Lisa Madigan.

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SENATOR L. MADIGAN:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, can you explain to the Chamber how it is that eligibility for poverty grants is determined?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Well, right now, Senator, as you know, the threshold is twenty percent. So if the concentration of poverty students is twenty percent or more, you are then eligible, as a school district, for the per capita assistance that is available through the State Board of Education.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lisa Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, you're -- you're correct that the concentration level is twenty percent to make sure that a school district would be eligible to receive a poverty grant, but how is that twenty-percent number arrived at?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

It's provided for in the statute.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, can you be more specific than that?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator O'Malley.

SENATOR O'MALLEY:

It's provided for in the statute.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

So is the answer to that, no, that you cannot describe how it is that we determine the twenty-percent poverty concentration?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, the -- the -- the answer is that it's provided for in the statute.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, can you tell us what the statute says on that point?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, they -- in conferring with staff, they indicate that it is the relationship between federal census data and -- and average daily attendance.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

And, Senator O'Malley, do you think that that number, however it's arrived at with the census data and the average daily attendance, is an adequate mechanism for us to be determining the concentration level of low-income students in school districts?

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Senator O'Malley.

SENATOR O'MALLEY:

Senator, I believe that poverty funds should follow the children, regardless of they where -- where they are, and -- and regardless of the concentration in any individual school district.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, that's not exactly responsive to the question, but I'll -- I'll take your answer. One of the complaints that has arisen throughout the State in many of the school districts is that in terms of making a determination as to the concentration of low-income students in a school district, is that we're relying on these 1990 census numbers. And so, one of the complaints has been that with demographic change that occurs, that we should find another measure to make that determination as to what the concentration level of low-income students is in a school district. And so I would ask you, does your bill provide a different mechanism for determining the number of low-income students in a school district?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

It would basically provide that depending on eligibility and the number of students that are counted in an individual school district, by whatever census data we're using - and my preference would be to use the most recent census data that is available, from time to time, and that the threshold for participation should be zero, not twenty percent.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

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Senator O'Malley, can you tell us what poverty grant money is used for in these school districts?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

According to the superintendents that I have spoken with, the dollars are made available in the school districts in order to assist them with the additional needs of the poverty-related children in their school district.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, is there a requirement that poverty grant money be used for educational enhancement programs for students in these districts where there is a higher concentration of low-income students?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, as I understand it, the current law provides that those dollars are spent within the individual school districts with the flexibility that they enjoy with our spirit of local control in the State of Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

You're correct, Senator O'Malley. It is my understanding that that's how those dollars are used, with the exception of the Chicago school district, which is required to tie those dollars to educational enhancement programs for low-income students. And I know that one of the other concerns that a lot of people have around the State is that poverty grant dollars that are going to

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school districts are not necessarily used for the extraordinary expenses that may be incurred because of the low-income students in that school, and so there are -- other recommendations out there that would say that we would tie those dollars that the school districts receive to actual programs for these low-income students. Is that something that your bill provides for?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

What my legislation does is lower the threshold from twenty percent to zero for participation, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

So again, that -- your answer would be, no, that there is no mechanism in your bill to tie those poverty grant dollars to programs for low-income students?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Madigan, I -- I have the utmost confidence, and I think I've expressed this in the Education Committee, on more than one occasion, of my belief and faith in local control and in the integrity of elected -- local elected school board members, working with superintendents and teachers, to fashion public education in our respective communities. And I will continue to hold to that belief.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, let me ask you a question in terms of the fiscal impact of your bill, because during subcommittee, you

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indicated that this actually might cost absolutely nothing to the State, and then during debate in full committee, you indicated that it would potentially cost forty-five million dollars, if not more, to the State. What's your answer on that question today?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, you are correct that in subcommittee we had a discussion of this and it was possible that it could cost no additional money or it could cost more money, depending on the appropriation process and taking into consideration the EFAB recommendations and the amount -- amount of moneys that are budgeted when we -- actually pass a budget. I believe after we take out the hold harmless elements, the net cost of fully implementing this would be 45.8 million dollars if everybody were to otherwise be -- be held harmless.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, if the school district has a seventy-percent concentration of low-income students, what is the poverty grant amount that that school district will receive per pupil?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, if it is seventy percent, the amount of dollars that would be available under the current -- under the current system, on a per student base, would be twenty -- two thousand and fifty dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan, maybe you need to wrap up your questioning, if you don't mind. Thank you.

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SENATOR L. MADIGAN:

I'm -- I'm getting there. Thank you, Mr. President. Let me ask you then, if a school district only has twenty-percent concentration of low-income students, what's that amount for their poverty grant?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

At the twenty-percent level, it is eight hundred dollars per -- per student.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Excuse me. Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, can you explain why is it the poverty grant amounts increase when the concentration level of low-income students increase?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

That was -- that was the product of the deliberations in -- in a previous General Assembly on House Bill 452, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan, for the final question.

SENATOR L. MADIGAN:

To the bill: I actually think what Senator O'Malley is trying to do here, in spite of my questioning, is not a bad thing, but I do believe that there are many flaws in the way we currently implement our poverty grants. And if you look at what the Education Funding Advisory Board has recommended we do, they have recommended that we decrease the concentration level from twenty percent down to fifteen percent this year so that school districts that still, you know, might have 19.99 percent of their students

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that are low-income would be able to receive a poverty grant. In addition, another large complaint that was pointed out is that the way we measure the number of low-income students is currently based on the 1990 census figures, and that is an inadequate and usually inaccurate measure of the number of low-income students in a school district, particularly ten years after this census was actually taken. So those two concerns, in addition to the fact that school districts are not required to actually use their poverty grant money to target programs that will be of educational enhancement to these low-income students, gives us a lot of concern. Also, that we're looking at a potential forty-five-million-dollar impact on the budget. Where we're always looking for ways that we are trying to better fund programs and students that need to be funded, it raises a lot of questions. And I think that the sponsor's intent is a good one; I just do not believe that this is the mechanism to do it. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. I'd rise in support of this bill. Yes, what it does do is take it down to the zero level, which means that the schools now that presently have children who are in poverty will get some money. That will follow the child. I know, particularly in my district, for Evanston, this has been a big issue. They have a lot of children there who do live in poverty, and the school cannot access that money for the poverty grant. This would go, then, into downstate. The philosophy behind it is that it follows the child. The recommendation that Senator Madigan has spoken about, taking it down to -- from twenty percent to fifteen percent, still does not get into those other schools. They may be at five percent or so, or ten percent, but the money, then, will follow the child. And there's needs for that all over

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this State. They should be able to access that in the education program, and -- because they are not able to access those funds now. So it -- it's a good policy and philosophy, and I support the bill and urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Well, thank you, Mr. President. I also rise in strong support of this -- legislation. It makes good sense. It's all about helping kids and getting money to kids and seeing that that money follows the kids that need the help. I don't think I have a district anywhere in northwest Illinois that has a concentration above twenty percent, to reach that eligibility, but I have plenty of school districts that have levels of five, eight, thirteen, seventeen percent that under Senator O'Malley's proposal, will now be eligible for the poverty grant. In terms of the comments by the previous speaker about the -- the criteria that's used to establish the concentration, I think the EFAB board is very sensitive to looking at -- at that ten-year figure that's used off of census. I know the schools in my district suggest that we ought to really look at free and reduced lunch -- the kids that qualify for free and reduced lunch as some kind of a measurement for entitlement for the poverty grant. It's my understanding from the EFAB board that that will be part of their deliberations over the next year. So I think what we're dealing with today is Senator O'Malley's excellent proposal to eliminate an arbitrary threshold of twenty percent, make it zero, so all the kids that need this assistance can get the assistance. It's a great idea. Everyone should vote Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

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Thank you, Mr. President. I would stand in strong opposition to this. It seems to me that, you know, we've got a lot of school districts throughout the State that rely on these poverty grants for forty, fifty percent of their entire funding. To take money away from them, to say we're helping some kids in districts that have an average of twelve thousand, ten thousand dollars per student, makes no sense. While individually it sounds like a good idea - we're helping each kid - that money is -- is a very small increment to the wealthy districts, but for the poorer districts, that's what they rely on. We're not making this pie any bigger either. We're taking the same pie and cutting the slices smaller, and the districts that need the bigger slices are getting theirs cut. This is a shifting of wealth from the poor to the rich, and I know that the twenty percent may not be a good number. It's arbitrary - any cutoff is going to be arbitrary - any cutoff on a percentage like this. So that argument, to me, doesn't hold a lot of weight. But what does seem to me to have a great deal of effect is that you're taking money from the poor and you're giving it to the rich, when they can get by without it. I urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle, further discussion.

SENATOR DEL VALLE:

Thank you, Mr. Chairman. Questions for the sponsor, please.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator del Valle.

SENATOR DEL VALLE:

Senator O'Malley, I'm -- I'm trying to understand exactly what the impact of your bill would be on school districts that currently receive the poverty funds because they are at the twenty-percent threshold. Is there, in the budget, a set amount of dollars for the poverty fund line, or is it a line that -- that grows depending on the number of students who are eligible?

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PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, this -- this initiative, whether it's contained in this legislation or otherwise, are -- of course, is subject to the appropriation process, as you well know. And the way this was designed originally was a flat-grant approach. And in -- in the discussions with Senator Madigan, she brought out how it's tiered at twenty percent, under the current law, it starts at eight hundred dollars, and it goes up to two thousand and fifty dollars if the concentration is over sixty percent. But it is a flat-grant approach.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

It is limited by what we decide to appropriate on a year-to-year basis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Yes. Correct, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

So, in theory, you could take, then, the amount that we have now, and under your new formula, those dollars would be redistributed. More school districts, or just about every school district in the State, would probably qualify, and so that would mean that the redistribution would result in fewer dollars for the school districts that currently qualify under the twenty-percent threshold. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator O'Malley.

SENATOR O'MALLEY:

Senator, again, this is a flat-grant concept. What I'm talking about is lowering it to zero so that, yes, all school districts, or any poverty-impacted child, can participate. And -- and the ones who are going to benefit from this are going to -- the school districts and those children are going to be at the eight-hundred-dollar per capita level. The amount of money that we are putting into education year after year after year, and in the time that you and I have served together, is -- has grown appreciably. From my point of view and my belief, these dollars should flow to the school districts where these children are going to school. And these children do not remain, necessarily, in one school district from year to year or a specific set of school districts from year to year, and they are moving to other school districts in other communities. And this is an opportunity to make sure that those dollars follow them.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

Let -- let me just comment then. Senator O'Malley, if -- if we were to have a bill that would guarantee school districts - all school districts - the flat grant that is at least at the level that they're currently getting and guarantee that funding, regardless of how many poverty students they have, then I think we would be fair. But I don't think we're doing that. I -- I don't think we're doing that with -- with your bill. And we're talking about a bill that creates a new formula that is not sensitive to the differences in per-pupil spending and the variances that we have out there. Certainly, a school district that spends thirteen thousand dollars a year per-pupil is going to be eligible, just like a school district spending four thousand dollars a year. And

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so, we're going to continue with the inequity and we're not going to be doing anything to address that and, at the same time, we're going to be redistributing existing -- the existing pot of money without guaranteeing a growth in that pot so that every school district will be able to at least be held harmless in terms of the poverty funds that are currently being used. So I would -- I would suggest that we continue to look at this, look at the Board of Education recommendations. Because I agree with you. I'm really unhappy with what we're doing in the Chicago public schools. Years ago, I fought to have the Chapter I -- what used to be called the Chapter I dollars, the poverty fund dollars, follow the child. I agree with you. Those dollars should follow that child no matter where that child goes. But in the City of Chicago, we're still not having a hundred percent of those dollars follow the child. Many local school councils -- all local school councils in Chicago are still waiting for an increase in those dollars that have been appropriated to them, to the school district, but they're still not receiving. And so we do have a problem with how those dollars are distributed, but I don't think this is the way to address the problem that we have in Chicago. And certainly, without guaranteeing those dollars for all the kids that are currently getting them, I don't think that we could support this.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Mr. President, I'd move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

We have two additional speakers. Senator Luechtefeld and Molaro. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. I have a question and a comment.

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My first question is, and I think that the people have -- have hit on this a little bit. There's a pot of money out there that we're going to spend on education. And -- and if we spend more in a particular area, obviously other areas will -- will go down. If this costs us forty-one million, do you -- do you have a plan -- what gets cut, Senator?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

You know, I -- I think our discussion is moving along here, and I'm going to answer your question, without any question, either privately or on the Floor of the Senate. But as these discussions have gone on, I think it's in our best interest, at this point in time, to take this out of the record so we can all absorb it a little more at this point in time.

PRESIDING OFFICER: (SENATOR WATSON)

Wonderful. We're on the top of page 12. We have Senate Bill 138. Senator Cullerton. Do you want -- do you want to address the bill that was just taken out of the record, Senator Molaro? Senator Cullerton, you got -- on the Floor? Senator O'Malley. Out of the record. Senate Bill 161. Senator Syverson. Out of the record. Senate Bill 162. Senator Syverson. Out of the record. Senate Bill 164. Senator Rauschenberger. 170. Senator Myers. Out of the record. Senate Bill 209. Out of the record. Senate Bill 213. Senator Roskam. Out of the record. Senate Bill -- I'm sorry. 216. Senator Karpiel. Out of the record. Senate Bill 222. Senator Dillard. Senate Bill 252. Senator Lauzen. Out of the record. Senate Bill 257. Senator Dillard. Out of the record. Senate Bill 261. Senator Burzynski. Out of the record. Senate Bill 264. Senator Mahar. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 264.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members. This bill grants diplomas to World War -- World War II vets and Korean War vets who were called to service of their country out of high school. 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 264 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 53 voting Yes, no voting No, no voting Present. Senate Bill 264, having received the required constitutional majority, is declared passed. 273. Out of the record. 284. Senator Jacobs. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 284.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Quickly, this bill amends the School Code and provides that a school district that can prove a census tract was erroneously assigned to another district -- a mechanism to remedy that mistake. As far as I know, it only affects two school districts in

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the State. It's a cost of about a quarter of a million dollars, and I know of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 284 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 52 voting Yes, no voting No, no voting Present. Senate Bill 284, having received the required constitutional majority, is declared passed. Senate Bill 317. Senator Cronin. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 317.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 317 provides that an educational institution that on January 2nd, 2001, that enrolls a majority of its students in degree programs, that institution that has maintained an accredited status and is regulated by the Board of Higher Ed under the Private College Act or the Academic Degree Act is not a private business and vocational school under the Private Business and Vocational Schools Act. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate pass Senate Bill 317. 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

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wish? Take the record. There's -- on that question, there's 54 voting Yes, no voting No, no voting Present. Senate Bill 317, having received the required constitutional majority, is declared passed. Senate Bill 326. Out of the record. Senate Bill 330, on the top of page 13. Out of the record. Senate Bill 370. Senator Rauschenberger. Out of the record. Senate Bill 373. Senator Munoz. Out of the record. Senate Bill 377. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 377.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senate Bill 377 solves a problem of determining average daily attendance for part-time students in block-scheduling format. Block scheduling is a nontraditional program where class periods are over eighty minutes, and there's a problem with a school district of mine that was sending their students to a community college and they were -- weren't being credited for the proper average daily attendance. The fiscal impact is minimal, and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 377 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 54 voting Yes, no voting No, no voting Present. Senate Bill 377, having received the required constitutional majority, is declared passed. Senate Bill 384. Senator Parker. Mr. Secretary, please read the bill.

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SECRETARY HARRY:

Senate Bill 384.

(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 384 requires a public high school to provide access to the high school campus and student directory information to official recruiting representatives of the armed forces, Indian -- Indiana Air and Army National Guards and the service academies of the armed forces of the United States. It just gives them the same access as those others who are invited to Career Day. I would be glad to 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 384 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 54 voting Yes, no voting No, no voting Present. Senate Bill 384, having received the required constitutional majority, is declared passed. Senate Bill 385. Senator Dillard. Out of the record. Senate Bill 397. Senator Radogno. Senator Radogno on the Floor? Out of the record. Senate Bill 430. Senator O'Malley. Out of the record. Senate Bill 434. Senator Parker. Out of the record. Senate Bill 435. Senator Parker. Out of the record. Senate Bill 437. Out of the record. Senate Bill 458. Senator Rauschenberger. Out of the record. Senate Bill 461. Senator Rauschenberger. Out of the record. Senate Bill 471. Senator Parker. Out of the record. Moving on. Page 14. Top of page 14. Senate Bill 510. Senator

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Parker. Out of the record. Senate Bill 521. Senator Clayborne.
James Clayborne on the Floor? Out of the record. Senate Bill
528. Senator Burzynski. Out of the record. Senate Bill 531.
Senator O'Malley. Out of the record. Senate Bill 540. Senator
Lauzen. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 540.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 540 amends the Use Tax
Act, the Service Use Tax Act and the related places in the
statute. Beginning on January 1st, 2002 through December 31st,
2004, it exempts the sale and installation of storage tanks for
propane used by retailers or wholesalers from the tax imposed by
the Act. It had extensive discussion in committee. There's no
known opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Just a -- two questions actually. Number one, one
of the questions we talked about in committee were actually the
size of the tanks that we were talking about.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

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Could you repeat the question, please?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Why don't you ask both of them?

SENATOR BURZYNSKI:

The -- the capacity of the storage tanks.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

There -- under Amendment No. 1, it says "A propane storage tank is eligible for an {sic} (the) exemption under this paragraph only if it increases a retailer's or wholesaler's capacity to store propane. The exemption under this paragraph does not apply to propane storage tanks used for residential purposes." It's -- does not specify gallonage.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield.

SENATOR WELCH:

Senator, what's the fiscal impact of this bill on the State treasury?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

As I remember the discussion in committee, because it increases the capacity for people in the State of Illinois to sell

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additional propane gas, it will actually have the effect, as the use increase, of increasing the amount of those sales and use taxes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Senator, every tax break that goes through the Revenue Committee always is going to increase revenue to the State of Illinois. That's the argument used for every, single bill. Assuming that the revenue stays -- that the use stays level, what would be the loss to the State of Illinois?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

When the Illinois Economic and Fiscal Commission looked at this, the fiscal impact for Senate Bill 540 says that it would reduce the amount of State sales tax revenue by an amount that cannot be determined.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

Do you know how many potential -- how many people would take advantage of this exemption? Did you have an estimate on that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

I'm -- I'm sorry. Reading from the Ec and Fisc note again, the comment is, the number of propane storage tanks sold and installed in Illinois is unknown; therefore, the fiscal impact cannot be determined.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

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SENATOR WELCH:

Then who came up with the idea that this would create more tax revenue for the State if we don't know how much we're taking now, how much we would lose, how many people have these tanks, and how many people would take advantage of it? I mean, whose idea was this?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

The folks who supply propane gas in Illinois, they bring this forward. One of the things that we have not had an adequate amount of that has driven the price of energy, both gasoline petroleum last year and now natural gas this year, I believe is because we have not had adequate inventory capacity or we haven't used whatever capacity is available wisely. By having greater inventory capacity, it should moderate the prices, allow us to have greater supply to keep prices low. And -- and I -- I agree, and I believe that the majority of us agree that that's a good thing for public policy.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lauzen, to close.

SENATOR LAUZEN:

I would just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall Senate Bill 540 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 49 voting Yes, 3 voting No, no voting Present. Senate Bill 540, having received the required constitutional majority, is declared passed. Senate Bill 544. Senator Ronen. Mr. Secretary, please read the bill.

SECRETARY HARRY:

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Senate Bill 544.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. Last year -- or, last Session, in our collective wisdom, we passed legislation that required noncondominium townhomes to use certain methods to calculate their assessments. These factors included square footage, equalized assessed value and special assessments for insurance premiums. Well, it's -- this legislation has been universally recognized by the community association industry as ill-conceived and impossible to administer. So, clearly what -- merely, what this bill does is repeal our action last year, since it turned out to be not a very good idea. So I would be glad to answer any questions and ask all my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 544 -- pardon me. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would she -- would she yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor indicates she'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you state clearly -- what exactly are you repealing?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ronen.

SENATOR RONEN:

Yes, Senator. We're repealing language that would require a townhouse association to change their assessments each year based

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on data that varied. And it just -- it became too complicated to compute each year. So what we're doing is just repealing language from last year and leaving the situation as it was prior to last year's legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If none, the question is, shall Senate Bill 544 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 53 voting Yes, no voting No, no voting Present. Senate Bill 544, having received the required constitutional majority, is declared passed. Senator Parker, on Senate Bill 550? Out of the record. Senator Burzynski, on Senate Bill 556? Out of the record. Senate Bill 558. Senator Rauschenberger. Out of the record. Senate Bill 575. Senator Welch. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 575.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is an initiative of the Secretary of State. What it does is make changes to the four Acts administered by the Illinois Security {sic} (Securities) Department: securities, broker loans -- business brokers, loan brokers and business opportunity divisions. It increases investors' protection against unscrupulous security dealers by expanding the powers of the Secretary of State to deny or revoke the security registrations of registered parties or applicants. It also raises the penalty for violation of the Illinois

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Securities Act from a Class A misdemeanor to a Class 4 felony. It also prohibits a person from acting as a loan broker or business broker without registration or selling unregistered business opportunities. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would he yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR GEO-KARIS:

Are you saying, in your bill, that the only place they can file any action is in Cook County or in Sangamon County?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

I don't -- yes, it does say that. Provides that a petition for administrative review may only be filed in the counties of Cook and Sangamon.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What's the matter with the other counties?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Well, the administrative review is a review of the internal actions of the Department itself. That's where the hearing officers are. So that's why it's in Cook and Sangamon.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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But when you say hearings officers are only in Sangamon County and Cook County, isn't it true that they can also be available for other counties?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Senator, not with the budget of the Secretary of State. No, he can't send hearing officers throughout the State. What you would have is you would have a hundred and two counties having something similar to the workers' compensation system, where there are traveling arbiters or hearing officers, and you'd have to have calls in all hundred and two counties. The -- the securities division of the Secretary of State's Office is not that large.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall Senate Bill 575 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 54 voting Yes, no voting No, no voting Present. Senate Bill 575, having the required constitutional majority, is declared passed. Senate Bill 606. Senator Rauschenberger. Out of the record. Senate Bill 616. Senator Peterson. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill -- or, 616.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 616 seeks to amend Section 1B-4 of the School Code to allow a voluntary financial

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oversight panel to be reconstituted as a panel that enjoys the same legal privileges as an involuntary financial oversight panel as described in Section 1A. The existing voluntary financial oversight panel shall -- would have to petition the State Board of Education for the change to take place. The membership of the financial oversight panel can be increased from three to five members. It exempts any emergency financial assisted loans from the statutory debt limitations provisions of the School Code. Provides that any local school board of education that receives a loan shall provide for a separate tax for emergency financial assistance repayment purposes and that this tax levy shall be an amount sufficient to repay the emergency financial assistance and shall not be subject to referendum approval.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Link.

SENATOR LINK:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

Indicates he will.

SENATOR LINK:

Senator Peterson, will this be exclusively for one school district, or does this cover all school districts?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

Senator Link, if this becomes law, it would make any district in the State of Illinois eligible for these provisions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Link.

SENATOR LINK:

Yes. Senator Peterson, on any type of loans that would be given to this, would this be automatic or would they have to come

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back to the General Assembly to receive these loans in appropriations?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

In -- in the statute, there's a formula. I believe it would be -- the loan could not be more than a thousand dollars per pupil of that district, and it would have to be through the appropriation process. So this legislation and the instituting of an oversight panel doesn't automatically give the money. The money has to go through the appropriation process by both houses of the Legislature.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Madigan. Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Will the sponsor yield for some questions?

PRESIDING OFFICER: (SENATOR KARPIEL)

Indicates he will.

SENATOR L. MADIGAN:

Senator Peterson, and I apologize if you already addressed this, but is there a reason that the Round Lake School District cannot deal with the situation in some other way? In other words, is there a reason that it cannot be absorbed into the surrounding school districts?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

I believe that would be something that could be done, but it would be a last resort. And I don't think anybody in the State of Illinois would like to see any of their school districts dissolved and apportioned out to surrounding districts without any financial

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help, and I don't believe that would solve the financial situation of this area.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR L. MADIGAN:

Senator Peterson, I certainly agree that this Round Lake School District has some great financial problems, and I think one of the concerns about this is trying to make a determination as to how it is the Round Lake District got into this mess. And in terms of the General Assembly and the State trying to help bail it out, is this going to be a permanent solution, or by allowing them to increase their debt limit and take on more debt, will we simply be perpetuating this problem?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

Senator, this district has several problems that has eventually brought this situation about. Number one, it has a large amount of Hispanic students. It has a very low assessed valuation. So the district has -- they're on anticipation warrants. If they did get a loan from the State, what they would do is consolidate these other high-interest loans and then repay back the State with a very low-interest loan. Would save hundreds of thousands of dollars in interest payments alone.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR L. MADIGAN:

And, Senator Peterson, it's my understanding that in addition to receiving these loans, we're also going to make some grants to the district, which I'm in favor of because I do understand the financial situation that they're in. The two concerns that I have about this bill - and I do plan on voting for it, however - is

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that this will exempt Round Lake from the debt limitation that is currently part of the School Code. And the other concern that I would have on this bill is that the School Code provides for two certain types of financial oversight panels. One is voluntary; one is involuntary. It's my understanding that the Round Lake District has a voluntary financial oversight panel in place and that what this legislation will do, which I don't necessarily think is good precedent, is it will give a voluntary financial oversight panel the same powers that an involuntary financial oversight panel has. So, my last question for you is, instead of -- instead of having this as a voluntary financial oversight panel, why can't we simply make it an involuntary financial oversight -- panel and therefore not have to essentially create this precedent of voluntary panels with involuntary powers.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

The empowerment of an involuntary panel would only be made at the request of the involuntary {sic} panel. They would have to petition the State Board of Education, and then the State Board of Education would have to determine if they want to go to that next step. It's not automatic. They just don't become an involuntary board by saying, "We want to become an involuntary board."

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR L. MADIGAN:

Senator Peterson, I, unfortunately, do not know the -- all of the requirements to become a voluntary -- or, to have a voluntary versus an involuntary financial oversight panel put in place for a school district. So let me just say again, I understand that this is a school district that is in financial need. I know this is your attempt to make sure that we're helping the Round Lake School

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District. I'm not against the concept of what we're doing. I will be voting for your bill, but I still think there might be some refinements made to this as it goes through the process. And I hope you're open to that. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I stand in strong support of this bill. It's a bipartisan representation - Senator Peterson, Senator Link and myself. We know what the needs are. There are needs in Lake County. There are needs in other counties, and I certainly urge everyone to vote for it.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much. For clarification. Sometimes I -- I need clarification when committee votes one way and changes their mind and goes the other way. Is -- is this -- is this referendum that we talked about, is that this coming Tuesday, April the 3rd?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

Senator, the referendum is not part of this legislation. They do have a referendum on the ballot for next week.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

I understand that, but we are -- this is a -- is this a grant, or is this a loan? And if, in fact, what -- what's the status if the referendum in the local district does pass on thirty and what's -- on April the 30th {sic}, and what's the -- what's the

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net effect? And what are -- what are -- or, 3rd. What's the incentive for them to even pass the referendum once they have this money?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

Senator, that's a local decision that -- you know, hopefully they can pass the referendum. They wanted to show that they are putting out every effort they can to raise the funds at the local level. But the money we're talking about, Senator, is a loan that would be repaid to the State. The State Board and the local district would make the arrangements for the loan on the period of the loan. So I think that the State is not going to lose this money. It's not an out-and-out grant. It's a payback.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio. All right. Further discussion? If not, Senator Peterson, to close.

SENATOR PETERSON:

Thank you, Madam President. Unfortunately, like many districts in Illinois, Round Lake has run amok of many things that have come to make certain financial stresses in the district. The people passed a referendum last April. They have another referendum on this April. They -- they've had a real low assessed valuation. And, Ladies and Gentlemen, next week, next month, this could be another district in another legislative district. And hopefully you'll support this bill. And I would be more than happy to help you with your -- your problems, and give me a vote on Senate Bill 616.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion -- oh, no. The question is, shall Senate Bill 616 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 45 voting Aye, 6 voting Nay, 1 voting Present. And on this question, there are -- oh -- and Senate Bill 616, having received the required constitutional majority, is declared passed. Senator Peterson, on 617. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 617 creates an -- creates an exemption under the State's Occupation and Use Tax Acts for qualifying equipment that is purchased by a lessor who then leases the equipment, under a lease of one year or longer, beginning on January 1, 2001. Qualifying equipment refers to computers and communications equipment that is used for any hospital purpose or equipment used in the diagnosis, analysis or treatment of hospital patients, or a governmental unit. Ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 617 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record, Mr. Secretary. On this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 617, having received the required constitutional majority, is declared passed. We have a request from WICS-TV for permission to film, and from the Illinois Information Service, requests permission to videotape.

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Is -- is the request granted? Request is granted. Senator Jones, for what purpose do you rise?

SENATOR W. JONES:

A point of personal privilege, please.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR W. JONES:

Yes. I'd like to introduce my Page for the Day, Ashley Bever, and her parents, Pam and John, who are in the President's Gallery with their daughter, Julia. Would you give them a warm Senate welcome?

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Madam President. I have a procedural question and observation. I wanted to make an inquiry of the President of the Senate. I looked on the Calendar today and I see there are one hundred and ninety-three Republican bills on 3rd Reading and only thirteen Democratic sponsors' bills on 3rd Reading - a meager 6.5 percent. Now, I don't want to belabor the point, but I -- I don't want the public to think that Democrats don't have great ideas and great legislation, but it's clear that all of our bills are being sent to "subcommittee graveyard" and are never making it to 3rd Reading. My inquiry of the President is, will we get any fairer treatment next week when we return? It's awful frustrating to sit here and see -- vote bill after bill for Republican bills. And we do that and the Democrats don't even have a chance of getting a bill out of subcommittee. So I'd like to make an inquiry of the President as to will we be treated more fairly when we return next week, or will we continue down this road of partisan politics and mistreatment of the Democrats while we said we were going to be

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trying to cooperate? I also took a notice of the House Calendar and Speaker Madigan is allowing Republicans to get their bills on -- passed and on 3rd Reading and sent over here. So if the President wouldn't mind answering that question, I'd like to know what kind of treatment will -- will Democrats expect next week, because we've been harmonious, we've been going along to get along, but we do not have to continue in that fashion.

PRESIDING OFFICER: (SENATOR KARPIEL)

Thank you -- thank you for your observation, Senator. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I respect my colleague's statements on the other side, but I think he's a little preemptuous about it and -- presumptuous. I don't think he's served here as long as I have, and I have been on both -- in front of both administrations, Democrat and Republican, and I can honestly tell you that I don't think you should complain at all.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Bomke, on Senate Bill 629. Senate Bill 643. Senator Sullivan. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Madam President. I'm -- I'm not trying to be rude or anything. My button was pushed. And as much as I love Senator Geo-Karis, who probably saved me from a stroke on this Senate Floor, 6.5 percent speaks for itself. The Democratic Senators over here have only been able to get -- 6.5 percent of all the bills that are on 3rd Reading currently are Democrat. The numbers speak for themselves. They do not lie. The numbers do not lie. And I believe that we deserve a little bit more respect than we're getting. I sincerely feel that way. The President did not answer my question, and I'm just asking him to deep down out of the kindness of his heart, and I know he is a big, kindhearted man, if

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he could treat the Democratic bills with a little more respect, or at least ask his -- his Chairs, because you're turning people like Senator Syverson, who is a nice guy, into a real mean guy by making him send everything to subcommittee and beating the heck out of us.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sullivan, on Senate Bill 643, on the top of page 15. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 643.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President and Members of the Senate. Senate Bill 643 allows the State Police to furnish conviction information to the Liquor (Control) Commission and private security agencies for background checks so that they don't have to wait months. They can get the information immediately. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion on this bill? If not, the question is -- on the bill, Senator Demuzio? On Senate Bill 643. We have a great deal of -- of territory to cover today. On the bill? Senator Demuzio.

SENATOR DEMUZIO:

Yeah. I know we have a great deal. I know you're short some Members over there, so you're going to be needing some of the Members of this side of the aisle, occasionally, to -- to pass some of those bills. I just would like to point that out. I didn't hear the explanation of the -- of the Senator. So if --

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if, in fact, he could read -- give us another explanation. But I also noticed that Senator Philip was prepared to respond to Senator Hendon, and -- and I would like very much if he would. On a point of personal privilege, I would -- I would ask if there was some explanation. Now, Senator Geo-Karis indicated that somehow or other that Senator Hendon ought not to be complaining. I have been here as long...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator -- Senator Sullivan, to explain the bill.

SENATOR SULLIVAN:

Thank you, Madam President. Senator, basically when someone is applying to be a security officer with a private firm, DPR is very behind in getting the work done and it takes months. So they may hire that individual -- the firm might, and have to wait months to find out that maybe that person is a convicted criminal. Right -- this bill will make it so the State Police will make it immediate information and you will not have convicted criminals working as security officers.

PRESIDING OFFICER: (SENATOR KARPIEL)

Discussion on the bill? Senator Demuzio.

SENATOR DEMUZIO:

Does any other private entity - if I might ask a question of Senator Philip or Senator Sullivan, anybody - any other entity that gets this same kind of information?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sullivan.

SENATOR SULLIVAN:

Is your question on this bill, Senator?

PRESIDING OFFICER: (SENATOR KARPIEL)

I believe so, Senator Sullivan.

SENATOR SULLIVAN:

I -- I think I've explained the bill, that we're trying to get

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immediate response so that we do not have convicted criminals working for private -- as private detectives, as security officers.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

Let me restate my question. Is there any private entity that gets this information now?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sullivan.

SENATOR SULLIVAN:

If they are licensed under the Private Detective Act. Right now they get it very slowly. It can take months. This'll make it immediate.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Shaw, your light's been on. Is it on this bill? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, is there any more horrible thought to know that there's a security officer who's been a rapist? I think it's time that we get some common sense and realize that this bill's a very good bill, and we should all support it. It certainly gives us a -- a chance to stop some of these people, who are -- who should never be in security jobs, from being there. And I certainly urge favorable response to this bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion on the bill? Senator Sullivan, to close.

SENATOR SULLIVAN:

I ask for a favorable roll call to protect the citizens of the State. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

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The question is, shall Senate Bill 643 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 643, having received the required constitutional majority, is declared passed. Senate Bill 660. Okay. Senator Shaw, what purpose do you rise?

SENATOR SHAW:

Matter of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR SHAW:

We have with us in the President's Gallery a distinguished gentleman from Senator Jones' district, Mr. Perran Guy Wetzel V, who is the -- owned a comprehensive computer company and mortgage banker. He's in the gallery and we'd like to welcome him here, who's a graduate of -- of Luther College -- 1979 graduate of Luther College in Decorah, Iowa, I think that is. I probably mispronounced it. But he's in the -- let's give him a warm welcome, in the President's Gallery.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. And I apologize, Senator Shaw, for taking so long. Senate Bill 660. Senator Roskam? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 660.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Roskam.

SENATOR ROSKAM:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 660 is another attempt to crack down on repeat DUI offenders. Came out unanimously from the Senate Judiciary Committee. I'm not aware of any opponents. Basically what we're trying to do is to say that if there is a fourth or subsequent DUI conviction, that it's going to be Class 2 non-probationable. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 660 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 53 voting Aye, none voting Nay, none voting Present. And Senate Bill 660, having received the required constitutional majority, is declared passed. Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR DUDYCZ:

Just to recognize a special guest in the gallery. In the President's Gallery on the Republican side is a -- a guest who is visiting her daughter, from Ohio, Jeanette Malafa's mother, Jane Malafa, is here visiting her daughter to help her celebrate her recent engagement. And we'd like to -- to welcome Jane Malafa here to the Illinois Senate.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to the Senate. And congratulations, Jeanette. Senate Bill 663. Senator Dillard. Out of the record. Senate Bill 668. Senator Sullivan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 668.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill came to me from, I think a friend of many of us, Father Smyth, from Maryville Academy, and it provides for State reimbursement for annual tuition costs of children from orphanages and children's homes who attend public school during the summer term. We're correcting some difficulty with the State Board, and they are in favor of the legislation.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 668 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 668, having received the required constitutional majority, is declared passed. Senate Bill 686. Senator Halvorson? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 686.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Please don't hold it against me. I -- I know I'm the first Democrat since the speech, but it is a good bill. Senate

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Bill 686 is an initiative of the Illinois Sheriffs' Association, as well as the Illinois Chiefs of Police. What Senate Bill 686 does, it allows for a short form notification of an order of protection to be served as a short form. What's happening is our sheriffs and our law enforcement personnel are having trouble locating the offenders and are not able to provide them with their order of protection. What this does is it goes onto the LEAD System and allows our officers, if these offenders are stopped for any other reason, they -- it will pop up that they have not been served. So with this short form now, they can so duly serve the offender with this short form. So I -- I will answer any questions, but, please, I would like a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. I rise in support of Senate Bill 686, but I think -- I think we ought to clarify for the record that although this is a short form notice that will be given to the accused, this short form will contain all the information that he or she needs to know in order to know whom they need to stay away from and -- and what locations they need to stay away from. So there won't be any due process problems with a short form not containing that kind of information.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR HALVORSON:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 686 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 53

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voting Aye, none voting Nay, none voting Present. And Senate Bill 686, having received the required constitutional majority, is declared passed. Senate Bill 699. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 699.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is an initiative of the Illinois Road Builders Association and tries to get to a problem where sometimes when they're ready to work on highways around the State of Illinois, there's a lot of utility equipment from utilities in the right-of-way along our highways. This bill basically sets up a procedure where after written notice, 90 days, there is a liquidated damage provision of five hundred dollars a day that the Illinois Department of Transportation can impose on somebody who doesn't remove their material and equipment from highways. And I'd be happy to answer any questions and appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. I must reluctantly arise, I think, in opposition to this; although, the proponents told me that they would be getting in touch with the Farm Bureau and other organizations which deal with private landowners to see what their view might be, because the -- the difficulty with your proposal is it doesn't just apply to utility equipment. It could apply to

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drainage systems and other systems in place through the right-of-way, culverts and the like, that might belong to private landowners, and you're talking about the imposition of liquidated damages on private landowners. So, I guess I would ask you to take it out of the record until next week, until we can have some opportunity to get that response from the proponents who -- who pledged in committee that they were going to talk to those groups.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

...is a very reasonable request, and I will take it out of the record. Thank you, Senator Hawkinson.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senate Bill 721. Senator Cullerton. Senate Bill 722. Senator Cronin. Senate Bill 726. Senator Klemm. Senate Bill 730. Senator Roskam. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 730.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 730 is an initiative of the Illinois Chamber. It's supported by IRMA, the IMA, State Farm and St. Louis Regional Chamber of Commerce. What we're trying to do is put Illinois businesses on the same footing as out-of-state businesses. Currently, we have a disincentive inherent in our tax structure which is an incentive for Illinois companies to purchase from out-of-state corporations and retailers in order to take advantage of the Illinois temporary storage -- storage exemption. What this

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bill says is, "Look, you can take advantage of that if you're buying from an Illinois company as well." I think it's -- passed unanimously out of Revenue, and I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any -- any discussion? If not, the question is, shall Senate Bill 730 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 53 voting Aye, none voting Nay, none voting Present. And Senate Bill 730, having received the required constitutional majority, is declared passed. Senate Bill 735. Senator Bomke. Senate Bill 753. Senator Philip. Senate Bill 759. Senator Burzynski. Senate Bill 797. Senator Lauzen. Senate Bill 817. Senator Sullivan, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Sullivan seeks leave of the Body to return Senate Bill 817 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 817. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Members of the Senate. Senate Amendment No. 2 is simply a technical amendment offered by the Department of Public Aid.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 823. Senator Bomke. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 823.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 823 amends the Vehicle Code and Code of Corrections, providing for increased penalties for -- repeat DUI offenders. This bill is necessary to bring Illinois in compliance with the TEA-21, which is the Transportation Equity Act of the 21st Century, allowing the State to -- receive federal funds without a penalty. I know of no opposition. If there are no questions, I would ask for a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Just one quick one. I see, according to our analysis, Senator, that the -- a - where's it at here? - a temporary driving permit cannot be issued for one year afterwards. I understand the intent of that, but I being one that never can understand how we think that taking away someone's drivers license truly is the way that we take care of DUIs, but what we're -- what we're doing there is that person will not be able to go to work unless someone drives him. Is that correct?

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PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Bomke.

SENATOR BOMKE:

That is -- that is correct, Senator Jacobs.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If -- oh! Senator Jacobs. I'm sorry.

SENATOR JACOBS:

I was a little slow on the switch there. And I'm going to vote for the bill, but it -- it just is one -- I think that somewhere along the line this whole Body and this Legislature has got to find a better way of doing things in the way of DUI, because we're not really solving the problem. And those that are in the high end, which this is the one that you're attacking here, which is good, they need help more than they need punitive damages. So -- but I will vote Aye.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there's no further discussion, the -- the -- Senator Bomke, to close?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 823 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 53 voting Aye, none voting Nay, none voting Present. And Senate Bill 823, having received the required constitutional majority, is declared passed. Senate Bill 826. Out of the record. Senate Bill 832. Senator Rauschenberger. Senate Bill 844. Senator Dillard. Senate -- Senator Dillard? Senate Bill 847. Senator Rauschenberger. Senate Bill 864. Senator Thomas Walsh. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 864.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President and Members of the Senate. This is an initiative of the Illinois Department of Insurance. It creates the Special Purpose Reinsurance Vehicle Law. It authorizes the securitization of ceding insurance {sic} (insurer's) risks through a creation of a special purpose reinsurance vehicle. It establishes the framework for the organization and operations for the special purpose reinsurance vehicles. It establishes capital requirements and investment limits. This isn't unlike the bill that we passed last year pertaining to the protected cell. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, Senate Bill 864 -- shall 864 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 864, having received the required constitutional majority, is declared passed. Senate Bill 871. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 871.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

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SENATOR WATSON:

Thank you very much, Madam President. This comes to us from the Department of Natural Resources. And the bill actually states -- it's very brief: "If a unit of local government has adopted an ordinance that establishes minimum standards for appropriate use of the floodway that are at least as restrictive as those established by the Department and this Section, and the unit of local government has adequate staff to enforce the ordinance, the Department may delegate to the unit of local government the authority to issue permits for construction in the floodway within its jurisdiction." The reason for this is just to speed up the process and get more local involvement.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 871 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 871, having received the required constitutional majority, is declared passed. Senate Bill 880. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 880.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is an initiative of the Illinois Department of Nuclear Safety that allows the Department of Nuclear Safety to charge a fee to community water systems for radionuclide analysis

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of drinking water samples from community water supplies around the State. Currently, a community water system can go get a private contractor to do this. This is a requirement of the federal government, but if the State of Illinois Department of Nuclear Safety conducts this test, they are allowed to charge a reasonable fee under this bill. And I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there is no discussion, the question is, shall Senate Bill 880 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 49 voting Aye, 4 voting Nay, none voting Present. And Senate Bill 880, having received the required constitutional majority, is declared passed. Senate Bill 885. Senator Syverson. Senate Bill 902. Senator Watson. Senate Bill 914. Senator Donahue. Senate -- with leave of the Body, we'll come back to 932. Senate Bill 938. Senator Lisa Madigan. Senate Bill 940. Senator Madigan. Senate Bill 941. Senator Robert Madigan. Senate Bill 945 and (9)46. Out of the record. Senate Bill 950. Senator Lauzen. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 950.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Senate Bill 950, the purpose of this legislation is to collect child support. It's called the "deadbeat most wanted list". It requires the Department of Public Aid to create a Web page containing information on individuals who are very significantly in arrears for their child support. It's

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patterned after the already tested, highly successful program implemented by the Department of Revenue. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 950 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 950, having received the required constitutional majority, is declared passed. The top of page 17 is Senate Bill 961. Senator Thomas Walsh. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 961.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. Senate Bill 961 is an initiative of the Illinois Development Finance Authority. It amends the Local Government Debt Reform Act to authorize the use of escrow accounts established at a trust company or bank having trust powers by qualified governmental units. There is no opposition to the bill. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there's no discussion, the question is, shall Senate Bill -- oops! I'm sorry, Senator Myers. Senator Myers.

SENATOR MYERS:

Thank you. Senator, I had been discussion about this bill, and -- and it was indicated to me that there would perhaps be an

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amendment offered in the House that would deal with, perhaps, the issue of there being a local entity who perhaps is in the situation of -- of actually having had some expense incurred in this.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR MYERS:

And it would...

SENATOR T. WALSH:

Well, I -- if that's -- if that's your wish, there would be. Yes. Okay.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Myers.

SENATOR MYERS:

Thank you very much.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there's no further discussion, the question is, shall Senate Bill 961 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 53 voting Aye, none voting Nay, none voting Present. And Senate Bill 961, having received the required constitutional majority, is declared passed. Senate Bill 975. Senator Dillard. Senate Bill 979. Senator Parker. Senate Bill 984. Senator Hawkinson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 984.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hawkinson.

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SENATOR HAWKINSON:

Thank you, Madam President. Senate Bill 984 creates a tax exemption for superefficient home appliances: refrigerators, dishwashers and clothes washers. The Department of Energy in Washington has a Energy Star label that they attach and award to super-energy-efficient appliances. Fifteen percent of our energy bills in our home are attributable to these types of energy uses, and by using energy-efficient appliances, we can save, for example, on a -- on a clothes washer, a hundred dollars a year off our utility bill and some seven thousand gallons of water annually. In addition to the energy savings that we can encourage by this kind of -- of bill, we also help create and protect jobs in Illinois. Maytag Corporation employs some three thousand people in my district and some one thousand people in Senator Woolard's district. They are spending millions of dollars to retool their factories to produce these kinds of energy-efficient appliances. At the request of the Revenue Committee, we did add an amendment to place a four-year sunset on this bill. Because of the retooling that is necessary to produce these, there will be some drop in the purchases, and our best revenue estimates at this time are between 3.5 - 3.8 million dollars, based on the number of projected sales that we believe can take place in Illinois. I think our energy policy is something we need to be working on. In addition to -- to increasing our production of energy, we need to -- to work on reducing our demand. This is an effort to do that. I think it's an excellent start in that direction, and I would urge an Aye vote. Be happy to try and answer any other questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Walsh.

SENATOR L. WALSH:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

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Indicates he will.

SENATOR L. WALSH:

Senator Hawkinson, on our analysis it says it places a three-year sunset. Was that changed under the...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hawkinson.

SENATOR HAWKINSON:

No. We were requested by the committee to place a four-year, and the amendment that we placed in is a four-year sunset.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall Senate Bill 984 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 984, having received the required constitutional majority, is declared passed. We'll skip Senate Bill 1017. 1033. Senator Thomas Walsh. Read the -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1033.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. Senate Bill 1033 amends the Illinois Public Aid Code. This is a bill that requires the Department of Public Aid to ask for the return of any emergency money paid by the Department of Public Aid during the SDU crisis in the fall of 1999. This does not force the recipient of the funds to return the money. I'd be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1033 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 53 voting Aye, none voting Nay, none voting Present. And Senate Bill 1033, having received the required constitutional majority, is declared passed. Senate Bill 1047. Senator Cullerton. Senate Bill 1058. Senator Myers. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1058.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Myers.

SENATOR MYERS:

Thank you, Madam President, Members of the Senate. Senate Bill 1058 offers probation departments throughout Illinois the additional tools to manage their caseload. It's hoped that with this legislation probation officers can successfully resolve cases for both juveniles and adults during the pretrial or predisposition time period. The bill contains two basic provisions: One, it extends the authorization to collect probation fees from juveniles on authoritative intervention; and, second, for adults, it permits lump sum payments for pretrial services, including electronic monitoring, drug and alcohol testing, and victim impact services. In both cases, the fees are assigned on the ability to pay and juvenile wards of the State are exempt. This bill was reported favorably by the Judiciary Committee with 11 to 0 vote, and I would be happy to answer any questions, but would ask for an affirmative vote.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Molaro.

SENATOR MOLARO:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR KARPIEL)

She indicates she will.

SENATOR MOLARO:

Okay. The bill -- so -- so I get this straight, so if someone's in juvenile court and they -- and they go in and they ask for a continuance, there's going to be a charge of twenty-five dollars now to -- to get a continuance?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Myers.

SENATOR MYERS:

Senator Molaro, it's only if they need services.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro.

SENATOR MOLARO:

I -- I don't know what that means. What kind of services?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Myers.

SENATOR MYERS:

This is for addicted minors and there are some services that could be required for them in that period of time.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall Senate Bill 1058 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 1058, having received the required constitutional majority, is declared passed. Senate Bill

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1065. Senator Cronin. Senate Bill 1080. Senator Jacobs. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1080 allows the court to impose consecutive sentences for offenses that were committed as part of a single course of conduct during which there was no substantial change in the nature of the criminal objective if one of the offenses for which the defendant was convicted was criminal sexual abuse or aggravated criminal sexual abuse. Come out of the committee unanimously. I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Molaro.

SENATOR MOLARO:

Well, will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

Indicates he will.

SENATOR MOLARO:

All right. Just -- just so I get it clear, you use the word "allows" the court. So is this discretionary with the court, or is it mandatory with the court?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

The language here: The court shall not impose a consecutive sentence except as -- as provided. So there is provisions in the

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law that allows for the court to still have discretion.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall Senate Bill 1080 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 53 voting Aye, none voting Nay, none voting Present. And Senate Bill 1080, having received the -- the required constitutional majority, is declared passed. Senate Bill 1081. Senator Clayborne. Senate Bill 1089. Senator Burzynski. Senate Bill 1093. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1093.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1093, as amended, provides that no abortion procedure which, in the medical judgment of the attending physician, has a reasonable likelihood of resulting in a live born child shall be undertaken unless there is in attendance a physician other than the physician performing or inducing the abortion who shall assess the child's viability and provide medical care for the child. The bill further provides that if there is a medical emergency, a physician inducing or performing an abortion which results in a live born child shall provide for the soonest practical attendance of a physician other than the physician performing or inducing the abortion to immediately assess the child's viability and provide medical care for the

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child. The bill additionally provides that a live child born as a result of an -- of -- of an abortion procedure shall be fully recognized as a human person and accorded immediate protection under the law. All reasonable measures consistent with good medical practice, including the compilation of appropriate medical records, shall be taken to preserve the life and health of the child. I'd be pleased to answer any questions there may be.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Obama.

SENATOR OBAMA:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR OBAMA:

This bill was fairly extensively debated in the Judiciary Committee, and so I won't belabor the issue. I do want to just make sure that everybody in the Senate knows what this bill is about, as I understand it. Senator O'Malley, the testimony during the committee indicated that one of the key concerns was -- is that there was a method of abortion, an induced abortion, where the -- the fetus or child, as -- as some might describe it, is still temporarily alive outside the womb. And one of the concerns that came out in the testimony was the fact that they were not being properly cared for during that brief period of time that they were still living. Is that correct? Is that an accurate sort of description of one of the key concerns in the bill?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Obama, it is certainly a key concern that the -- the way children are treated following their birth under these

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circumstances has been reported to be, without question, in my opinion, less than humane, and so this bill suggests that appropriate steps be taken to treat that baby as a -- a citizen of the United States and afforded all the rights and protections it deserves under the Constitution of the United States.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Obama.

SENATOR OBAMA:

Well, it turned out -- that during the testimony a number of members who are typically in favor of a woman's right to choose an abortion were actually sympathetic to some of the concerns that your -- you raised and that were raised by witnesses in the testimony. And there was some suggestion that we might be able to craft something that might meet constitutional muster with respect to caring for fetuses or children who were delivered in this fashion. Unfortunately, this bill goes a little bit further, and so I just want to suggest, not that I think it'll make too much difference with respect to how we vote, that this is probably not going to survive constitutional scrutiny. Number one, whenever we define a previsible fetus as a person that is protected by the equal protection clause or the other elements in the Constitution, what we're really saying is, in fact, that they are persons that are entitled to the kinds of protections that would be provided to a -- a child, a nine-month-old -- child that was delivered to term. That determination then, essentially, if it was accepted by a court, would forbid abortions to take place. I mean, it -- it would essentially bar abortions, because the equal protection clause does not allow somebody to kill a child, and if this is a child, then this would be an antiabortion statute. For that purpose, I think it would probably be found unconstitutional. The second reason that it would probably be found unconstitutional is that this essentially says that a doctor is required to provide

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treatment to a previable child, or fetus, however way you want to describe it. Viability is the line that has been drawn by the Supreme Court to determine whether or not an abortion can or cannot take place. And if we're placing a burden on the doctor that says you have to keep alive even a previable child as long as possible and give them as much medical attention as -- as is necessary to try to keep that child alive, then we're probably crossing the line in terms of unconstitutionality. Now, as I said before, this probably won't make any difference. I recall the last time we had a debate about abortion, we passed a bill out of here. I suggested to Members of the Judiciary Committee that it was unconstitutional and it would be struck down by the Seventh Circuit. It was. I recognize this is a passionate issue, and so I -- I won't, as I said, belabor the point. I think it's important to recognize though that this is an area where potentially we might have compromised and -- and arrived at a bill that dealt with the narrow concerns about how a -- a previable fetus or child was treated by a hospital. We decided not to do that. We're going much further than that in this bill. As a consequence, I think that we will probably end up in court once again, as we often do, on this issue. And as a consequence, I'll be voting Present.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

Thank you, Madam President and Ladies and Gentlemen of the Senate. The one thing the previous speaker did say is that this is a passionate issue. And -- however, I don't think it's challengeable on constitutional grounds in the manner that was described. This is essentially very simple. The Constitution does not say that a child born must be viable in order to live and be accorded the rights of citizenship. It simply says it must be

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born. And a child who survives birth is a U.S. citizen, and we need to do everything we can here in the State of Illinois and, frankly, in the other forty-nine states and in the halls of Washington, D.C., to make sure that we secure and protect those rights. So if this legislation is designed to clarify, resecure and reaffirm the rights that are entitled to a child born in America, so be it, and it is constitutional. I would appreciate your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 1093 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 34 voting Aye, 6 voting Nay, 12 voting Present. And Senate Bill 1093, having received the required constitutional majority, is declared passed. Senate Bill 1094. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1094.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. Ladies and Gentlemen of the Senate, Senate Bill 1094 creates the Induced Birth Infant Liability Act. In the form of a cause of action, if a child is born alive after induced labor abortion or any other abortion and the doctor or health care provider harms or neglects the child or fails to provide medical care to the child after the child's birth, it allows the public guardian of the county in which the child was born, as well as the parent, to maintain an action on

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the child's behalf for damages, costs of suit, punitive damages and attorney's fees. It also creates the -- Neonatal Care and Perinatal Hospice Fund in the State treasury which will be used by the Department of Public Health to make grants for neonatal care and perinatal hospice from any of those damages that are not -- that are left over and available should the child not live.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Madam President. I just want to point out that the -- the discussion related to the previous bill relates to this bill as well.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

I would appreciate the support of the Members.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. The question is, shall Senate Bill 1094 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 33 voting Aye, 6 voting Nay and 13 voting Present. And Senate Bill 1094, having received the required constitutional majority, is declared passed. Senate Bill 1095. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1095.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

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Thank you, Madam President. Senate Bill 1095 provides that in determining the meaning of any statute or of any rule, regulation, or interpretation of the various administrative agencies of this State, the words "person", "human being", "child", and "individual" include every infant member of the species Homo sapiens who is born alive at any stage of development. This is fashioned after the Born-Alive Infant Protection Act that passed the U.S. House last year, and I might add, passed the House of Representatives in Washington, D.C., overwhelmingly. I would appreciate your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Obama.

SENATOR OBAMA:

Simply to say that the same issues apply to this bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall Senate Bill 1095 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 34 voting Aye, 5 voting Nay, 13 voting Present. And Senate Bill 1095, having received the required constitutional majority, is declared passed. Senator Jones, Wendell Jones, on Senate Bill 1098. Senate Bill 1117. Senator Clayborne. On the top of page 18, Senate Bill 1126. Senator Robert Madigan. Senate Bill 1128. Senator Dillard. With leave of the sponsor, we will -- we'll skip Senate Bills 1128, 1168, 1169, 1174 and go to Senate Bill 1182. Senator Weaver. I guess then we'll -- with leave, we will skip 1182, (11)83, (11)84, (11)85, (11)86, (11)87, (11)88, (11)89. 1190. Senator Cronin. 1192. Senator Parker. We will -- all right. With leave, we will skip Senate Bills 1192 through 1208, 1211 through 1232, on -- on page 19. So we're back to Senator O'Malley again. On page 19,

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Senate Bill 1234. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. Senate Bill 1234 - and I want to thank Senator Hawkinson, who is my cosponsor, for making this available to me - increases the homestead exemption in bankruptcy under Illinois law from seventy-five hundred dollars to thirty thousand dollars. I'd be pleased to answer any questions there may be.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any questions? Any discussion? If not, the question is, shall Senate Bill 1234 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 51 voting Aye, none voting Nay, none voting Present. And Senate Bill 1234, having received the required constitutional majority, is declared passed. Senator Welch, for what purpose do you rise?

SENATOR WELCH:

Thank you, Madam President. Point of -- of order.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR WELCH:

On -- on Senate Bill 1080, I accidentally hit the speaker button instead of my Yes button when a fellow Senator was talking to me by my side. So I would like to be recorded as having voted Aye on 1080.

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PRESIDING OFFICER: (SENATOR KARPIEL)

The record will reflect that. Senate Bill 1240. Senator Cronin? Senate Bill 1241. Senator Cronin. All right. With leave, we will hold Senate Bills 1244 through 1250, and then 1251, 1252, (12)53. So we're to Senate Bill 1254. Senator Lauzen. All right. With leave, we will hold Senate Bills 1255 all the way down to the bottom of the page, 1273 and then 1274. So we are on page 21. Senate Bill 1276. Senator Syverson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1276.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. Senate Bill 1276 creates a seventeen-member Pharmaceutical Assistance Program Review Committee with the goal of this Committee to make recommendations to the General Assembly and Governor...

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me, Senator Syverson. We couldn't hear you.

SENATOR SYVERSON:

The goal of this Committee is to make recommendations to the General Assembly and the Governor regarding future changes to the pharmaceutical assistance program. As you know, our current program has been very successful and is helping hundreds of thousands of -- of seniors receive pharmaceutical assistance. This program is also growing cost-wise much more than we'd anticipated. Taking this kind of a reasonable approach to future expansions I believe is necessary. This Review Committee will bring, I think, a reasonable approach to the pharmaceutical assistance program. Be

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happy to answer any questions you might have. Otherwise, ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR HALVORSON:

Senator Syverson, is Citizen Action included in this panel?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

No, it's not. Eight legislators are on, the Department of Aging, Department of Revenue, Department of Public Aid, Department of Human Services, AARP, a representative from the pharmaceutical research industry, a representative from the Pharmacists, the Department of Public Health, and also a representative from the Medical Society.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Halvorson.

SENATOR HALVORSON:

I know we're all very aware how involved they've been with this issue. Is there any way that they can be, or is it set at a certain number?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

This does not preclude any group from being involved in the -- in -- in the hearings or testify at any hearings. If we get a group that is too large, then I think it becomes unmanageable. As opposed to having any related special interest groups, these are

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all related strictly to the health area, and I think it makes more sense to keep it as a smaller group like this. But certainly it's open to any group to be involved in the process.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Halvorson.

SENATOR HALVORSON:

...agree, but from the looks of the list already, it's very large, and this is a group that's had a lot of impact. I really don't see what one more would do.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

Well, unfortunately, with groups like this, there's always one more that would like to be added. There's always one more who would like to be involved. We needed to draw the line somewhere, and we believe that limiting it to those groups that -- that are either involved governmentally or have a direct involvement in the health care arena make more sense. This is a list that we came up with, with working with the AARP, who does strongly support this legislation.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Halvorson.

SENATOR HALVORSON:

Just a final comment. Senator Syverson, I'm very disappointed that they're not involved, as are a lot of people in this Chamber. And so I just hope that we can keep an open mind on an -- on an issue that is probably one of the most important issues in all of our districts, not only mine, but yours and everybody else's. So with their expertise, I think they can offer a lot to this group. So, please, I hope you let them know when the -- the hearings are, when everything's going on, so they can have a part in it.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR SYVERSON:

Thank you, Madam President. We certainly want this to be an open process and we want as many people as possible involved in this extremely important issue that affects so many individuals. We believe this is important because it will help, I think, take some of the politics out of what we're trying to do for seniors and come up with some reasonable approaches addressing the pharmaceutical area. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 1276 pass. Those in favor will vote Aye. Opposed, vote 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 this question, there are 54 Ayes, none -- no Nays, none Present. And Senate Bill 1276, having received the required constitutional majority, is declared passed. We'll skip the 1278 and (12)79. Senate Bill 1282. Senator Roskam. Senate Bill 1285. Out of the record. Senate Bill 1289. Senate Bill 1294. We're back to you, Senator O'Malley. Out of the record. Senate Bills 1299, 1304. Senate Bill 1320. Senator Dillard. Senate Bill 1331. Senator Cronin. Senate Bill 1341. Senator Radogno. Senate Bill -- oops! I'm sorry, Senator Philip. For what purpose do you rise?

SENATOR PHILIP:

Thank you, Madam President. You went right over my bill, 1285, which I want to move. It's a vehicle bill, and I just want to get it over to the wonderful House of Representatives.

PRESIDING OFFICER: (SENATOR KARPIEL)

I -- I -- I'm very sorry. With leave of the Body, we'll go back to Senate Bill 1285. Senator Philip. Senator Philip? Read the bill, Madam Secretary.

SENATOR PHILIP:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. It is a vehicle bill...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Philip, we need to read the bill. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1285.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. It's a vehicle bill. I'd like to get it over to the -- the Illinois House.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Oh, there is discussion. Senator Demuzio.

SENATOR DEMUZIO:

I was just curious if the -- if the Senate President needed any of us over here to pass this vehicle bill or whether or not he had enough on his own, but -- but don't worry. I'm just kidding you. Don't get excited.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon. If there's no further discussion, the question is, shall Senate Bill 1285 pass. The voting is open. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question, there are 53 voting Aye -- take the record, Madam Secretary. And on this question, there are 53 voting Aye, 1 voting Nay, none voting Present. And Senate Bill 1285, having received the required constitutional majority, is declared passed. Senate Bill 1348. Senator Rauschenberger? Senate

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Bill 1487. Senator Rauschenberger. Senate Bill 1488. 1489.
Senate Bill 1494. Out of the record. Senate Bill 1504. Senator
Syverson. Senate Bill 1505. Senator Robert Madigan. Senate Bill
-- I'm going to call all these shell bills, since we had a slight
change in plans. Senate Bill 1508. Senate Bill 1511. Senate Bill
1512. And Senate Bill 1520. All out of the record. Senate Bill
-- Senator Parker, for what purpose do you rise?

SENATOR PARKER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR PARKER:

I have with me today, Butch Walder, and his family are also in
Springfield: Harry, Kim, Shannon and Kiley and Michael. So,
please welcome them. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senator Geo-Karis, for what purpose
do you rise?

SENATOR GEO-KARIS:

Personal privilege. I have a -- have had a Page here by the
name of Tania, T-A-N-I-A, Lyerly, L-Y-E-R-L-Y, of Libertyville,
who's been serving us very well, and I'd like her to be welcomed
here to Springfield.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senator Weaver.

SENATOR WEAVER:

I'd like to make an announcement, Madam President. I would
remind all the Members to get their Floor amendments filed by noon
on Monday. We'll be having a Rules Committee meeting on Monday
afternoon. So if you can get your Floor amendments filed by noon,
that would help expedite getting Rules Committee and the bills
assigned.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you, Madam President. Personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR LAUZEN:

I'd just like to introduce a Page who's with me today from Naperville, Illinois. His name is Andrew Domagola.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

ACTING SECRETARY HAWKER:

There have been no objections filed, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. Senator -- all those in favor, say Aye. Opposed, Nay. The motion carries. The resolutions are adopted. Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. For my friend on the other side of the aisle, Senator Hendon, I'd -- wish that he would look at the list of resolutions. There are eight Democrat resolutions and one Republican. And I hope that makes you feel a little better.

PRESIDING OFFICER: (SENATOR KARPIEL)

Ladies and Gentlemen, we have concluded our work for today. We've been very... We will reconvene at 4 o'clock on Monday, but we'll stay open to do housekeeping, paperwork and read in the

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Rules Report. Now, Senator Link, for what reason do you rise?

SENATOR LINK:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR LINK:

Before -- before everybody runs out, I'd like to -- tomorrow is a special occasion. Our Assistant Sergeant of Arms is celebrating her 21st birthday again tomorrow, and I'd like, on behalf of all of us in the Senate, to wish her a very happy birthday.

PRESIDING OFFICER: (SENATOR KARPIEL)

Happy birthday. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

I was under the impression we were -- we were -- are we going to go to Rules? We never received a notice. I think Stanley -- Senator Weaver indicated we were, and we're staying -- he's right behind you. So we're going -- we're going to stay open in -- in order to read in the -- all right.

PRESIDING OFFICER: (SENATOR KARPIEL)

Yes, we're -- Senator Demuzio, I just -- I did announce that we are going to read it in. We're staying open to do some housekeeping and read in the Rules Committee Report. House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 48, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 64, offered by Senator Syverson.

(Secretary reads title of bill)

House Bill 198, offered by Senator Woolard.

(Secretary reads title of bill)

House Bill 312, offered by Senator Link.

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(Secretary reads title of bill)

House Bill 335, offered by Senator Hendon.

(Secretary reads title of bill)

House Bill 480, offered by Senator Trotter.

(Secretary reads title of bill)

House Bill 504, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 1040, offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 1045, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 1069, offered by Senators Weaver and Clayborne.

(Secretary reads title of bill)

House Bill 1551, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1734, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 1824, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 1883, offered by Senator Larry Walsh.

(Secretary reads title of bill)

House Bill 1895, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 1900, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1973, offered by Senator Luechtefeld.

(Secretary reads title of bill)

House Bill 2001, offered by Senator Bomke.

(Secretary reads title of bill)

House Bill 2111, offered by Senator Cronin.

(Secretary reads title of bill)

House Bill 2189, offered by Senator Trotter.

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(Secretary reads title of bill)

House Bill 2236, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 2258, offered by Senator Roskam.

(Secretary reads title of bill)

House Bill 2315, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 2378, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 2392, offered by Senator Rauschenberger {sic}
(Radogno).

(Secretary reads title of bill)

House Bill 2470, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 2492, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 2511, offered by Senator Trotter.

(Secretary reads title of bill)

House Bill 2518, offered by Senator Trotter.

(Secretary reads title of bill)

House Bill 3054, offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 3075, offered by Senator Obama.

(Secretary reads title of bill)

House Bill 3066, offered by Senator O'Malley.

(Secretary reads title of bill)

House Bill 3125, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 3130, offered by Senator Radogno.

(Secretary reads title of bill)

House Bill 3147, offered by Senator Hendon.

(Secretary reads title of bill)

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House Bill 3199, offered by Senator Link.

(Secretary reads title of bill)

House Bill 3209, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 3267, offered by Senators Trotter, Smith and del Valle.

(Secretary reads title of bill)

House Bill 3335, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 3557, offered by Senators Noland and Hawkinson.

(Secretary reads title of bill)

House Bill 3563, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3574, offered by Senator Peterson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR KARPIEL)

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 107, Amendment 1 to Senate Bill 556; to the Committee on Executive - Amendment 2 to Senate Bill 188, Amendment 1 to Senate Bill 517, Amendment 1 to Senate Bill 606 and Amendment 1 to Senate Bill 1262; to the Committee on Insurance and Pensions - Amendment 1 to Senate Bill 943, Amendment 1 to Senate Bill 944; to the Committee on Judiciary - Amendment 2 to Senate Bill 1320; to the Committee on Public Health and Welfare - Amendment 2 to Senate Bill 445, Amendment 3 to Senate Bill 1276 {sic}; to the Committee on Transportation - Amendment 1 to Senate Bill 1514; and Be Approved for Consideration - Senate Amendment 1 to Senate Bill 326,

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Amendment 2 to Senate Bill 750, and Amendment 2 to Senate Bill 1117.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there is any -- if there's not any further business to come before the Senate, Senator Obama moves that the Senate stands adjourned until the hour of 4 p.m., Monday, April 2nd, 2001.