

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

25th Legislative Day

April 6, 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 the Reverend David Upchurch, Rochester Christian Church, Rochester, Illinois. Reverend Upchurch.

THE REVEREND DAVID UPCHURCH:

(Prayer by the Reverend David Upchurch)

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. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Wednesday, April 4th, and Thursday, April 5th, in the year 2001, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Amendment 3 to Senate Bill 372 and Amendment 1 to Senate Bill 392 Be Adopted.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

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the House of Representatives has 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 505, 1712, 1825, 1914, 1975, 2110, 2298, 2502, 2662, 3071, 60, 849, 1094, 2204, 2358, 3128, 325, 430, 1330, 1728, 2138, 2283, 2382, 3073, 3131, 3188, 3364, 3521, 3525, 3579, 3581, 3583 and 2400.

All passed the House, April 5th, 2001.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 108, offered by Senator Sullivan and all Members.

And Senate Resolution 109, by Senator O'Malley and all Members.

They're both death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. If I could have your attention for a minute. Hopefully we're going to go through the Calendar at least one more time on 3rd Readings and hopefully get out of here before noon. So if you can kind of keep the rhetoric down, we'll get out of here.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...morning, Ladies and Gentlemen of the Senate. Today we'll be proceeding on 3rd Reading. It's the last time to get the Senate bills out, and we will start on page 3. Page 3 of your Calendar. Remember, this is the last day to get the Senate bills out. So please be prepared. Greg Lee, from CMS -- Illinois Information Service requests permission to videotape. Hearing no objection, permission granted. On the Order of 3rd Reading, Senate Bill 1. Page 3. Out of the record. Senate Bill 3. Senator O'Malley? Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 3.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 3 provides that a person who is injured by an impaired person under eighteen years of age has a right of action for damages against any person who, one, by selling, giving, or delivering illegal drugs or, two, by permitting consumption of illegal drugs causes or contributes to the impairment of a person under eighteen years of age. This same provision was extended for alcohol impairment, as well. And at an appropriate time, I have some language I'd like to read into the record, Madam President. But I will be happy to stand for any questions you have.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, question is, shall Senate Bill 3 -- oh. I'm sorry. Did you wish to read something in the record? Senator O'Malley. I'm sorry. Senator O'Malley.

SENATOR O'MALLEY:

Madam President, thank you. Illinois Senate Bill 3 is an initiative from the Illinois Crime Commission. The purpose of Illinois Senate Bill 3 is to create liability and otherwise hold personally liable and responsible individuals who provide alcoholic beverages or liquor or illegal drugs to a person under eighteen years of age. It is not the intent of this legislation to create social host liability, as that term is commonly understood under Illinois law, including a recent Illinois Supreme Court decision in 1995 entitled "Charles versus Seigfried", found at 651 N.E. 2nd 154. The problem to be solved here is the

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numerous alcoholic or drug parties sponsored by individuals who are not now held to be personally liable under the law for the damage that minors might do when they are under the influence of drugs or alcohol after attending such parties. Again, I'd be happy to answer any questions there might be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Welch.

SENATOR WELCH:

I've got a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will listen.

SENATOR WELCH:

Does this bill include the provision that if the plaintiff files a lawsuit...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR WELCH:

...the plaintiff reimburses the defendant if he loses? Is that right?

SENATOR O'MALLEY:

There is a provision in the bill that has to do with liability brought if -- if the claim originates from someone's home and that if that person is drawn into it and they must defend themselves from the claim and they are found that the action should not have been brought against them, that, indeed, they would be reimbursed for their court costs and attorney's fees. It does not, however, deal with business premises in the same manner. And anybody -- and -- and the heart of this legislation is to go after those places that conduct parties or watch activities go on, on their premises where they make a profit, and ignore what happens to our children who are under age eighteen.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Welch.

SENATOR WELCH:

Just one other question. Is there any other provision in Illinois statutes that allows -- that requires the plaintiffs to play the -- pay the cost of a lawsuit if he loses?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley. Senator O'Malley, did you hear the question?

SENATOR O'MALLEY:

I -- it's -- I heard the question and I know there was a conversation going on across the room. It's my understanding that there is, under limited circumstances.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is -- are you ready to close?

SENATOR O'MALLEY:

I'd appreciate the support of the Body. I think this is an important piece of legislation that is designed to protect our children age seventeen and under. And it -- it has been widely respected and appreciated across the State. And again, it's an initiative of the Illinois State Crime Commission. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 3 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 11. Senator Mahar. Out of the record. Senate Bill 19. Senator

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Lauzen. Out of the record? Senate Bill 57. Senator Roskam?  
Out of the record. Senate Bill 58. Senator Peterson. Out of the  
record. Senate Bill 72. Senator Sullivan. Senator Sullivan,  
Senate Bill 72. Out of the record. Senate Bill 88. Senator  
Rauschenberger? Out of the record. Senate Bill 89. Senator  
Rauschenberger. Out of the record. Senate Bill 94. Senator  
Watson. Senate Bill 94. Out of the record. Senate Bill 130.  
Senator Robert Madigan. Senator Robert Madigan? Out of the  
record. Senate Bill 131. Senator Robert Madigan. Out of the  
record. Senate Bill 132. Senator Robert Madigan. Out of the  
record. Senate Bill 136. Senator O'Malley? Out of the record.  
Senate Bill 146. Senator Rauschenberger? Senate Bill 146. Out  
of the record. Senate Bill 172. Senator Dillard? Read the bill,  
Mr. Secretary.

SECRETARY HARRY:

Senate Bill 172.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the  
Senate. This particular piece of legislation stems from the  
Senate President's...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a moment, Senator. Could we have your attention, Ladies  
and Gentlemen? Take your conferences off the Floor. Please give  
the speaker your attention. Senator Dillard.

SENATOR DILLARD:

Thank you, again, Madam President. This particular piece of  
legislation stems from the Senate President's hometown, and it  
amends the Vehicle Code by updating or changing what I call the

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"cop in the box", an -- automated railroad crossing fines that have worked so well, when we increased them a few years ago, in eliminating traffic deaths and fatalities, especially in the metropolitan Chicago area. When we increased the fines for going around an automated downed railroad crossing, we literally have cut the number of deaths per year in half. This particular provision, especially the provision dealing with what I call the photograph or cop-in-the-box type of enforcement of automated railroad crossings, has been litigated, and this bill comes as a suggestion of the village prosecutor of Wood Dale, Illinois, up in DuPage County, which is one of a couple of places where this automated take a picture of the vehicle crossing the railroad while the gates are down is in place. This bill does a couple of things. It -- it makes the first penalty two hundred and fifty dollars, rather than five hundred dollars. But importantly, on the other end, it allows, for the first time, the Secretary of State to take someone's driver's license away if they have multiple offenses of this. Essentially, this extends the life of a program, which I affectionately call cop in the box, from two years to five years, and it makes some suggested changes in -- this is becoming now a petty offense and a fine, as opposed to a civil penalty. I'll be happy to answer any questions, and Senator Philip knows firsthand, and I'm sure he'd be happy to answer questions, about why this is needed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you. Would the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR MOLARO:

Okay. You say it becomes a civil penalty. What does it do to

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your driver's license and your ability to drive? Are there any suspensions? Are there any -- 'cause right now it's -- it's obviously a traffic violation to go around gates and there's some discretionary and mandatory suspension. So what does this bill do to that?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Senator Molaro, it's a petty offense and a fine. And I'm going to look at the language of the suspension of the license. Says in here, "For a second or subsequent violation, the Secretary of State may suspend the registration of the motor vehicle for a period of...6 months."

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro.

SENATOR MOLARO:

Yes. Let's -- so -- well, let's talk about this ticket for a second, 'cause I'm -- I'm really unclear on this. I'm -- I don't want to waste time, but I am unclear. You mail this ticket. So, in other words, if a friend of mine has my car and he goes around these railroad gates, they're going to get Senate plate 12, or if I had my regular car, whatever that plate number is, and they're going to mail me a ticket. Now, on that ticket, will there be a court date or is it just that I have to go and pay the fine, or can I request a court date? And -- and the other thing I have to ask is, this thing about a letter - and then you can answer 'em both at the same time to save -- save time - one is, do I get a court date? And the second thing is, if I go to court and they go first and I just stand moot {sic}, I mean, how do they prove I was driving the car? Or does this statute -- said all it has to do is be my car and it goes against my driver's license, and they don't have to show at all that it was me?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

...you. I believe one of the things that we are clarifying in this -- first of all, you do get a court date. And, Senator Molaro, if you think you were not the operator of that vehicle on that particular day, you send it back with the name of who you believe was operating your motor vehicle and then you are off the hook, so to speak. Then they notify the person, after you've provided them the name of who was really driving your vehicle, and they send the citation to that person. If you refuse to pinpoint that Senator Jacobs was driving your car on that day, and you won't turn him in, you may - may - be liable, in any event, for the operation of your vehicle around the downed automated railroad crossing.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro.

SENATOR MOLARO:

I'll just end with a comment, then. I've never been a big fan of these cop-in-a-box things. I think that's too much Big Brother for me to take, because it's right with exactly who did it. Jurisprudence says that someone's got to get up on that stand and say, "You, Senator Dillard, did A, B, C or D." To get up there and say your car did it, and therefore we're going to charge you with a crime, I'm just not a big fan of. The other part of it is, it's almost like a stool pigeon bill. So the only way I get off the hook is I got to beef on Senator Jacobs, or my son, and I don't particularly care for that. I also don't like the part that it would be a "may". So you said if I say it's Senator Jacobs, I'm off the hook. What if Senator Jacobs wasn't even in Chicago then? So now I'm off the hook. Now they go after him. He says, "No way, I was in Chicago." And it could go back and

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forth. And I'm just not a fan of that. So, thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Philip.

SENATOR PHILIP:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. Wood Dale is in my legislative district. The railroad crossing at Irving Park is one of the most dangerous crossings in Illinois, and we continually have people going around the gates. So it was a decision of the administration in Wood Dale to put up a cop in the box. And quite frankly, it's worked quite well. The only complaints I get are from people who go around it and get caught on film and who end up paying the five-hundred-dollar fine, which I think, quite frankly, is a pretty stiff fine. But now, under this bill, it changes the fine. The first offense would be two hundred and fifty. The second offense, five hundred, and they might take your license for six months. You know, you can go through a traffic light and you might get hit and get hurt. When you go through a railroad crossing, get hit by a train, adios. That's it. So I suggest this is a good idea. We ought to pass it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Dillard, to close.

SENATOR DILLARD:

Thank you. And I'll be very brief. I just want to say that the standard of proof, Senator Molaro, is not changed. And, you know, there are safeguards for people if -- if they weren't driving the vehicle. This is very similar to what the Illinois Tollway {sic} Highway Authority is now using for fine violators there. And as Senator Philip pointed out, if you get hit by a train, most likely you're going to be deceased. But, most importantly, if you live in the metropolitan Chicago area and

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there is an accident in the morning at rush hour, fifty thousand people can be delayed going to work. All of the downtown businesses don't have their people coming. It is more than -- than just a normal type of running a red light situation when you have a major catastrophe with somebody going around a downed crossing gate. And finally, and most importantly, since this is instituted and since this new law was instituted, the fatalities have dropped in half. I don't know what more we could want. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 172 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 40 voting Aye, 15 voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 206. Senator Roskam? Out of the record. Senate Bill 222. Senator Dillard? Senator Dillard? Senate Bill 222? Out of the record. Senate Bill 257. Senator Dillard. Out of the record. Senate Bill 261. Senator Burzynski? Out of the record. Senate Bill 286. Senator Wendell Jones. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 286.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jones.

SENATOR W. JONES:

Madam President, Members of the Senate, Senate Bill 286 - excuse me - requires the Department of Public Health to appoint a Dementia Patient Care Advisory Committee to study and advise the

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Director on appropriate care and staffing for dementia patients residing in long-term care facilities. This simply would study the ratios. It would not change any ratios or anything like that. It would just study it and take a look at long-term care facilities and the ratios that we have on these dementia units. I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? The question is, shall Senate Bill 286 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 370. Senator Rauschenberger. Out of the record. Senate Bill... Senator Radogno seeks leave to return to 2nd Reading Senate Bill 372. Is leave granted? In the opinion of this Chair, leave is granted. Senator Radogno, on the Order of 2nd Reading is Senate Bill 372. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. The amendment, which becomes the bill, puts the agreed-upon language on the bill, which I can explain on 3rd Reading.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, all those in favor, signify by saying Aye. All opposed. The amendment's carried. The Ayes have it. Any further amendments, Mr. Secretary?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. On 3rd Reading is Senate Bill 372. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 372.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 372 addresses air pollution from Illinois' largest industrial source, which is power plants. This bill is the product of almost a year of negotiation between the industry, the Governor's Office and environmentalists. I'm happy to report that the parties have reached an agreement on the bill, and it passed the Senate -- Environment and Energy Committee unanimously. The key provision of the bill and one of the reasons that an agreement was reached was that the bill allows the EPA and the Pollution Control Board to balance environmental improvement with the need for reliable and affordable energy when establishing any new rules. I'd be happy to answer any questions or go into more detail on the provisions...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none -- oop. Sorry. Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

She indicates she will.

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SENATOR CULLERTON:

Who -- who are -- who are the people that were involved in the negotiations on the bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

The Governor's Office, the Environmental Protection Agency, the -- the energy industry, and there were several parties, including Midwest Generation, American Lung Association, Energy Association, and that's -- that's about it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 372 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting -- and 2 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 392. Senator Mahar, do you wish this bill returned to 2nd Reading for purpose of an amendment? Senator Mahar seeks leave of the Body to return 392 to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 392. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar.

SENATOR MAHAR:

Thank you -- thank you, Madam President. This amendment seeks to add about eight thousand megawatts of electric generation

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capacity to our grid in the State of Illinois. I would move its adoption and further explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Walsh.

SENATOR T. WALSH:

You know, I'm -- I'm sorry, Madam President. I just wanted to let the record reflect on the last bill, Senate Bill 372, I was repeatedly pushing my Yes switch, but it didn't appear to work. And I'd be -- like to be recorded as a Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Your -- your statement will be so noted. Any further discussion? Hearing none, the question is -- all those in favor -- in favor of the amendment, signify by saying Aye. All opposed. The Ayes have it. And the amendment is adopted. Any further Floor amendments for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. On the Order of 3rd Reading is Senate Bill 392. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President. What this bill seeks to do is add a total of eight -- a quantity of eight electric generating plants to our grid in Illinois of a -- and they would be a -- have a -- each have a capacity of one thousand megawatts or greater. What the bill does is create an Energy Generation Resource(s)

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Development Coordinating Council which, over the next six months or so -- or so, will look at our resources in Illinois. They will have a summit early next year to match up communities who will probably want to bid on these plants with resources. The incentives provided to the generators will be a onetime sales and use tax exemption for materials and equipment used to build the plant. The exemption ends when the plants go on line.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Let me ask a inquiry. I'm not trying to slow down the proceedings or anything, but we just adopted this amendment. It's not in our machines. No one has seen it except those individuals who have been involved in the process. I would ask that if we're going to -- if we're going to amend bills today, that we come back and pick them up at the end of the -- at -- at the end of the Calendar, so that we have an opportunity to -- to see what's in 'em.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio, we will honor your request. How's that? Take it out of the record. But we will return to it later. Senate Bill 428. Senator Philip? Senate Bill 429. Senator Philip? Senate Bill 458. Senator Rauschenberger? Senate Bill 471. Senate -- Senator Parker? Senate Bill 473. Senator Noland? Senate Bill 489. Senator Molaro? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 489.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro.

SENATOR MOLARO:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. It's a pretty straightforward bill. The problem that we have in some of these -- you see these homeowner's insurance policies that can be twenty, thirty pages long. Sad to say, sometimes when they explain what certain words mean, they don't follow Webster's dictionary of what is common language to regular people. There's been -- few constituents that came to me that had this major problem and that's this: They'll buy a policy - and say their building's worth a hundred and fifty thousand - they go and they buy this policy - hundred and forty, hundred and fifty thousand, whatever it may be. Then they pay an extra fifteen, twenty dollars for what would be called a "replacement cost" endorsement. Now, it's got all these little words with type print that's about two points that you can hardly read, and it says -- in there somewhere it will say that it's replacement cost and this policy, this endorsement, for fifteen bucks, will replace the cost of rebuilding your house, but, "a double-i", only to the value of the principal amount that's stated on the cover of your policy. Now, the problem with that is, most people, especially senior citizens or -- or people even like myself who trust my insurance agent, don't read my homeowner's - that if I buy a replacement cost policy and I pay extra for that, that means if my home burns down, they'll replace it. Has nothing to do with one forty, because sometimes replacing it does cost more than -- than what the value is. All this says is that if you're going to sell these things, and you're going to do it, that somewhere on the front of the cover or the first page, that you would actually put on there what the replacement cost means, what that term means, so there's no confusion. Now, I've talked to the insurance people. We got it out of committee. I told them, because they're worried about exactly how they would fit it, that I would ask Representative Mautino, who is the Chairman of Insurance, to pick

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up the bill. The insurance company said that would be fine. I will continue to work with them, because maybe the cover isn't the best place. Maybe it should be on the front page. Maybe it should be one paragraph and not four paragraphs. But the point of the bill is just to let people know that when they buy a replacement cost policy, it's not the replacement cost, you're not going to get your building replaced; you're only going to get up to your policy limit. And that's all this bill does.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 489 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 voting Aye, 2 voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 521. Senator Clayborne. Out of the record. Senate Bill 557. Senator Silverstein. Out of the record. Senate Bill 558. Senator Rauschenberger. Out -- out of the record. Senate Bill 562. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 562.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 562 is the Parental Notice of Abortion Act of the year 2001. This Act requires that a physician give a notice to the minor's parent, step-parent married to and residing with the custodial parent, or legal guardian, forty-eight hours before

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an abortion is performed on a minor girl. Forty-two states have passed parental involvement laws in the United States of America. There are thirty-four currently still in effect, and every surrounding border state of Illinois has the parental right of notice before an abortion is performed on a little girl. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Ronen.

SENATOR RONEN:

Thank you, Madam President. Just want to make a comment. I -- this is one of those bills that sounds good but really is a bad idea. And I would ask all my colleagues to look closely at that. While it's important for parents to be involved with children, in some cases the family life is such that that -- that doesn't happen and shouldn't happen. And in some cases, in fact, the reason a child is pregnant is from incest or abuse from a family member. So -- and this bill doesn't protect that young -- young, vulnerable woman. I would say to Members who are pro-life in this Chamber that they could still vote against this bill. There's another bill in the House that is more -- written in a more comprehensive way that allows for young women who are victims to contact another adult or -- or for the doctor to contact another adult. And I think that's the better way to go. So, I would say, let's not just have a knee-jerk reaction to what might sound like a good idea but really puts very young girls at risk. So I would ask all my colleagues, if they can't vote No, to please vote Present.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

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

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Indicates he will.

SENATOR L. MADIGAN:

Senator Dillard, it's my understanding that an exception is available to this legislation if the person that the minor has become pregnant by is a father or a step-parent living in the household. Are there any other exceptions available that -- for family members?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you. And thank you, Senator Madigan, for pointing out that there is a judicial bypass provision in this legislation. The pregnant minor could escape parental notice if she states in writing that she's been the victim of abuse or neglect by her family. Another option is a confidential court hearing in which the judge could waive parental notification. So there are some judicial bypass proceedings in here. I'm a realist. I know that not every home is a perfect home in Illinois. And I believe that there are safeguards for the minor child to use instead of going to her parent, step-parent or guardian in cases of some situations.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lisa Madigan.

SENATOR L. MADIGAN:

Senator Dillard, let me clarify what you said. I think what you said is that there is an exception available for family members. But it's my understanding, from reviewing the analysis, that there would be the judicial bypass available, again, if it was a father, a stepfather living in the household, but it does not appear - and if you could clarify this for me - if it was a brother, an uncle, a boyfriend, maybe, of the mother, or a

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grandparent. Are there -- is there a judicial bypass available for those four people?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Madigan, I think the -- the exceptions are laid out on page 4 of the bill, but it's an adult family member.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Madigan.

SENATOR L. MADIGAN:

Well, can you -- I mean, in terms of your intent, when you say it says adult family member, would it include those people or not? And when I say those people, I mean the people I just listed: an uncle, a brother, a boyfriend - I don't know if a boyfriend is considered to be a family member - a grandparent. And do they have to be living in the household for that to apply?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard. Senator Dillard.

SENATOR DILLARD:

Senator Madigan, "adult family member" is defined and means a person over eighteen years of age who is the parent of the minor or incompetent person; a parent -- excuse me, a step-parent married to and residing with the custodial parent of the minor or incompetent person; or a legal guardian of the minor or incompetent person. And I would hope that if it's somebody outside of that realm, it's one of the reasons that we have parental notice. The parents or the guardian, step-parents, ought to know what's going on, and that's why somebody needs to consult with whomever is in charge of the minor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Madigan.

SENATOR L. MADIGAN:

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Well, Senator Dillard, I agree with you that we would certainly want to make sure that the parents would know if their daughter is being sexually abused by somebody in their household. I think it's unfortunate that the way this is defined, it does not necessarily include an uncle, a brother, or a grandparent. And so that would be one of the concerns I would have. Let me ask you another question. Is there the availability for a woman... Can you hear?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard. ...Madigan.

SENATOR L. MADIGAN:

My next question to you would be, in terms of notifying somebody who's a parent, who, including parents, are available for -- for this woman to notify?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you. It is the minor's parent, step-parent married to and residing with the custodial parent, or legal guardian.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Madigan.

SENATOR L. MADIGAN:

And those are the only people that the minor can notify with this. Would your bill include clergy members or siblings, or aunts or uncles?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Senator Madigan. No, it would not. And let me tell you why it's limited like it is. The Supreme Court has acknowledged that the State's interest is in protecting parental rights, and the Court has held that minors have abortion rights

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equal to the adults' rights, subject only to countervailing parental rights. I considered grandparents as -- as something in here, but the more we expand the -- the people that are available to receive notice, the more we dilute the -- the State's rights here. And if the notice is provided to someone other than the parents of the minor, again, the State's interest in regulating abortion is diminished. And that is why we have kept -- and we followed the Supreme Court's guidance here on the number of people who can get notice to a minimum.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Madigan.

SENATOR L. MADIGAN:

Thank you. I would just like to reiterate some of what Senator Ronen said. Unfortunately, there are many young women who are living in households that are less than ideal, and while I think that the sponsor is well-intentioned with this bill, I do have some great concern that the exceptions that are available are not sufficient, and that the bill that is coming over from the House at least includes clergy, siblings, aunts and uncles as -- as people to be notified, as well as a number of other people that would allow for a judicial bypass, such as uncles, grandparents, brothers, and that we should definitely include in family members a broader definition. So I would urge either a No or Present vote on this. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will.

SENATOR SULLIVAN:

Senator Dillard, has this Body not passed legislation in the

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last couple years mandating parental notification for tattoos and body piercing and, just yesterday, parental notification for traffic violations?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

I believe we have.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sullivan.

SENATOR SULLIVAN:

Then I would submit to my colleagues in the Senate that if we voted - and I believe virtually every Member in this Chamber has voted for all three of those measures - that we believe that for -- there should be parental notification for tattoos, body piercing and traffic violations, I would argue that an abortion is a much more traumatic event in a young person's life and we certainly can have parental notification for an abortion.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Myers.

SENATOR MYERS:

Thank you, Madam President. Would the sponsor yield, please?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR MYERS:

I've met with groups of grandparents and there's a group called GROC, which is Grandparents Raising Our Children. It's often that they don't have official responsibility for the grandchild, but the influence that a grandparent has - and I am a grandparent - and the care that they often give these children, in unofficial capacity, I think is something that needs to be considered in this bill. We are the elder generation who supposedly are supposed to be a good influence on these children

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and the grandparents who are raising children and taking a lot of the care but don't have any official status, I think needs to be considered.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Hearing none, Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Madam President. Couple of things. Again, I just want to reiterate that forty-two states, including all of those surrounding us, have required the involvement of at least one parent for a minor child to have an abortion. Unfortunately, Illinois is one -- not one of them. Senator Myers, we've considered grandparents, and in some cases, if the grandparent is the official guardian, they can be the receiver of the notice. But the United States Supreme Court has had decisions recently about grandparents' rights and they have diluted, sadly, those grandparents' rights. And we are taking the guidance of what is the State's interest with respect to a parent, and that's where we came up with our definition. Just to close, I know that many of you remain committed to an adult woman's right to an abortion, and you have, for years, supported a -- a woman's right to choose as a health decision best left between a woman and her doctor. But a girl is not a woman. And we are talking about minor children here. Generally, an abortion is a safe surgical procedure, but with any surgical procedure, even the most minor surgical procedure, there's always the potential of some physical health complications, and I don't even want to get into the mental ramifications of what an abortion does, not only to a woman, but what it does later on in life to a minor child. There is a judicial bypass in here. I believe this bill is reasonable, and I think we should join forty-two other states, and every state around us, and do what we've done for drivers' licenses, body

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piercing and so many other things in the State of Illinois, and that's protect our minor children from harm. And I think this is a sane thing to pass and we should do so right now. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 562 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 39 voting Yes, 7 voting Nay, 11 voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 640. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 640.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill has to do with the interest that one gets after they are awarded a certificate of error. And the -- what the bill is intended to do -- it comes from the -- the collector -- the county treasurers. What they want to do is, they put in the bill a requirement that there be a refund application form sent to the taxpayers and for them to fill that out, and if they don't properly fill it out, there could be a delay in their interest that they are obtaining. This has been worked out with -- the Chicago Bar Association, but we did hear from the Metro Counties representatives in committee, and they did make some suggestions for clarification of the amendment, something which we have pledged to do if the bill goes

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to the House. But they did agree with the concept of the amendment. It's something which is beneficial to them because it puts in the law the -- the concept of having this application form be filled out by the taxpayer. And for that reason, I'll be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Peterson. Any further discussion? Hearing none, the question is, shall Senate Bill 640 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And this -- this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 687. Senator Dillard? Senator -- Senator Dillard? 687? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 687.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill does three things. It increases the fees paid by persons who file complaints in DuPage County and makes the fees identical to the filing fees paid in Cook. We added the provisions of Senate Bill 992, of the Minority Spokesman of the Local Government Committee, Senator Larry Walsh, adding a new provision that all county circuit clerks with an inmate population shall receive some type of stipend -- extra stipend. So, if you have a penitentiary in your district, this helps reduce some of the cost of your local State's attorney for all of the extra work

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that the local circuit court has to handle where you have a penitentiary. And finally, we added the provisions of Senate Bill 1063, of Senator Judy Myers, to provide that certain fees collected as part of a sentence for probation or conditional discharge and for the supervision are not subject to distribution by the circuit clerk under a generally prescribed formula. I'm sure she can answer questions about that part of the bill. And I'd answer questions, if there are any, about any others. And I'd urge a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. I reluctantly arise in this case, because I think this bill violates the single subject requirements of our State Supreme Court under our Illinois Constitution. I indicated this to staff some time ago. My view is that while I tend to take a narrower view of the single subject rule than some of the rulings that have come down, the main objection to single subject is -- is the provision called "logrolling", and that's when you attach one popular provision to another unpopular provision. In this case, many of us would like to vote for Senator Walsh's bill, which increases the reimbursement to our counties that have prison, but we do not want to support massive fee increases. So, for those reasons, I reluctantly urge a -- a Present or a No vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Hearing none, Senator Dillard, to close.

SENATOR DILLARD:

Thank you. You know, we've been requested by the Senate President and Leadership to try to hold our paperwork to a minimum here. I do want to point out that everything in this bill deals

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with 705 Illinois -- or, ILCS 105. So, not only are we in the same part of the statute, we are in the minute part of the statute. So everything here is what I call a 705 ILCS 105 part. Senator Hawkinson, you know, who is probably one of the most astute in the conscience of the Senate on single subject requirements, I'm not sure there is anything real popular in here. This is very different than some other logrolling attempts that have been made by previous General Assemblies. But most importantly, if you think you're getting logrolled here, vote No. But I think there are some good provisions in here and it's needed, and they're all in the same minute, little bitty part of the statute. Although, I do appreciate, very much, Senator Hawkinson's guidance, not only on this, but on every piece of legislation. I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 687 pass. Those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 19 voting Aye, 27 voting Nay, 9 voting Present. And this bill, having failed to -- to -- to get the required constitutional majority, is failed. Senator Cronin, Senate Bill 722? Out of the record. Senator Shaw, Senate Bill 724? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 724.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Thank you, Madam President and Ladies and Gentlemen of the

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Senate. This bill provides that -- qualified waste and -- energy facilities who fail to file a report would be subject to uniform penalties, and this is a -- an amendment -- the amendment really becomes the bill. But a couple of years ago, we had passed legislation and it was -- this part was omitted, where that the Department of Revenue was unable to track who paid and who -- who had not paid. And certainly this amendment would take care of that. And DOR is -- is neutral on the bill. The Department of Revenue is neutral on the bill. Waste Management is -- they don't have any problem with the bill. And I ask for Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 724 pass. Oop! Sorry. Senator O'Malley. I'm sorry.

SENATOR O'MALLEY:

Thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR O'MALLEY:

Senator Shaw, just for everybody's benefit. I know you've explained this bill, and I'm your cosponsor of this legislation. But so that everybody appreciates the history of this, I'm just going to go through some -- some questions with you. The original legislation was intended to craft a -- a -- a settlement of a dispute that would have benefit the Village of Robbins, Illinois, which is in your district and adjacent to mine. It was the intent, when that legislation was crafted, was it not, that those dollars going to the Village of Robbins would be expended for regular municipal services and would not be used to sustain directly or indirectly or somehow prop up incineration in the Village of Robbins?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

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SENATOR SHAW:

That's correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

With that, I just want to say to everybody that, while I didn't support that original legislation, I do support Senate Bill 724 because its intention is to make sure that the dollars that were promised to the good citizens and municipal leaders in the Village of Robbins to be utilized to assist them with economic opportunity and -- and preserving and enhancing the quality of life of their community, that those promises would become true. And this is the corrective legislation to make sure that's -- that's the case. And I want to say to Senator Shaw that I appreciate his efforts in this regard, because it's important to all the communities across the south and southwest suburbs to make sure that all of our communities are healthy, and especially and including the Village of Robbins.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Mr. Shaw, to close.

SENATOR SHAW:

Thank you. And I want to thank Senator O'Malley for working with the Village of Robbins and working with the people on this legislation, and certainly it will be very helpful to the Village of Robbins. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Question is, shall Senate Bill 724 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill

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735. Senator Bomke. Out of the record. Senate Bill 753. Senator Philip. Out of the record. Senate Bill 754. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 754.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. This legislation is continuing work in progress to address the issue of building codes and the notification of when changes are going to be made to those building codes. It is not the final product. This bill will be worked on additionally in -- in the House because of the concerns raised -- some of the concerns raised by the City of Chicago and the Illinois Building Commission. But essentially it would require that municipalities and counties would need to notify the Building Commission thirty days prior to making any changes to their code so that those changes could be posted on the Internet, the website of the Illinois Building Commission. That's essentially all it does. And now, as it's been amended, it only relates to building structures. So the bill is -- drafting's been narrowed. As I say, there's ongoing work on this. We'll be doing some more things, continuing the discussions over in the House, and we'll probably see this back before the Session's over.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Obama.

SENATOR OBAMA:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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He indicates that he will.

SENATOR OBAMA:

I recognize, Senator Sieben, that -- that you mentioned that you're trying to work this out with the Municipal League and the City of Chicago, but before we vote, I did want to get a more specific sense of what the precise requirements are that are being imposed on local jurisdictions with respect to building codes. Could you -- could you outline that for me?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

Yes. The way the legislation is drafted now, any municipality or any county adopting a new building code or amending an existing building code must, at least thirty days before adopting the code or amendment, provide an identification of the code or amendment to the Building Commission.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

So the -- there's within -- if I'm the City of Chicago or Joliet or any other local municipality and the -- I'm trying to make a change in my building code, I essentially have to thirty days in advance have notified the State. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

The legislation says at least thirty days in advance. So thirty days or more in advance of the change.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

Can you describe for me what the purpose or -- or intention of

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-- of this bill is? I guess I'm confused. Historically, I think any modifications in building codes, the enforcement of building codes and so forth has very much been seen as a local prerogative. I'm trying to figure out why we would want reporting responsibilities to the State on something that, for generations, has essentially been left up to local bodies.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

Yes. Thank you for that question, Senator. The intent and purposes here is so that the impacted business or industry - for example, the home builders or structural engineers or architects - would have an awareness that there was going to be a change in the code and they would have an opportunity to respond to that proposed change that might affect the way they're going to build the trusses for a house or how they're going to build the steps in a building.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

Well, I can very much understand why we would want to give notice to builders about changes in the building code. What I'm trying to figure out is why we would want a State registry of those changes. Presumably, any qualified builder who wants to go in and build something in Senator Hawkinson's district or Senator Sullivan's district or your district, presumably they can go to that local municipality and find out what the building codes are and obtain notice with respect to any changes that are -- may be required that are going to affect any developments that they're involved with. So I still am not clear as to why we need a State registry for this, particularly given that the localities have already indicated that they find this to be a cumbersome,

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redundant and unnecessary procedure.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Shaw. Do you have a question?  
Senator Sieben.

SENATOR SIEBEN:

I think, as I said earlier, the people that are impacted by changes in building codes want to have an opportunity to -- to have some dialogue with the officials that are changing those codes prior to that code being adopted by the ordinance of that local community, that local municipality or that local county so that they can have some input prior to a change that they may consider to be onerous.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

What happens, Senator Sieben, if a small municipality that's made a change in its building code or seeks to make a change in its building code fails to provide a report to the State? Is the building code then inoperative? Not law?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

The legislation, as it's drafted now - and I continue to say this is a work in process - in terms of someone that would fail to do that, the only Section that would apply in the language we have under consideration today says that the Commission may adopt rules necessary to implement this Section. So we don't have a penalty clause. We don't have an enforcement Section -- Section at this time.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...discussion? Senator Obama.

SENATOR OBAMA:

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Well, the -- let me just ask two more questions. If -- right now, as I understand it, it sounds like there aren't any penalties invoked, in which case it's not clear to me what exactly the bill does. If there do end up being penalties invoked, I'm wondering, is that potentially a preemption of home rule? And -- and I'm not sure whether that's something that you've researched. Maybe I need a ruling from the Chair on that. But from your impression at this moment, would this be a preemption of home rule?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama, I believe that this bill sets statewide standards with regard to the administration and enforcement of building requirements, and the specific language limiting or denying the power or function of home rule is not contained in this bill or the underlying current law that this language seeks to amend. The bill requires thirty votes for passage. Senator Obama.

SENATOR OBAMA:

Well, let -- let me just finish up by saying this. As I understand it -- and I recognize, Senator Sieben, that you're still trying to work out this bill. My understanding is, and I may be mistaken, that fifty-one municipalities already try to do this just as a service to builders. They try to post information about building code changes that they're going to make. I think none of us would object to some sort of voluntary system. None of us would object to a situation where the State, maybe, is providing some centralized posting that builders can go to. I would strongly suggest, though, that to the extent this is mandating that such a service be provided by local municipalities whether they want to do it or not, is unnecessary, cumbersome and intrusive on what have traditionally been local prerogatives. And so, as a consequence, I'm not going to be able to support this bill, and I would urge a No vote.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Demuzio. Any further discussion? Hearing none, Senator Sieben, to close.

SENATOR SIEBEN:

Well, thank you very much, Madam President. I think the intent of this legislation is to improve the overall building climate in the State of Illinois. The quicker that a builder, an architect, a contractor can understand the building codes, and any changes in those building codes, the quicker that project can move forward, the less there are delays and slowdowns, and that's what this initiative is all about: to enhance that exchange of information that impact the building codes and the building climate in the State of Illinois so we can bring the cost down, bring the time delays down in completing building projects in the State. So I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 754 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Take the record. On that question, there are 30 voting Aye, 22 voting Nay, 5 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 756. Senator Lauzen? Senate Bill 756. Out of the record. Senate Bill 759. Senator Burzynski? Out of the record. Senate Bill 799. Senator Rauschenberger? Senate Bill 944. Senator Robert Madigan? Out of the record. Senate Bill 959. Senator Thomas Walsh. Out of the record. Senate Bill 950 -- 960, rather. Out of the record. Senate Bill 970. Senator Sullivan. Out of the record. Senate Bill 991. Senator Viverito? Read the -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 991.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Viverito.

SENATOR VIVERITO:

...you, Madam Chairman -- Madam President, Members of the Senate. Senate Bill 991 simply permits the Cook County Forest Preserve District, upon payment, to convey by quitclaim deed five parcels of property that consist of approximately six acres in the total. The -- the parcels are located in Schiller Park, Calumet City, River Grove, Hoffman Estates and near Tinley Park. These were excess properties. They had the full consent of the advisory board of the Cook County Forest Preserve. The bill came out of Local Government unanimously. I know of no opposition to this bill. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill -- just a moment. Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I just wanted to ask the sponsor a question, if I may, please.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll listen.

SENATOR CRONIN:

You indicated a couple of local governments that are in the district that I represent. Would you be kind enough to tell me, did they request -- are they working with you on this? How did this come about?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Viverito.

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SENATOR VIVERITO:

Yes. These were parcels of land that were very, very difficult to take care of, to monitor, and they were really surplus. Nothing more than that. All the municipalities in the area, I believe, were contacted and there was no objections.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...further? No further discussion? The question is, shall Senate Bill 991 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 51 voting Aye, 4 voting Nay, 1 voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1012. Senator Hawkinson? Out of the record. Senate Bill 1032. Senator Philip. Out of the record. Senator Petka, for what purpose do you rise?

SENATOR PETKA:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR PETKA:

Thank you. Seated at my chair is a young Page who's come here from my district, along with his -- Phil Farmer, along with his dad, Phillip, in the gallery. I'd ask that the Senate join in welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We welcome you here to Springfield. We hope you enjoy yourself. Senate Bill 1107. Senator Klemm? Senate Bill 1111. Senator Obama? Senator -- Senate Bill 1137. Senator Rauschenberger? Senator Rauschenberger? 1137. Senate Bill 1148. Senator Molaro. 1148. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1148.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill seems to be like a very, very small assault on what I think is a -- sort of a scourge on mankind, actually. About -- I don't know when man first walked on the earth. Maybe about six thousand years ago, five thousand years ago. I'm not really sure. But maybe about five, six thousand years ago, if you committed a capital crime, you killed somebody, well, then, we kill you - then the State kills you. You murder somebody, we're going to murder you. You kill somebody, we're going to kill you. Now, it's six thousand years later. Supposed to be civilized. We're supposed to be enlightened. We kill -- still cannot figure out, we haven't had the proper maturity yet, not as a people and a nation, to figure out what we're going to do when somebody acts out something that's a capital offense. So, for six thousand years, here's what we're going to do: Let's do what we did six thousand years ago and let's kill 'em. That's what we decided to do. Thank God our Governor showed some vision and maturity and said, "Wait a second. If there are thirteen, fourteen men in the last ten years or so who actually did not commit the crime and were on death row, that means there's a problem." We all know, no matter how much you fix the system, no matter how many task forces we have, there are going to be innocent people convicted of crimes. Nothing we can do about that; that's going to happen. But George Ryan, who, with his vision, has become a model internationally, has shown that it's time to take a look at this. So he put a moratorium. What's coming, and I'm giving everybody fair notice, what's coming down this -- in this Chamber, sooner

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rather than later, is the elimination of the death penalty altogether. That's coming. Maybe there should be a constitutional convention so we can deal with abortion and the death penalty, instead of just trying to chip away at it, as we have been. I think a hundred years from now there's going to be some maturity in this country and people are going to look back and they're going to say, "This is what you did on the abortion issue? Were you guys that backward?" "This is what you used to do about capital punishment?" Hopefully that time will come sooner rather than later. So, to the bill: We have made all these task forces where we make it where if you're going to be counsel and you're going to be representing these people in capital crimes, you're going to have to have the prerequisite hours, the -- the intelligence, the experience. In the -- in laws, we are now, for indigent defendants, where the public defender has a conflict, whatever it is, the -- you can only spend two thousand dollars on an appeal. Well, some lawyers, the good ones, are spending -- charging two hundred bucks an hour. That means you get about ten hours to do the appeal. All this bill says is that two thousand dollars is ridiculously low, and it brings it to a reasonable standard. So that's the bill that's before you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will. Senator Molaro?

SENATOR HAWKINSON:

Senator, as you know from committee, I don't think any of us are opposed to the concept of removing the two-thousand-dollar cap. My question to you: In the form that the bill is currently

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in, does your bill allow money to be taken from the Capital Litigation Trust Fund, for the first time, for appeals? And the reason I ask that is because I sponsored the Capital Litigation Trust Fund and the idea behind that was to provide our counties with the resources so that no person failed to get a fair trial in a capital case. This allows for DNA testing, for other scientific testing, for investigators, for the payment of two defense counsel on -- on every case at the trial level. However, that fund was not designed and nor is it funded presently to cover appeals. And so my question is, as presently drafted, does this bill allow access to that fund?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro.

SENATOR MOLARO:

In a word, yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

As I understand from our conversations then, if that's what it was, we were going to try and -- and find an alternative way to fund this. I don't disagree with the need to fund it. I don't disagree with taking the cap off. But the practical impact of -- of doing that would be to take resources away from the trial court level, and the whole idea was, we don't want to make those mistakes at the trial court level so an innocent person is ever convicted. We want to make sure that the State's attorneys have those adequate resources, as well. So I guess, in that spirit, I'd -- I'd like to continue working with you on that, and I'm not sure this is the vehicle to do it with.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Petka.

SENATOR PETKA:

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Well, thank you very much, Madam President. I just wanted to know if -- if I would be given equal time to argue the merits of the death penalty since Mr. -- Senator Molaro decided to argue, in an opposite position, on a bill that has very little to do with just that. Will I be permitted to violate Senate rules, as Senator Molaro, to -- to argue the -- the merits of the...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I don't know of anyone who could stop you.

SENATOR PETKA:

Well, I -- I do have a prepared, fifteen-minute speech in favor if you...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Knowing you, I'm sure that... Senator Molaro?

SENATOR MOLARO:

I -- I don't think I could endure that, so I'm going to take this bill out of the record until we do -- until we do work with...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you, Senator Molaro. Bill is out of the record. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Well, Madam President, thank you. I was going to respond to that -- Senator Petka's request. You know, the Republicans on that side of the aisle have been given a lot of leeway to speak a long time on bills. Matter of fact, they spoke so long on Senator del Valle's bill, they killed it. And I did want to point out to President Philip...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...you're out of order. You're out of order.

SENATOR HENDON:

I wanted to point out to President Philip the legislation that he mentioned last week - now, you-all know you can't get louder

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than me, so you may as well cut that out - that six of the eight resolutions that were being carried were Democratic resolutions, but I wanted to point out to President Philip that those six were all death resolutions, and it's a sad day if all a Democrat can pass in here is a death resolution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - House Bills 1854 and 2528; refer to Commerce and Industry Committee - House Bill 169; refer to Education Committee - House Bills 12, 260, 352, 841, 1096, 1822, 1908, 2143 and 2436; refer to Environment and Energy Committee - House Bills 171, 476 and 1694; refer to Executive Committee - House Bills 101, 269, 289, -- pardon me, 770, 2247, 2412, and House Joint Resolution 27; refer to Financial Institutions Committee - House Bill 1903; refer to Insurance and Pensions Committee -- House Bills 254, 266, 267, 513, 1989, 2157, 2556, 2994 and 3136; refer to Judiciary Committee - House Bills 126, 542, 789, 857, 863, 978, 1060, 2011, 2088, 2140, 2265, 2266, 2290, 2294, 2295, 2296, 2300, 2301, 2314, 2375, 2314 {sic} (3214), and -- and Senate Joint Resolution 18; refer to Licensed Activities Committee - House Bills 155, 205, 234, 752 and 2540; refer to Local Government Committee - House Bills 148, 215, 915, 1785, 1957, 1972, 2380 and 3145; refer to Public Health and Welfare Committee - House Bills 25, 282 {sic} (382), 447 and 3172; refer to Revenue Committee - House Bills 509, 922 and 1700; refer to State Government Operations Committee - House Bills 854, 1697 and 3033; refer to Transportation Committee - House Bills 10, 21, 39, 123, 161, 180, 846, 2161, 2218 and 2535 -- pardon me -- pardon me, 2534; re-referred from Executive Committee to Rules Committee

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- House Joint Resolution 27; and Be Approved for Consideration -  
House Joint Resolution 27.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter, what purpose do you rise?

SENATOR TROTTER:

Point of -- point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR TROTTER:

Thank you very much. The Members here hopefully have had an opportunity to work with that wonderful person, my wonderful Secretary, Marge Nicholson. Well, she has -- not only proud of the work that she does around here, and as I am, but she's also proud, as we should be, of her daughter. Her daughter, last night, pitched a no-hitter for the Glenwood High School out in Chatham. And we just want to acknowledge her good works, and hope continually that she continues to do as -- as good as she has and let them win the State championship here in softball. So, please, if this Body would acknowledge Shannon Nicholson for her accomplishments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR DEMUZIO:

I have also a guest with me today. Since I formerly taught the sixth grade, proud of -- of the fact that -- that I've done that. I have a sixth grader with me today who is a Honorary Page, Nolan Drea, who's sitting with me here -- next to me here in the chair. And of course, we were looking forward to a substantive

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debate between Senator Petka and Senator Molaro, but since we're unable to do that, I'd like for the Senate to recognize Nolan, who is with us today. Nolan Drea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. ...Membership turns their attention to the top of page 6 in the Order of Senate Bills 3rd Reading. We have Senate Bill 1168. Senator Philip. Senator Philip. Senate Bill 1169. Senator Philip. Senator Philip. Senate Bill 1173. Senator Thomas Walsh. Senate Bill 1182. Senator Weaver. At the request of the sponsor, Senate Bills 1182 through 1189 shall be held. Senate Bill 1192. Senator Parker. Senator Parker. Senate Bill 1193. Senator Philip. Senator Philip. Senate Bill 1194. Senator Parker. Senator Parker. Senate Bill 1193. Senator Philip. I beg your pardon. Senate Bill 1195. Senator Philip. 1196. 1197. 1198. 1199. 1200. 1201. Senate Bills 1202, (12)03, (12)04, (12)05, (12)06 will be held at the request of the sponsors. Senate Bill 1207. Senator Dillard. Senator Dillard. Senate Bill 1208. Senator Rauschenberger. Senate Bill 1209. Senator Thomas Walsh. 1210. 1211. 1213. 1214. Senate Bill 1215. Senator Philip. Senate Bill 1216. Senator Peterson. Senate Bill 1217. Senator Peterson. 1218. 1219. Senator -- 1220. Senator Dillard. 1221. (12)22. (12)23. On the top of page 8, in the Order of Senate Bills 3rd Reading, Senate Bill 1226. Senator Burzynski. 1227. Senator Burzynski. (12)29. (12)30. (12)31. Senate Bill 1232. Senator Peterson. Senate Bill 1233. Senator Hawkinson. Senate Bill 1235. Hawkinson. Senate Bill 1244. Senator Robert Madigan. (12)45. (12)46. (12)47. (12)48. Senate Bill 1249. Senator Petka. Senate Bill 1250. Senator Philip. Senate Bill 1251. Senator Robert Madigan. 1252. Senate Bill 1253. Senator Thomas Walsh. Senate Bill 1255. Senator Robert Madigan. Senate Bill 1256. Senate Bill 1257. Senator Dillard. Senate -- bottom of page 8, in the Order of

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Senate Bills 3rd Reading, is Senate Bill 1259. Senator Philip.  
Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1259.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
Senate Bill 1259 amends the General Assembly organizational Act.  
It's a vehicle bill. Maybe we'll need it in the end of the  
Session.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall  
Senate Bill 1259 pass. All those in favor will vote Aye. Opposed  
will vote Nay. The voting is open. Have all voted who wish?  
Have all voted who wish? Have all voted who wish? Take the  
record. On that question, there are 55 Ayes, no Nays, none voting  
Present. And Senate Bill 1259, having received the required  
constitutional majority, is hereby declared passed. Top of page  
9, in the Order of Senate Bills 3rd Reading, is Senate Bill 1260.  
Senator Philip. Senator Philip. Senate Bill 1261. Senator  
Dillard. 1263. Senator Philip. Senate Bill 1264. Senator  
Weaver. 1265. Senator Philip. 1266. Senator Karpziel. Senator  
Karpziel. Senate Bill 1267. Senator Weaver. 1268. Senator  
Philip. Senate Bill 1269. Senator Klemm. Senator Klemm. 1270.  
Senator Weaver. 1272. Senator Syverson. Senator Syverson.  
Senate Bill 1273. Senator Cronin. Senate Bill 1274. Senator  
Syverson. Senate Bill 1278. Senator Peterson. 1279. Senator --  
1299. Senator Burzynski. Senate Bill 1320. Senator Dillard.  
Senate Bill 1331. Senator Cronin. Senate Bill 1340. Senator

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Robert Madigan. Senate Bill 1342. Senator Cronin. On the bottom of page 9, in the Order of Senate Bills 3rd Reading, is Senate Bill 1487. Senator Rauschenberger. Top of page 10, in the Order of Senate Bills 3rd Reading, is Senate Bill 1488. Senator Rauschenberger. 1489. Senate Bill 1494. Senator Karpel. Senate Bill 1505. Senator Robert Madigan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1505.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you -- thank you, Madam President -- or, Mr. President, Members of the Senate. Senate Bill 1505 creates an ombudsman in the Department of Insurance. The purpose of this new legislation or...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR R. MADIGAN:

...new program would be to have a source for people who have become uninsured for any number of reasons and be -- be a source of information for those people, both senior citizens and other people, as far as what else is available, such as KidCare, Medicaid, COBRA, CHIP, programs like that for people who have become uninsured for one reason or another. I -- that's -- would happy -- be happy to answer any questions on Senate Bill 1505 and otherwise would ask for its approval.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1505 pass. All those in favor will vote Aye. Opposed

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will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 1505, having received the required constitutional majority, is hereby declared passed. Senate Bill 1506. Senator Dillard. 1508, pardon me. Senator Dillard. Senate Bill 1511. Senator Rauschenberger. Senate Bill 1512. Senator Dillard. With leave, we will return to Senate Bill 1514. Senate Bill 1519. Senator Dillard. Senate Bill 1520. Senator Dillard. Earlier we sought leave and received leave to pass Senate Bill -- or, 392. We will return to that order of business. Ladies and Gentlemen, if you'd bring your attention to the top of page 4 of your regular Calendar. In the Order of Senate Bills 3rd Reading is Senate Bill 392. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. Senate Bill 392 seeks to site eight - a quantity of eight - one thousand-plus megawatt electric generating plants in the State of Illinois. It creates the Energy Generation Resource(s) Development Coordinating Council. The Council will identify suitable locations and host communities. The principal incentive is a onetime sales and use tax exemption for the materials and equipment used to build the generating plants. The exemption -- exemption ends when the plants go on line. In order to qualify for the incentives, the plants must be a thousand megawatts or greater; they must obtain a

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resolution of support for the new plant from the unit of local government where the plant is to be built; and to the extent possible, to commit to sell the electricity to the consumers of the State of Illinois. I would be happy to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 392 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, 5 voting Present. And Senate Bill 392, having received the required constitutional majority, is hereby declared passed.

PRESIDING OFFICER: (SENATOR WATSON)

...previously had leave to go back to the Order of Senate Bill 1514, on page 10. Senator Dudycz wishes to return this bill to the Order of 2nd -- Reading for the purpose of tabling an amendment. Leave is granted, after hearing no objection. On the Order of 2nd Reading is Senate Bill 1514. Senator Dudycz.

SENATOR DUDYCZ:

Yes. Thank you, Mr. President. I would seek leave of the Body to table Amendments No. 1 and 2 to Senate Bill 1514.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard that motion. Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is tabled. 3rd Reading. Now on the Order of 3rd Reading, page 10. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

I was just going to ask the Parliamentarian a question on that last action, if I might. Moving to table the amendment that had been adopted, wouldn't the proper motion have been move to reconsider the vote by which the amendment was adopted for the

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purpose of tabling, and then tabling them?

PRESIDING OFFICER: (SENATOR WATSON)

On the Rules of the Senate, page 27, 7-15, Reconsideration, under (b), a motion to reconsider a vote on the adoption of an amendment to a bill may only be made on Second Reading. An amendment adopted by the Senate on the record vote may be -- may not be tabled by motion until the adoption has been reconsidered. These two amendments were adopted on a voice vote and not a record vote. We're on 3rd Reading. Senator Dudycz. Senator Demuzio.

SENATOR DEMUZIO:

At this -- at this moment, I -- I do not wish to argue with the Parliamentarian. I'll look at it privately.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz, on 3rd Reading. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1514.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Senate Bill 1514 was -- as amended, was an initiative of the Petroleum Marketers. It was a -- a petty offense for violating a theft of gasoline. It was flawed because it would have made the theft of a petty -- of gasoline less than the current offense of theft under three hundred, which is, as you know, a Class A misdemeanor. We would ask that the bill be sent over to the House so we could correct that and bring it back.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If there's any discussion? If not, the question is, shall Senate Bill 1514 pass. All those in favor,

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vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. Senate Bill 1514, having received the required constitutional majority, is declared passed. Concludes the work on the regular Calendar. We will now go to Senate Calendar Supplemental No. 1, Secretary's Desk, Resolutions. House Joint Resolution 27. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution 27, offered by Senators Sieben, Hawkinson and others.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This resolution urges the People's Republic of China to expedite the immediate return of Illinois natives, Seaman Jeremy Crandall and Marine Corps Sergeant Mitch Pray, along with the twenty-two additional service personnel being detained on an island off the main cost of China. And I would ask that all Members join me in passing this resolution.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If -- Senator Demuzio.

SENATOR DEMUZIO:

I would ask the sponsor for leave of the Body to add all the Members of the Senate, at this point.

PRESIDING OFFICER: (SENATOR WATSON)

Leave is granted. Senator Sieben moves the adoption of Senate {sic} Joint Resolution No. 27. All those in favor, vote Aye. I think it'd be appropriate that we take a vote -- a record. Vote Aye. Opposed, vote No. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. And the resolution is adopted. On Resolutions Consent Calendar, we will now proceed to that order. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, the question is, shall the Senate -- shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed? The motion carries, and the resolutions are adopted. Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 24, offered by Senator Weaver.

(Secretary reads SJR No. 24)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 24. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver, to explain the resolution. He has moved for the adoption of Senate -- Senate Joint Resolution 24. And those in favor, say Aye. Opposed, Nay. The Ayes have it and the resolution is adopted. Messages from the House, Mr. Secretary.

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

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concurrence of the Senate, to wit:

House Bills 774, 811, 1011, 2052, 2207, 2259, 2299,  
2376, 2426, 3216 and 3373.

All passed the House, April 6th, 2001.

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

Mr. President - I am directed to inform the -- the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 12.

Adopted by the House, March 29th, 2001.

PRESIDING OFFICER: (SENATOR WATSON)

House Bills 1st Reading, Mr. Secretary.

SECRETARY HARRY:

House Bill 34.

(Secretary reads title of bill)

Offered by Senator Lisa Madigan.

House Bill 58, by Senators Geo-Karis and Bowles.

(Secretary reads title of bill)

House Bill 211, by Senator Molaro.

(Secretary reads title of bill)

House Bill 242, by Senator Shaw.

(Secretary reads title of bill)

House Bill 280, by Senators Emil Jones and Hendon.

(Secretary reads title of bill)

House Bill 430, by Senator Radogno.

(Secretary reads title of bill)

House Bill 505, by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 572, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 625, by Senator Myers.

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(Secretary reads title of bill)

House Bill 632, by Senators Karpel and Parker.

(Secretary reads title of bill)

ACTING SECRETARY HAWKER:

House Bill 646, offered by Senator Cronin.

(Secretary reads title of bill)

House Bill 708, offered by Senator Shaw.

(Secretary reads title of bill)

House Bill 759, offered by Senators Jacobs and Mahar.

(Secretary reads title of bill)

House Bill 843, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 849, offered by Senator Radogno.

(Secretary reads title of bill)

House Bill 953, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 1033, offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 1457, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 1712, offered by Senator Peterson.

(Secretary reads title of bill)

House Bill 1728, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 1741, offered by Senator Dudycz.

(Secretary reads title of bill)

House Bill 371, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 1812, offered by Senator Obama.

(Secretary reads title of bill)

House Bill 1819, offered by Senator Smith.

(Secretary reads title of bill)

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House Bill 1825, offered by Senator Petka.

(Secretary reads title of bill)

House Bill 1945, offered by Senators Radogno and Silverstein.

(Secretary reads title of bill)

House Bill 2099, offered by Senator Molaro.

(Secretary reads title of bill)

House Bill 2110, offered by Senator...

...Bill 2138, offered by Senator Larry Walsh.

(Secretary reads title of bill)

House Bill 2284, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 2358, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 2432, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 2438, offered by Senator Radogno.

(Secretary reads title of bill)

House Bill 2554, offered by Senator Noland.

(Secretary reads title of bill)

House Bill 2566, offered by Senator Noland.

(Secretary reads title of bill)

House Bill 2662, offered by Senator Molaro.

(Secretary reads title of bill)

House Bill 3011, offered by Senator Obama.

(Secretary reads title of bill)

House Bill 3012, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 3037, offered by Senator Klemm.

(Secretary reads title of bill)

House Bill 3073, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 3154, offered by Senator Klemm.

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(Secretary reads title of bill)

House Bill 3157, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 3212, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 3217, offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 3246, offered by Senator Noland.

(Secretary reads title of bill)

House Bill 3329, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 3392, offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 3618, offered by Senator Halvorson.

(Secretary reads title of bill)

And House Bill 1975, offered by Senator Radogno.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WATSON)

Messages, Mr. Secretary.

SECRETARY HARRY:

A Message from the President, dated April 6th, 2001.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby extend the deadline for Senate Bills 3rd Reading on the following category of bills, with specific bills enumerated under this category, to May 31, 2001 -- 2001: State Finance - specifically, Senate Bills 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1264 and 1267; Appropriations - specifically, Senate Bills 1487, 1488 and 1489; Budget Implementation - specifically, Senate Bills 1203, 1204, 1205 and 1206; Re-apportionment - specifically, Senate Bills 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202 and 1222; Telecommunications -

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specifically, Senate Bills 11, 72, 88 and 99; Pensions -  
specifically, Senate Bills 130 and 131; State Government -  
specifically, Senate Bills 1173 and 1251; Education -  
specifically, Senate Bills 759 and 1342; Education Funding -  
specifically, Senate Bills 136 and 1494; Ethics - specifically,  
Senate Bill 257; Aeronautics - specifically, Senate Bills 1263,  
1265 and 1268.

Pursuant to the provisions of Senate Rule 2-10(e), I  
hereby extend the deadline for Senate Bills 3rd Reading on the  
following category of bills, with the specific bill enumerated  
under this -- under this category, to April 25th, 2001: Health  
Care - specifically, Senate Bill 1340.

Pursuant to the provisions of Senate Rule 2-10(e), I  
hereby extend the deadline for Senate Bills 3rd Reading on the  
following category of bills, with specific bills enumerated under  
this category, to May 31, 2002: Labor Relations - specifically,  
Senate Bills 1032, 1168 and 1169.

Signed by President Philip.

PRESIDING OFFICER: (SENATOR WATSON)

There any further business to come before the Senate? If not,  
Senator Rickey Hendon moves that the Senate stand adjourned until  
the hour of noon, Tuesday, April 17th {sic} (10th), 2001.