

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

50th Legislative Day

May 29, 2001

PRESIDING OFFICER: (SENATOR WEAVER)

Regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? And will our guests in the gallery please rise? Our prayer today will be given by Senator Burzynski.

SENATOR BURZYNSKI:

(Prayer by Senator Burzynski)

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Radogno, for the Pledge of Allegiance.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading -- reading of the Journal.

SECRETARY HARRY:

Senate Journal of Thursday, May 24th, 2001.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR W. JONES:

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

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones moves the approval of the Journal just read. There being no objection, it is so ordered. Senator Jones.

SENATOR W. JONES:

Mr. President, I move that reading and approval of the Journal of Friday, May 25th, in the year 2001, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objections, it is so ordered. The Illinois Information

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Service requests to videotape. Is there leave? Leave is granted.

Committee Reports.

SECRETARY HARRY:

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Amendment 2 to House Bill 2900 Be Adopted.

PRESIDING OFFICER: (SENATOR WEAVER)

...purpose Senator Demuzio seek recognition?

SENATOR DEMUZIO:

For two purposes. I hope that Senator Burzynski was wrong in his prayer about the week. I thought he was just going to say the next two days. Friday seems to bring a new month. Senator Silverstein is absent today, Mr. President, due to a religious holiday, and I want the record to reflect that. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

The record will so reflect. Messages.

SECRETARY HARRY:

Message from the President, dated May 25th, 2001.

Dear Mr. Secretary - Per the attached schedule, the Senate will be in Veto Session on November 7th, 13th, 14th, 15th, 27th, 28th and 29th of 2001.

Signed by President Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Daniel, what purpose do you rise?

SENATOR O'DANIEL:

Mr. President, Members of the -- of the Senate, while we are standing at ease, I'd like to personally thank everyone for all of the cards and -- and flowers and prayers, especially prayers, for my wife the last week. You know, she had a reaction, they think, to Motrin. We like to have lost her two or three times, and she was in the hospital in Paducah all week. But I personally want to thank all of you, and thank the Governor for calling me and sending flowers, and the Secretary of State. And we're very

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grateful, but she's doing great now. And she's -- just a matter of real weak. There's no -- no heart damage, no problem at all. But I just want to personally thank all of you for everything. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator O'Daniel. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

...President, let the record reflect that Senator Lightford also is bedridden with her pregnancy this week, and therefore, she will probably not be attending this week. So wish the record to reflect that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Demuzio. If the Members will turn your attention to the middle of page 23, in the Order of Secretary's Desk, Concurrence. We will be going to that order of business immediately. Order of Secretary's Desk, Concurrence on Senate Bills, is Senate Bill 20. Senator Parker. Mr. Secretary, read the motion. Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 20.

The motion, by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment does not change, in any way, the substance of the bill. All it is is clean-up language to make it consistent with other parts of the statute.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

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SENATOR CULLERTON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, how many amendments are on this Senate bill? How many House amendments are there?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank -- thank you, Senator. I thought we were going to move to two, and I was going to explain. There are two amendments. We are splitting the request. The first amendment we are concurring with. The second amendment I am requesting a nonconurrence. There was some confusion on the Calendar. So I want to make that very clear. Right now I am requesting a concurrence on Amendment No. 1. On Amendment No. 2, I would like a nonconurrence on that, because that was something that the Judiciary Committee requested.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

And is it the House sponsor's intent on Amendment No. 2 to recede from the amendment?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Yes, it is. I have spoken to her and that is exactly what she will do. She will recede from that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, Senator Parker moves to concur in House Amendment No. 1 to Senate Bill 20. All those in favor will vote Aye. Opposed will vote -- will vote Nay. And

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the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 20. Now, Senator Parker now moves to nonconcur in House Amendment No. 2 to Senate Bill 20. Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion carries, and the Secretary shall so inform the House. Senate Bill 101. Senator Sieben. Senator Sieben. Senate Bill 373. Senator Munoz. Senator Munoz. Top of page 24, in the Order of Senate -- Secretary's Desk, Concurrence on Senate Bills, is Senate Bill 397. Senator Radogno. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 397.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I move to nonconcur with Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno moves to nonconcur in House Amendments No. 1 and 2 to Senate Bill 397. Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 435. Senator Parker. Mr. Secretary. No. Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to nonconcur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, Senator Parker moves to nonconcur in House Amendment No. 1 to Senate Bill 435. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 887. Senator Geo-Karis. Mr. Secretary.

SECRETARY HARRY:

I move to concur {sic} with the House in the adoption of Amendments 1, 2 and 3 to Senate Bill 887.

The motion, by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I move to nonconcur with Amendments 1, 2 and 3 of Senate Bill 887.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis moves to nonconcur in House Amendment -- House -- 1 -- House Amendments No. 1, 2 and 3 to Senate Bill 887. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the -- the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR DONAHUE)

On top of page 25 of the Calendar, on the Order of Concurrence, is Senate Bill 1177. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of Amendment No. 1 to Senate Bill 1177.

The motion, by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. House Amendment No. 1 amends the Civil Administrative Code in the Section concerning Department of

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Revenue peace officers. The amendment states that investigators assigned to the Gaming Board have and may exercise all the rights and powers of peace officers, provided that these powers shall be limited to offenses or violations occurring or committed on a gaming riverboat or dock. Under current law, the Riverboat Gambling Act requires enforcement by State peace officers of criminal acts and requires law enforcement presence during all gaming activities. In the past, Department of Revenue and the State Police were assigned to riverboats; however, recently State Police have been removed from this responsibility, leaving all responsibility with the Department of Revenue officers. And February of this year, the Attorney General issued an opinion stating that the Revenue agents only have powers to enforce the State's tax laws, which include gaming taxes; however, the statute does not authorize Revenue agents to enforce any criminal laws associated with gaming. This amendment will increase the statutory power of Revenue peace officers to include violations on a gaming riverboat or dock. And I move the concurrence to the House amendment to Senate Bill 1177.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Welch.

SENATOR WELCH:

Could I ask a question of the sponsor?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Dudycz, these are -- if I understood this, you said these are Revenue Department investigators. Have they been trained as police officers like regular city police officers?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

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Yes, Senator Welch. They have received all the necessary peace officer training in the State of Illinois. They just need the legislation to give 'em the authority to enforce all the laws.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Any further discussion? This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1177. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1177, and having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Patrick Welch, what purpose do you rise? ...you turn your attention to the middle of page 22, in the Order of Secretary's -- Resolutions. Secretary's Desk, Resolutions. Senate Resolution No. 8. Mr. Secretary, read the resolution.

SECRETARY HARRY:

...Resolution 8, offered by Senator O'Malley.

There are no committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 8 provides for the establishment of a task force within the Senate, composed of Members of the Senate, to inquire into whether or not there is any connection between breast cancer and abortion based on studies that have been performed and, frankly, other studies that may come forward during the period of the task force work.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. I wish to speak in strong opposition to this resolution. As most of you know, I'm a breast cancer survivor. And when I read this resolution, I looked very closely at it, and not only is the medical information that they're citing inaccurate, there -- it's -- even if it were accurate, do we -- are we saying now that a task force appointed by this Chamber is the appropriate group to study scientific data and evidence? I don't think so. I mean, I -- I -- I really am offended at the sponsor introducing something like this, to try to act as -- in a manner that he's serious about the issue of breast cancer, when we all know what he's really trying to do here. I find it very, very offensive. It's wrong for this General Assembly to be getting involved in medical issues. We are not medical experts. Are we going to have a task force on different kinds of diseases and -- and we're going to determine what is scientifically valid and what is not? I think that's inappropriate and wrong, and I would urge all my colleagues to vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Radogno.

SENATOR RADOGNO:

...you, Mr. President. I also wish to speak in opposition to this resolution. I agree that this is not the best body to study this issue. I don't doubt that there's questions about this connection. It's been a -- sort of a nagging issue for awhile. But I think by assigning this task to a political body, it will only further polarize an issue that already is -- has been polarized to the point that I think that we're very stuck and we're not gaining any new information. I would suggest that people vote No on this resolution and that we do something that we

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did before with the cloning issue, and that is that we requested the University of Illinois to do a study of that. And they actually came back with a good study, and I think one that we could all have confidence in. I would be willing to support that approach and ask that we vote No on this particular resolution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. I, too, would like to echo the concerns that the previous two speakers did. And I don't think that this is the appropriate venue. I think, like Senator Radogno said, if there were a study done at the University of Illinois by medical professionals, that is really where this issue belongs, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think there's broad recognition in this Chamber that this resolution is purely political. And I think if you look at the list of proponents and opponents who testified in the Executive Committee, you will see that they are organizations that traditionally are considered to be at the opposite ends of the political spectrum. In addition, I did not hear any opponents or proponents that were listed that were actually from medical institutions. And in fact, I found it rather interesting that there wasn't a doctor, there wasn't a researcher, an oncologist, a pathologist, who testified that this is something that needs to be done by the Illinois Senate. In fact, it's my understanding that the National Cancer Institute, as well as the American Cancer Society, have found that actually there is no increased risk for women to be susceptible to breast cancer from having an abortion.

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And in fact, the research that is out there at this point is deemed to be inconclusive by these different medical institutions and bodies. In regard to the fact that Senator O'Malley believes that these medical reports need to be looked at by State legislators, I spent some time looking through the Blue Book to see if we actually had some people in our Chamber who might be experts or might actually be able to look at this, and, again, there is not a doctor that I know of among us. And in addition, there isn't anybody that I was able to determine who has a background, either at a bachelor's degree level or a higher degree than that, that could be considered a scientist or could be considered to be somebody who would have the ability to look at scientific studies and understand statistics and understand the significance of these. And I think that one of the things that we know and many of the things that we know out -- that are out there in terms of increased risk to breast cancer include things like the environment, the age at which a woman has her first child, breast-feeding, other exposure to carcinogens. And I think if we are serious in this Chamber and in this State about reducing a woman's risk of breast cancer, we would look at increased funding for mammograms and early detection, and make sure that we were decreasing waiting times for women to get these services and increase accessibility to these services. I would urge a No vote on this resolution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

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Senator, would this also include a -- a miscarriage, which is a spontaneous physical abortion? Would that -- would they also be included in this study?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

As a matter of fact, Senator, I -- I don't -- I don't believe it does, but I can tell you that -- to clarify, the intent of the resolution is to merely examine the studies, the overwhelming number of which have demonstrated that there is some connection. There is nothing in this resolution that, on its face, draws a conclusion, just suggests that we make an inquiry, as a Senate, with a task force that's appointed from Members from both sides of the aisle. And I would read just one section of -- of a letter that I received from a physician. "In the United States alone, 13...of 14 studies have documented increased risk for breast cancer among women who have had induced abortions." "Women deserve the right to know about this risk." This letter came from Mary Keen, an M.D. with Loyola University Medical Center, as well as Rush Pres. St. Luke's Medical Center.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, just to the resolution. It would seem to me that if we're really serious about doing this, we would include the miscarriages, too, as that is a abortion also, caused by the physiological system. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR O'MALLEY:

Thank you, Mr. President. There have been a lot of statements that have been made. And I appreciate the statements coming from

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all the Members of the Senate; although, I'm a little bit disheartened by the suggestion that the intent of this legislation is merely political. I've been careful in crafting this legislation to make sure it was objective and that no conclusions were drawn. And the suggestion that physicians have not been interested are refuted by the letter I just read, in part, from Mary Keen. I -- also want to share a letter from Dr. Thomas Connolly, from Morton Grove, Illinois. "Dear Senator: This is my request for consideration of your support of the passage of SR-8...." "As a gynecologist, I am an advocate for identifying and preventing diseases and cancers impacting women; please make an impact in being an advocate for the women of our state and their children." And I'll share one other letter, because it was interesting to say nobody from a medical school has been -- has been interested in this. This is a letter dated May 25, 2001, not solicited by me. It says, "Dear Senator O'Malley: I strongly support SR8...." "Numerous research studies throughout the world have demonstrated a link between abortion and breast cancer. A recent study at our own National Cancer Institute has shown a strong link between abortion and breast cancer." Signed by Leonard P. Rybak, Professor of Surgery, Southern Illinois University School of Medicine, here in Springfield. That was not solicited by me. I've heard a lot of statements made about this resolution, and the only ones who've politicized them are people who have gotten interested in this in recent months. And -- and that has not included me; I've been working on this for well more than a year. But I'll use one of their own statements. It's time to stand up for women's health. They have the right to know. I'd appreciate...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley moves the adoption of Senate Resolution No. 8. All those in favor will vote Aye. Opposed will vote Nay. The

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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 27 Ayes, 20 Nays, 1 voting Present. And the resolution fails. Senate Resolution 140. Senator Parker. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 140.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A couple of years ago we passed a resolution that created the Mental Health Evaluation and Treatment Task Force to examine laws and to determine whether the State was fulfilling its responsibilities towards persons that needed those helps. What we studied first was involuntary commitment, and we did pass some legislation on that successfully. This year we looked into those people with mental illnesses in pre-trial detention situations, and we have passed legislation through here on that, too. The third issue that we would like to reconvene on, and that's what this resolution suggests, is to examine Illinois laws to determine ways to improve the treatment of persons with mental illness in the juvenile justice system. I would ask for an Aye vote, and ask -- answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Parker moves the adoption of Senate Resolution 140. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And the resolution is adopted. Senate

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-- Senate -- Senate Resolution 142. Senator Parker. Madam Secretary, read the Senate -- Senate resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 142.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. There has been a concern and a problem with children who are deaf entering the school system and being able to have a good communication system with their parents on exactly the services that they should be able to access, and the best for them. What this resolution does is encourage the State Board of Education to work in conjunction with the schools toward a better system of communication with the families of deaf and hard-of-hearing children in order to ensure that the families understand the available service options and services available to which their children are entitled. I would ask for an Aye vote, and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Parker moves the adoption of Senate Resolution 142. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the resolution is adopted. Senate Resolution 147. Senator Rauschenberger. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 147.

There are no committee amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved for consideration?

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ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senators Rauschenberger and Weaver.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to Senate Resolution 147 adds language, including a review of design-build to the overall resolution, which calls on the Auditor General to do a study of separate trades bidding in State construction. I'd appreciate the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On Senate Resolution 147. Please read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Resolution 147.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As amended now, Senate Bill -- Senate Resolution 147 calls on the Auditor General to study the possible effects of eliminating the five separate specifications for bidding on State construction contracts as a means of reducing the cost of State construction projects. It also includes language requesting an analysis of the

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economic advantages of design-build for the State of Illinois. And it now has a May 1st, 2002, reporting date. I'd appreciate support of the resolution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Rauschenberger -- moves the adoption of Senate Resolution 147. 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 the resolution is adopted. ...of page 23, in the Order of Secretary's Desk, Resolutions, is House Joint Resolution No. 2. Madam Secretary, read the resolution, please.

ACTING SECRETARY HAWKER:

House Joint Resolution No. 2.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President. House Joint Resolution directs the Department of Commerce and Community Affairs, in conjunction with the Department of Revenue, to track or monitor the use of child care tax credits by Illinois employers. If you'll recall, we passed a bill last year, I believe it was, which gave a credit of thirty percent of start-up costs expended by a corporation to provide a child care facility for the children of its employees. And this credit is available beginning with tax -- taxable years ending on or after December 31, 2000. And what this does is track it down and see if it's being used or not, and, hopefully, that it is. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator -- Senator Geo-Karis

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moves the adoption of House Joint Resolution 2. 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 the resolution is adopted. Senate Joint Resolution No. 3. Senator Syverson. Senate Joint Resolution No. 34. Senator O'Malley. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 34.

The Committee on Executive adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have there been any Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate -- Senate Joint Resolution 34 requires the Illinois Commerce Commission, the Illinois Department of Transportation and DCCA to conduct a study of electricity transmission capacity in Illinois, including to do the following: to develop remedies for reliability or economic performance inadequacies in the existing electricity transmission system; an examination of the areas where additional electricity demand is reasonably likely to occur; initiatives which might -- which might be undertaken to facilitate transmission system enhancement or expansion; the feasibility of promoting Illinois coal resources as a source of additional generation capacity by developing additional transmission capacity; an estimate of the cost of developing a South-to-North transmission corridor. And the

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agencies are to make the report to the General Assembly effective December 31 -- not later than December 31, 2001. And for purposes of clarification with respect to the amendment, with respect to questions as to will the transmission owners who exist in the State of Illinois participate in the study, and the answer to that question is yes. Transmission owners possess both the technical and substantive expertise that will be necessary to make the study successful. Another question, is the study limited to transmission and supply issues and not at all applicable to distribution issues, and it is our intention, as the sponsor of the legislation in the Senate, that the study would be limited to addressing a regional approach, focusing on State and federal regulations, to address an adequate electricity transmission system throughout the State of Illinois. So the answer to the latter question would be yes. I also want to thank the -- my cosponsors to this legislation, including Senator Luechtefeld, Senator Mahar, of course, on this side of the aisle, and Senator O'Daniel and Senator Woolard on the other side of the aisle. I might add that Senators Woolard, O'Daniel and Luechtefeld together, I believe they represent about thirty-one counties in southern Illinois where these coal reserves are. So their -- their interest and their involvement in this effort is active and very much appreciated by the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, is there any appropriation for this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator O'Malley.

SENATOR O'MALLEY:

We -- we have requested from the Illinois Commerce Commission what the cost might be of implementing their part of it, and they could not tell us; although, they are in the process of working on that. I suspect that, yes, there will be a need for them to use some of their resources. Whether it will be an additional appropriation or not, I do not know. But we have asked for that figure, and as of this moment, I don't have the answer to it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

The reason I ask: In our Commerce Committee this year, we -- we had a situation where in -- I think in '95 or '96, we had directed a study of the impact of regulations on small business, and because there had never been an appropriation, the study was -- has never been done. And so I guess I would ask -- I'm all for this study, but we ought to come back in the fall and find out if there is any money that's been appropriated for it, and if not, we ought to get an appropriation so that it can be done.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR O'MALLEY:

Mr. President, I would just simply say this: That Senate Resolution 34 -- Senate Joint Resolution 34 is an important element of what we're doing here in the General Assembly in framing the discussion related to developing adequate energy facilities for our future. And we all know that December 31, 2004, is an important date that is looming before us, and we need to get ready for that. This study is an important part of getting ready for the end of the current deregulations process.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley moves the adoption of Senate Joint Resolution 34. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And the resolution is adopted. Senate Joint Resolution 35. Senator O'Malley. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 35.

The Committee on Executive adopted Committee Amendment No. 1. And there are no Floor amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 35 is a companion to the previous resolution that was just presented. It has the same sponsorship, as well. My cosponsors are Senators Luechtefeld, Mahar, Woolard and O'Daniel. And, again, I appreciate their support. The essence of what Senate Joint Resolution 35 does is call on Congress, the USEPA and, frankly, other parties that can influence this -- the substantive element of this -- of this resolution which is to provide for additional NOx credits for Illinois. NOx credits are essential in order for new transmission capacity -- to be developed here in the State of Illinois. And while we have some capacity, we don't have the sufficient capacity that we believe we need. So the key elements to taking care of and addressing the potential use of our coal reserves in Illinois to help us with our -- our energy needs and perhaps a crisis in the future is, number one, to deal with the transmission capacity, which was the subject matter of Senate Joint Resolution 34, and

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something that largely we can do something about here in Illinois. This resolution, however, calls on and urges our Congressional Delegation to work with us and be our partner in making sure this becomes a reality for the entire State of Illinois, and in particular, for the deep southern part of it. Be happy to answer any questions there might be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. For a question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, I know that you're very much in favor and a staunch advocate for the clean generation of energy. Can you help us? How does an increase in Illinois nitrogen oxide emission allowances not add to the pollution in State of Illinois?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Lauzen, as you've known, since the day that we entered here together, you and I have collaborated on important legislation that's very pro-environmental. I don't see this legislation as contrary to that at all. You can go to the University of Illinois and get the best mechanical engineers. You can go to my alma mater, Purdue University, and get the best mechanical engineers as well. And you can design safe, clean coal-burning facilities here in the State of Illinois and do it in a manner that -- that -- that I think we can all be proud of in this State. And -- and so to answer your question, is I think the technologies have moved forward abundantly in the last three decades to make it possible for this to take place. At the same

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time, having said that, clearly, this is not something that we control by ourselves. We need the help and assistance of our Congressional Delegation, indeed the President of the United States and -- and his -- his USEPA Director, to help this become a reality. And I think our timing on this is excellent. At a time when we are increasingly looking at the need, not only for an energy policy in the individual states, you know, the -- our federal government and our President are indeed focused on developing a rational, sensible energy policy for the future. And the clean burning of coal in southern Illinois should be an important element of that -- of that new policy.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Patrick Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, you just discussed the mechanical engineering ability of making incinerators and coal-burning clean. Do you think that same expertise could be applied to Robbins, Illinois, to make that incinerator clean-burning of garbage?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, I -- I understand your question, and I understand your motivation for asking the question. The reality is that in Robbins, the technology that they were using -- resulted in over one thousand -- well -- I mean, everybody stopped counting, at least we did, locally - over one thousand emission violations and largely because of the technology that they were using. I don't know if they can make that facility work properly, but I do

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know this: If they're going to do it, they're going to do it without a taxpayer subsidy.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, part of the problem with Robbins wasn't just the technology; it was what went into the incinerator, because it's been shown in other states that if you don't -- if you put in nontoxic material or -- or material that burns a hundred percent, you don't have the -- the waste disposed in the air that you do in the incinerator in Robbins. That was one of the problems. But I was just thinking since you've obviously investigated the changes in burning technology, that maybe you had some insight as to whether that could be a -- a new source of waste disposal for the suburban area that you represent.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, I -- you know, I -- I think you're probably as aware as I am, or you may not be, but you may be as aware as I am that the technology that they had there was inadequate. You're absolutely right: The -- the -- the fuel source that they were using was not uniform. I don't think if you're -- if -- and I'm not saying this is where your question is going, but if you're going to say can they turn that into a coal-burner, you -- believe me, you're going to have to tear it down and start all over, if that -- if that was the intention, that anybody might look at using that facility. Remember, coal is a -- uniform fuel for use in these facilities and can make -- makes it a significantly different type of a facility than what we -- what we were talking about or what was existing in Robbins. More importantly, the location of those facilities that are proposed that are

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increasingly being talked about in the deep south of Illinois, called "mine-mouth" energy generating facilities, would make a significant difference because of, basically, where they're located.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator O'Malley, you wish to close? Senator O'Malley moves the adoption of Senate Joint Resolution 35. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, 1 voting Present. And the resolution is adopted. Any further business to come before the Senate? Senator Molaro.

SENATOR MOLARO:

A point -- point of personal privilege, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just like to call to your attention, last week was passed out to you an invitation for us -- for the First Annual Bipartisan Members' Dinner that is being hosted by Senator Dudycz and Senator DeLeo tonight at -- beverages at 6 o'clock, dinner at 7. If you need to know, either Walter or Senator DeLeo will tell you where it's at. And at that meeting, I'm told that Senator Dudycz and Senator DeLeo will verify all rumors or vilify all rumors. So for those of you who'd like to know exactly what's going on, I would expect you to be there tonight. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Molaro. So I guess there's no truth to the rumor that you will be resigning tonight? Is there any further business to come before the Senate? If not, Senator Geo-Karis

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moves the Senate stands adjourned until the hour of 9 a.m.,  
Wednesday, May 30th, 2001.