

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

May 9, 1997

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Ladies and Gentlemen of the Senate, the regular Session of the 90th General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise? Our prayer today will be given by Pastor Dan Siebert, First United Methodist Church, Springfield, Illinois. Pastor Siebert.

PASTOR DAN SIEBERT:

(Prayer by Pastor Dan Siebert)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben will lead us in the Pledge of Allegiance.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Reading of the Journal. Senator Butler.

SECRETARY HARRY:

Senate Journal of Tuesday, May 6th, 1997.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler.

SENATOR BUTLER:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Committee Reports. The motion to adopt the reading of the Journal. You've heard the motion. All those in favor, please signify by saying Aye. All opposed, No. In the opinion of the Chair, the Ayes have it. The motion is adopted. Senator Butler.

SENATOR BUTLER:

Madam President, I move that reading and approval of the Journals of Wednesday, May 7th, and Thursday, May 8th, in the year 1997, be approved {sic}, unless some Senator has additions or corrections to offer.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Hearing no corrections offered, your motion is adopted. I request the Members all come to the Floor because we will begin on 2nd Reading shortly. Committee Reports.

SECRETARY HARRY:

Senator Cronin, Chair of the Committee on Education, reports House Bills 53, 154, 449, 689, 940, 1112, 1180, 1525, 1526, 1751, 1823 and 2147 Do Pass; House Bills 190, 680, 740, 1197, 1327, 1702 Do Pass, as Amended; Senate Joint Resolutions 27 and 28 Be Adopted.

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports House Bills 8, 23, 110, 251, 558, 586, 974, 1266, 1311, 1332, 1347, 1400, 1428 and 1881 Do Pass; and House Bills 223, 593, 1142, 1565 and 2226 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Messages from the House.

SECRETARY HARRY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 7, with House Amendment No. 1.

We have like Messages on the following bills with the following amendments: Senate Bill 112, with House Amendment 1; 305, with Amendment 1; 327, with Amendment 1; 369, with Amendment 1; 417, with Amendment 1; 431, with Amendment 1; 942, with Amendment 1; 952, with Amendments 1 and 2; 956, with Amendment 1; 1030, with Amendment 1; and 1118, with Amendment 1.

All passed the House, as amended, May 8th, 1997.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Ladies and Gentlemen of the Senate, please come to the Senate because we are going to begin on House Bills 2nd Reading very

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shortly. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Madam President. I'd like the record to reflect that Senator Bowles is absent today due to legislative business in her district.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The record will be so noted. Thank you. ...Order of 2nd Reading. Please look on page 12 of today's Calendar. Mr. Secretary, 2nd Reading. House Bill 18. Senator Maitland. Out of the record. House Bill 27. Senator Fawell. Out of the record. House Bill 45. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 45.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 50. Senator Klemm. Senator Klemm. House Bill 50. Out of the record. House Bill 56. Senator Karpiel. Out of the record. House Bill 66. Senator Karpiel. Out of the record. House Bill 70. Senator Dillard. Out of the record. House Bill 131. Senator Rauschenberger. Out of the record. House Bill 155. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 155.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 165. Senator Karpel. Out of the record. House Bill 183. Senator Syverson. Out of the record. House Bill 228. Senator Lauzen. Out of the record. House Bill 229. Senator Philip. Out of the record. House Bill 235. Senator Maitland. Out of the record. House Bill 248. Senator Syverson. Out of the record. House Bill 260. Senator Maitland. Out of the record. House Bill 271, I'd like to ask leave to come back to it. House Bill 274. Senator Thomas Walsh. Out of the record. House Bill 282. Senator Sieben. Out of the record. House Bill 310. Senator Lauzen. Out of the record. House Bill 316. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 316.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 353. Senator Rauschenberger. Out of the record. House Bill 367. Senator Myers. Read the bill, Mr. Secretary

SECRETARY HARRY:

House Bill 367.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 381. Senator Carroll. Senator Carroll? Out of the record. House Bill 437. Senator Viverito.

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Senator Viverito. Senator Viverito. House Bill 437. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 437.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 470. Senator Rauschenberger. Out of the record. House Bill 475. Senator Rauschenberger. Out of the record. House Bill 483. Senator Luechtefeld? Out of the record. House Bill 496. Senator Myers? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 496.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 513. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 513.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 522. Senator Sieben. Out of the record. House Bill 524. Senator Peterson. Senator Peterson? Out of the record. House Bill 526. Senator Peterson. Out of the record. House Bill 528. Senator Peterson. Out of the record.

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House Bill 552. Senator Thomas Walsh. Thomas Walsh? Out of the record. House Bill 557. Senator Viverito. Senator Viverito? Senator Viverito. House Bill 527 {sic}. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 557.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 574 Senator Petka. Out of the record. House Bill 601. Senator Peterson. Out of the record. House Bill 602. Senator Maitland. Out of the record. House Bill 605. Senator Lauzen. 605. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 605.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 606. Senator Weaver. Out of the record. House Bill 631. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 631.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 652. Senator Rauschenberger. Out of the record. House Bill 674. Senator Sieben. Out of the record. Senate {sic} Bill 678. Senator Petka? Out of the record. House Bill 679. Senator Thomas Walsh. Out of the record. House Bill 695. Senator Radogno. Read the bill, Mr. Secretary. 695.

SECRETARY HARRY:

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House Bill 695.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 707. Senator Radogno. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 707.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

House Bill 709. Senator... Oh. 707, 3rd Reading. House
Bill 709. Senator Weaver? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 709.

(Secretary reads title of bill)

2nd Reading of the bill. There are no committee amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any Floor amendments?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Myers.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On House Bill 709, Senator Myers.

SENATOR MYERS:

Yes. This amendment is adding an investment -- it adds -- it amends the Illinois Municipal Code and the Public Utilities Act. It expands the Utility Act's exemption eligibility criteria for businesses located in an enterprise zone or federally designated foreign trade zone. And it makes investments -- it must either make investments which create at least two hundred full-time equivalent jobs in Illinois or make investments that retain at least a thousand full-time jobs in Illinois. And the amendment

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adds a third option which states: invests at least two hundred million and creates at least a hundred and fifty full-time equivalent jobs in Illinois. It's intended to attract a business to the Danville area.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, all those in favor of the amendment, signify by saying Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment's adopted. Any further amendments?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Myers.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Myers.

SENATOR MYERS:

This lowers the required investment from two hundred million to a hundred and seventy-five million - again, to attract this business to our area. It was requested by the business that are are trying to attract here instead of Indiana. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor of the adoption of this amendment, signify by saying Aye. All opposed. In the opinion of the Chair, the Ayes have it, and the amendment's adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 752. Senator Cronin. Senator Cronin. House Bill 752. Senator Cronin. Senator Cronin. House Bill 752. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 752.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 768. Senator Dudycz. Out of the record. House Bill 821. Senator Watson? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 821.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 847. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 847.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments from the Floor?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 883. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 883.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 898. Senator Maitland? Out of the record. House Bill 903. Senator Dudycz? 903. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 903.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 908. Senator Radogno? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 908.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 918. Senator Maitland. Out of the record. House Bill 922. Senator Walsh. Out of the record. Thomas Walsh. House Bill 982. Senator Parker. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 982.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 989. Senator Larry Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 989.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 994. Senator O'Daniel? Out of the record. House Bill 995. Senator Hawkinson. Out of the record. House Bill 998. Senator O'Daniel? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 998.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1029. Senator Link? Out of the record. House Bill 1035. Senator Thomas Walsh. Out of the record. House Bill 1048. Senator Karpel? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1048.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1050. Senator Bowles. Out of the record. Senate -- House Bill 1076. Senator Madigan. Senator Madigan? 1056. Out of the record. 1076, I'm sorry. House Bill

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1087. Senator Lauzen. Senator Lauzen? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1087.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1101. Senator Hawkinson. Out of the record. House Bill 1118. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1118.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1119. Senator Jacobs. 1119. Senator Jacobs? Out of the record. House Bill 1121. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1121.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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3rd Reading. House Bill 1141. Senator Bowles. Out of the record. House Bill 1144. Senator Maitland? Out of the record. House Bill 1147. Senator O'Malley? 1147. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1147.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1151. Senator Cullerton? Senator Cullerton? Out of the record. House Bill 1168. Senator Thomas Walsh? Out of the record. House Bill 1169. Senator Mahar? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1169.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1171. Senator Rauschenberger? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1171.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1174. Senator Karpel? Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 1174.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1210. Senator Dillard. Out of the record. House Bill 1211. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1211.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1212. Senator Donahue? Senator Donahue? 1212? Out of the record. House Bill 1229. Senator Rauschenberger? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1229.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1230. Senator Luechtefeld? Senator Luechtefeld? 1230? Out of the record. 1239. Senator Mahar? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1239.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1254. Senator Cronin? 1254. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1254.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Clayborne, on House Bill 1255? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1255.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1268. Senator Shaw. Senator Shaw. Out of the record. House Bill 1269. Senator Shaw. Out of the record. House Bill 1280. Senator Madigan? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1280.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1283. Senator Farley? Senator Farley? Senator Farley. 1283? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1283.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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3rd Reading. House Bill 1345. Senator Madigan? Out of the record. House Bill 1373. Senator Sieben? Out of the record. House Bill 1384. Senator Fawell? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1384.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. 1386. Senator Rauschenberger? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1386.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1397. Senator Thomas Walsh. Out of the record. House Bill 1411. Senator Rauschenberger? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1411.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1418. Senator Carroll. Senator Carroll? Out of the record. House Bill 1450. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1450.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. I would ask leave to come back to 1457. It's very difficult for the Secretary of the Senate to hear so that he can properly do his duties. It would be nice if we would give him a little more courtesy, and I would appreciate it very much if you would so I don't have to bang the gavel too often. Thank you. House Bill 1485. Senator Bomke. Senator Bomke? House Bill 1493. Senator Rauschenberger? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1493.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1486. Senator Trotter. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1486.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1506. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1506.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1513. Senator Clayborne. House Bill 1513. Out of the -- out of the record. House Bill 1540. Senator

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Jones. I'm sorry. 1550. House Bill 1550. Senator Jones? Out of the record. House Bill 1577. Thomas Walsh. Out of the record. House Bill 1589. Senator Farley. Out of the record. House Bill 1612. Senator Parker. Out of the record. House Bill 1628. Senator Shadid? Senator Shadid? Senator Shadid. 1628. Read the bill, Mr. Secretary. And I did pronounce it right that time.

SECRETARY HARRY:

House Bill 1628.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1651. Senator Cronin. Senator Cronin? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1651.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1664. Senator Sieben. Out of the record. House Bill 1668. Senator Bowles. Out of the record. House Bill 1678. Senator Rea? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1678.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1680. Senator Demuzio? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1680.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1699. Senator Parker. Out of the record. House Bill 1707. Senator Rauschenberger? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1707.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1735. Senator Trotter. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1735.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendment No. 1.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1736. Senator Shaw. Out of the record. House Bill 1757. Senator Garcia. Senator Garcia? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1757.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1802. Senator Cronin. Senator Cronin? Senator Cronin. 1802. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1802.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1806. Senator Thomas Walsh. Out of the record. House Bill 1817. Senator Watson? Senator Watson? Out of the record. House Bill 1880. Senator O'Daniel? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1880.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1887. Senator Karpziel? Senator Karpziel, House Bill 1887. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 1887.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2060. Senator Viverito? 2060. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2060.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill -- or, rather, House Bill 2152. Senator Cullerton. Senator Cullerton? Out of the record. Oh, are you there? Thank you. I -- I see you now in the middle aisle. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2152.

(Secretary reads title of bill)

2nd Reading of the bill. There were no committee amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2157. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2157.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2164. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2164.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2164. 2171. Senator Maitland. Read -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2171.

(Secretary reads title of bill)

2nd Reading of the bill. There were no committee amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Maitland.

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Senator Maitland has the Floor.

SENATOR MAITLAND:

Thank you very much, Madam President. This is the amendment that was discussed in committee and agreed to in committee. Obviously, it had -- had to go to -- to Rules and they kicked it right out to the Floor because it was an agreed-to amendment and was discussed in committee. I know of no opposition, and I'd move for the adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, all those in favor of adopting the amendment, signify by saying Aye. All opposed, No. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2201. Senator Fitzgerald. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2201.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2209. Senator Petka? Senator Petka? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2209.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2210. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2210.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2211. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2211.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2214. Senator Karpiel? Senator Karpiel? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2214.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further amendments?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2223. Senator Fitzgerald? Senator Fitzgerald, 2223. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2223.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. With leave of the House, I'd like to return to House Bill 2225. Senator Watson on the Floor?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I'm sorry. When -- when this order of business first started, I was talking to a staffer and I missed placing House Bill 27 on 3rd. I wonder if I could return to it.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bill 2225. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2225.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Ladies and Gentlemen, we're going to return, on the Order of 2nd Reading, to bills where sponsors have requested that -- that they be moved and we shall start with, on page 12, House Bill 27. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 27.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Bottom of page 13. House Bill 271. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 271.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On page -- middle of page 14 is House Bill 381. Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 381.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Top of page 15 is House Bill 524. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 524.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 526. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 526.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for

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consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 601. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 601.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Middle of page 15 is House Bill 606. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 606.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Bottom of page 19 is House Bill 1418. Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1418.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Top of page 20 is House Bill 1457. Senator

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Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1457.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1485. Senator Bomke. Senator Bomke.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1485.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. All right. Ladies and Gentlemen, we're going to begin with House Bills, 3rd Reading. We will be starting on page 6. Middle of page 6 is -- will be Senator Berman with 981, Senator Fawell, Senator Radogno, Senator Petka, in that order. All right. Ladies and Gentlemen, in the middle of page 6, House Bills, 3rd Reading. House Bill 981. Senator Berman. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 981.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Berman.

SENATOR BERMAN:

Thank you -- thank you, Mr. President. Thank you, Mr. President. Can you hear me? Okay. House Bill 981 does something that if any of your voters have domestic employees, they'll be happy to hear about. What it does is to provide that domestic employee withholding tax for State revenue purposes is to be done

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on an annual reporting only, instead of the present quarterly returns. That's all the bill does. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 981 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 981, having received the required constitutional majority, is declared passed. House Bill 992. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 992.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is for two charitable organizations that are in my district. One is a food pantry and the other one is a -- a free medical clinic. And they are splitting the rent right now. House Bill 992 provides that a tax-exempt status could also be extended to limited liability companies for any assessment year including and subsequent to January 1st, 1996, for which an applicant for exemption has been filed. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 992 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no

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Nays, no Members voting Present. House Bill 992, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

I think the fourth grade from Carlinville was just here and just left, so sorry about that.

PRESIDING OFFICER: (SENATOR MAITLAND)

Well we'll recognize them anyway. Nice to have you here today. House Bill 1004. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1004.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill defines the exact location of the Metropolitan Water Reclamation District's reservoir that services the main stream and deep tunnel branches of the TARP project. The consequence of defining this very precisely is that it limits the surface area of that reservoir. This is necessitated by the fact that about three years ago, the Metropolitan Water Reclamation District sought to expand the reservoir, or triple the size of it, and this caused a great deal of consternation in the southwest suburbs. Now, last year the Legislature did pass a similar bill that limited the size in this fashion, but because the Water Reclamation District has chosen to move the reservoir by about eighteen hundred feet, we need to pass this legislation to have the same effect in the new location. There is no opposition. I would ask for your support on this bill.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1004 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 1004, having received the required constitutional majority, is declared passed. House Bill 1006. Senator Petka. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1006.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. House Bill 1006 has been considered by this Body on two separate occasions: last year as Conference Committee Report No. 1 to House Bill 2735 and also this year as Senate Bill 1019, which passed the Executive Committee 11 to 0 and the full Senate by overwhelming margins. What this authorizes is that the Kendall County Forest Preserve District would be permitted to convey a parcel of land to the Kendall County Fair Association for the consideration of two hundred thousand dollars. We have already appropriated funds and, in fact, the Kendall County Fair Association has already received the two hundred thousand dollars last year. Because the bill was caught up with some other language, it was vetoed last year. This legislation simply places the intent once again that this money be transferred for the land in question. I would urge its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Is there discussion? If not, the question is, shall House Bill 1006 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1006, having received the required constitutional majority, is declared passed. House Bill 1007. Senator Luechtefeld. Read the bill, Madam Secretary.
ACTING SECRETARY HAWKER:

House Bill 1007.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. House Bill 1007 simply amends the Township Code allowing township board of trustees in townships with fire protection districts to raise their -- their levy with a front-door referendum. This only includes -- I think there are two of these districts in the State that I know of, both in my district. This would allow them to raise -- raise their tax rate to what other fire districts presently have. Would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1007 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are -- 54 Ayes, 2 Nays, no Members voting Present. House Bill 1007, having received the required constitutional majority, is declared passed. House Bill 1036. Senator Dillard. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

House Bill 1036.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is an initiative of the Corporate Fiduciary Association and it's supported by the Illinois Bankers' Association. Currently, under the corporate fiduciary Sections of our Statutes, the Act provides that a corporate fiduciary might -- may hire agents and advisers to assist the fiduciary in the performance of its duties, and the U.S. Comptroller of the Currency has suggested the amendment that we have incorporated in this bill to clarify the type of advisers that are allowed. The Act also -- the Statute here before us also amends and brings in line with the Civil Practice Act and the Business Records Act and allows the certain -- in certain situations original documents to be destroyed by the fiduciary if they copy it by electronic or other means when destroyed. And I do want to clarify for the record, Mr. President, that the hard drive of a computer is not considered appropriate storage. The document must be preserved on an imaging disk and kept in a safe, appropriate manner in a storage library where it can be retrieved when needed, and obviously it must be fire-proofed, flood-proofed, et cetera. I'd be happy to answer any questions, and again, this is a suggestion of the U.S. Comptroller of the Currency, how to bring our corporate fiduciaries Act and Statutes into line, to update them with respect to storage of documents as well, as it works in the real, computerized, high-technology world that we all operate under today. I'd be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator - and I apologize for not thinking of this question in -- in committee, and you've answered the storage question - is the original document kept for a certain period of time and then destroyed in case there are any initial questions about validity that -- that might require access to the original, or is this an instantaneous transaction where you -- you do the copy and then you -- you dispose of the original?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Senator, I don't see in the corporation fiduciary Section a time limit; however, you know, there may be -- this is a highly regulated industry. There may be -- and I don't have the entire Act in front of me - there may be other Sections of this Act or other regulations from the federal government as well. But I'm sorry. I don't have the answer to your question and it's not set forth in my bill that it has to - the original - be around for a certain period of time. But, you know, we have made provisions, especially with computer types of updates that there are, that it's got to be fire-proofed, flood-proofed, et cetera.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the question is, shall House Bill 1036 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, 1 Nay, 1 Member voting Present. House Bill 1036, having received the required constitutional majority, is declared passed. House Bill 1051. Senator Madigan. Senator Madigan on the Floor? All right. House Bill 1080. Senator Obama. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. House Bill 1080 is legislation to protect our vulnerable children and to ensure our tax money is used more wisely. Many of you know that in 1994, there was a problem with the Keystone Kids, whereby nineteen children were found alone, unattended, in deplorable conditions. Subsequent investigations indicated that some of the money that was -- had been allocated by Public Aid was not going to these children, and one of the mothers who -- was -- tested positive for drugs. This bill is simple. What it does is it gives AFDC caseworkers in the Department of Public Aid and the new Department of Public -- of Human Services more authority to make payments to the children through substitute parents, if their real parents are drug abusers. This bill passed the House 115 to nothing, and I know of no opposition. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1080 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary.

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On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 1080, having received the required constitutional majority, is declared passed. House Bill 1094. Senator Luechtefeld. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1094.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. House Bill 1094 simply amends the Meat and Poultry Inspection Act to add ratites to the definition of "animals". Exact legislation passed through the Senate earlier and sent to the House a 53 to 0 vote. House Bill 1094 places the ratites into the definition of "animals" thusly lowering the costs associated with ratite meat processing in the State. I don't know of any opposition. Would -- would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Rea.

SENATOR REA:

Thank you, Mr. President. The -- this is identical to the bill that we had voted on in here before, Senate Bill 258. This is a very important bill to the agriculture industry because many of the markets right now are out-of-State, and this will help provide more jobs in the market and more diversification for agriculture, which will certainly help our economy. So I also join as one of the sponsors in strong support of this legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the question is, shall House Bill 1094 pass. Those in favor will vote Aye. Opposed,

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Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1094, having received the required constitutional majority, is declared passed. Top of page 7 is House Bill 1105. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1105:

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Illinois Vehicle Code and authorizes the Secretary of State to issue special license plates to Illinois residents who have received and been awarded the Silver Star. We currently do this for recipients of the Gold Star and the Bronze Star but we've never done it for Silver Star recipients, and I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1105 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 1105, having received the required constitutional majority, is declared passed. House Bill 1111. Senator Hawkinson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1111.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This amends the Mechanics Lien Act. It's the result of negotiations between the Illinois Mechanical and Specialty Association and the Illinois Home Builders. It's supported by the Mechanical Specialty Contractors, the Illinois Construction Industry, the Federation of Woman Contractors, and I know of no opponents. What the bill does is it says that anyone who requests a waiver of lien must hold the funds that would have been subject to that lien in trust for the payment of the subcontractors or the material men. Again, I know of no opposition and would ask for your favorable support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1111 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1111, having received the required constitutional majority, is declared passed. House Bill 1115. Senator Dudycz. Senator Dudycz. House Bill 1123. Senator Philip. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1123.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1123 amends the Compensation Review Board Act. It requires the Compensation Review Board to set the salary of all State's attorneys in the State of Illinois. As you know, they consider themselves in -- part of the Judiciary, and that -- of course, that would allow the Compensation Review Board to pay their -- to grant them an increase. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1123 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 52 Ayes, 3 Nays, 1 Member voting Present. House Bill 1123, having received the required constitutional majority, is declared passed. House Bill 1126. Senator Karpiel. Senator Karpiel on the Floor? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1126.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. This legislation amends the Veterinary Medicine and Surgery Practice to do two things. It allows graduates of non-approved veterinary schools to pass an examination specified by the Department of Professional Regulation as an alternative to having one year of evaluated clinical experience as an employee of a licensed veterinarian, in order to qualify for a license under the Act. And, two, it clarifies the

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current exemptions for persons consulting with and under the direction of a licensed veterinarian. In 1994, when the Veterinary Practice Act was renewed, the word "supervision" was inadvertently omitted. This language adds the word "supervision" to the current exemption. By adding the word "supervision" to the Statute, this clarifies that a licensed veterinarian would assume responsibility for any procedure on the animal. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1126 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1126, having received the required constitutional majority, is declared passed. House Bill 1140. Senator Cullerton. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1140.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill does three things. The bill is sponsored in the House by Representative Cross and apparently is -- comes as a result of a constituent landlord. The bill, as it passed the House, is an effort to aid landlords in evicting troublesome tenants who are committing crimes. Under the bill, if a tenant is using the leased premises for the commission of any act that would constitute a felony or a misdemeanor, the lease shall be void at

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the option of the lessor, and the owner may bring a forcible entry and detainer eviction action or may assign that right to the State's attorney if the State's attorney agrees. Secondly, the bill would say that if people run for municipal office, despite a prior conviction, that they have to wait ten years before they can file to be a candidate. And, thirdly, also at the suggestion of Representative Cross, we have expanded the trial in absentia to include misdemeanors as well. Right now, the current law limits it to felonies. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Hendon.

SENATOR HENDON:

Senator Cullerton, does this allow a convicted bank robber or carjacker to -- to run for office?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Depends on what office you're talking about. Right now, constitutional offices or State offices, such as State Senator, State Representative, Governor, there's no prohibition. So, carjackers can run right now. This limitation applies to municipal offices, and what it says is those people have to wait ten years before they could be eligible to run or even file their petitions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

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SENATOR HENDON:

So, if a -- if a person wanted to run for alderman of the City of Chicago, this will now allow them to do that without challenge, regardless of the crime that they committed?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, you'd have to wait ten years from the -- if they were sentenced to a -- to jail, you'd have to wait ten years after they completed their sentence before they'd be eligible to run, and I would -- as I pointed out, this limitation only would apply to municipal offices. With regard to State offices, like State Representative, State Senator or, for that matter, Governor, there's no prohibition at all. Those felons can run for that office, with the idea that, of course, the -- the people then vote. They make that decision as to whether or not they want to support that person.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Okay. My -- my question goes to is it -- are all crimes okay? If it's a -- convicted child molester or a convicted rapist, mass murderer, could -- could they then run once they've been out for ten years?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. I'm sorry, because I didn't quite hear. The noise level

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is pretty high. But, Senator Cullerton, I want to understand this, and what I'm hearing, you're saying that certain convicted felons, after they have served their time and -- and have been granted their citizenship back, that they can no -- can't run for a municipal office until after they have been out of jail for ten years. Why?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR COLLINS:

And -- but that does not apply to State constitutional offices, to congressional offices, or to any of those. How do you make that kind of distinction, and here you are an attorney? Do you think a bill like this will stand up in the courts?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, Senator, you have to understand what the current law is. The current law makes that distinction. The current law says that constitutional officers, State Senators, you can run for those offices even if you have a felony conviction. If -- if you -- you could probably run from -- from jail, as far as I know, if -- if you have a felony conviction. But for municipal offices, you can't run at all if you've ever had a felony. So what we've tried to do here with this bill, with Representative Cross and myself, is to reach a compromise by saying, "Okay, if you wait ten years after you're released from the penitentiary, you can then be eligible to run for municipal offices." So that -- that -- the reason why there's a distinction is because there's a distinction right now in -- in the law, and this would -- this would be a compromise, if you will, with regard to the current situation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

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SENATOR COLLINS:

So -- so what you're saying is that under current law that if you are a convicted felon, you can never run for alderman. Is that it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR COLLINS:

I don't...

SENATOR CULLERTON:

You can -- if you're a convicted felon, right now, you can run for Governor; you can't run for alderman.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

Senator, I didn't think that was that difficult. That's the question I asked. I said, if you are a convicted felon, now under existing law, you can't run for alderman. And -- and your answer is yes. So what you're saying, after ten years that they can run. What I'd like to know from you, has this law ever been challenged in the courts?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Yes. The existing law has been challenged in courts, and recently there was a mayoral candidate in Calumet City who was denied the right to run for office because he had received a felony conviction when he was a younger man, and so he was not allowed to run. And under this bill, if -- if it had been at least ten years since he had received that conviction, then he would be allowed to run.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

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SENATOR COLLINS:

Under -- under this law, do they -- they have been restored -- how long does it take you to be restored to full citizenship after your -- you serve your term, under existing law?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, I don't know exactly what you mean by "full citizenship". With regard to eligibility to run for office, for municipal offices, after you've received a felony conviction, you can never run; for State offices, you can run if you've been convicted - there's no limitation at all. And so we're trying to allow for the situation, in this bill, if someone has served their time, they wait ten years, then they could be eligible to run for -- for alderman or mayor. And remember, of course, that they still have to get elected. People have to decide whether or not they want to vote for 'em or not. And there is, as I said, no limitation at all for State offices or for State Representative or State Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

...you. Thank you. I just think that laws ought to be uniform. If -- if it's not right for local people to -- to run for office after being released from prison from committing a felony, then it should apply equally across the board to constitutional offices, to legislative offices. I cannot, for the life of me, see how that kind of law, had it been appealed through the appropriate courts, would be able to stand the constitutional test. I don't understand that. It's not right. I appreciate the fact that you are trying to make it better, but you really should have gone all the way and tried to eliminate it and make it

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uniform. I will support your bill, but it's still not fair.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

...you -- thank you, Mr. President. Just a few questions of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Cullerton, I -- you're saying, because we allow convicted felons now to serve in the General Assembly or statewide office, we should permit it to be allowed in municipal offices if they have been convicted and have -- have been released from incarceration a minimum of -- of ten years or if they have been convicted ten years prior to their seeking office?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, if your question is -- was when does the ten years start, it's after they get released. And I just want to point out that you -- you raised a good point; you reminded me. I believe that there's a Member of the House of Representatives serving right now who has -- has, in the past, received a felony conviction. That person was eligible to run for office. Didn't have to wait ten years or anything. And that person got elected. And so, with regard, though, to offices like alderman or -- or municipal offices, they -- if they commit a -- a felony when they're young people - say seventeen, eighteen years old - receive probation - you know? - even though it might be their first offense, then twenty, thirty years later when they want to run for office, they're not eligible. And so what this bill does is to try to strike a compromise there, to try to say, "Okay, wait ten

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years, then you'll be eligible to run", and then the people can decide whether or not they -- they should be elected. So it's -- it's a compromise with -- with that regard. I imagine we could say, with another bill, you can't even run for Governor or for State Senator or for State Representative until you wait ten years. You know, I -- I wouldn't be -- object to that, but, you know, that's not -- that's not in this bill, but I wouldn't have any objection to that as well.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

Well -- well, I agree that we should be uniform in our application towards any candidate. But rather than soften it up for municipal offices and allow convicted felons -- and we're not just dealing with the seventeen-year-old who got probation for a -- for a minor -- if there is such a thing, a minor felony. We're also talking about hardened, convicted criminals that -- that will be eligible whether they're seventeen or -- or seventy-seven years old. I -- rather than -- rather than soften the -- the Statutes to allow convicted felons to run for city office, I'd rather us make 'em a little bit more equal and prevent -- prohibit any convicted felon from running any -- for any elective office in Illinois. I think this is a bad bill. I think that nobody should vote for it. I think we're -- we're setting a really -- really a bad signal out there to our constituents that, we -- if you vote for this bill, you're supporting people who are convicted felons. I know the -- I know that we're allowing it now for the statewide offices, but what you're saying is, if you are a convicted felon and have been discharged from a penal institution, ten years from that point, you can run for any citywide office. We -- we who live in Chicago have seen quite a few convictions already. We don't need any more. I just think it's a bad bill. I think we

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should all vote No.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I think there's been a lot of confusing talk here, and -- frankly. What does your -- what did the bill do when it came over from the House?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR GEO-KARIS:

Before...

SENATOR CULLERTON:

The bill, as I said, has three parts to it. When it came over from the House, it had to do with the issue of a tenant who commits a crime and the ability to kick that tenant out, to give more power to landlords and to the State's attorneys to kick out those tenants. Okay? So then, in the Judiciary Committee, we added an amendment that did two things: it expanded the trial in absentia to misdemeanors, and it covered this provision that we have been debating dealing with eligibility for office. And the current law -- just to, once again, re-explain it - the current law says that for State constitutional offices, statewide offices, there's no prohibition at all. If you've received a felony conviction, you can still be eligible to run. You don't have to wait ten years. You can just file, and if the people elect you, as they did with one State Representative over in the House sitting there today, then you get elected. But with regard to municipal offices, like mayor or alderman, if you have had a

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felony conviction, you can never run, no matter how long ago it was. And so what we've -- we're saying with this amendment is let's -- let's reach a compromise. Let's say let's -- you have to wait ten years after you're released from the penitentiary, and then you would be eligible to run for municipal office.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, your bill covers running for municipal office?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Yes. This would allow people who -- who want to run for municipal office to be able to be eligible to run if they've waited ten years after they've been released from the penitentiary. And as I said, for State offices or constitutional offices, there's -- they can run if they have a conviction. And that's the -- that's what the bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think Senator Dudycz actually framed the debate. I don't want any confusion about this bill. Let's -- I -- I think the confusion we've talked about. Right now, in the State of Illinois, you can run for something whether you're a convicted felon or not, and you can't for municipal elections. What this bill does is allow you to run for municipal elections if you were a convicted felon and it's ten years later. So the question is exactly how Senator Dudycz put it. Are -- do we want to allow -- after a ten-year conviction for a felony, do we want to allow a person to be able to run for a municipal office? That's the

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debate. That's the question. Well, I put to you that I think we should, and I'll tell you why we should not stop people from doing it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro, excuse me just a minute. Ladies and Gentlemen, please, let's just hold the noise level down a little bit. It's very difficult for even me to hear the speaker. And so if you would, please, just keep the noise level down a little bit. Senator Molaro.

SENATOR MOLARO:

So the question again is: Do we allow someone who's been convicted of a felon, served his time and now it's ten years later, do we allow 'em to run for municipal election? That's the question. That's it. It's that simple. No confusion. Should we allow to do it, or should they be barred for life? Now, think about that for a second. Barring 'em for life. Now -- that's right: We -- we would be barring murderers. But we also bar people who are convicted of criminal damage to property when the property's worth over three hundred dollars. That's a Class 4 felony. Ten years later, they're still precluded from running for office. We're saying, right now, it is impossible to be rehabilitated. Now, you could become Secretary of the Department of Transportation, you could become the Chief Clerk of the -- of the Appellate Court, you can hold every government office, and we could appoint you, but you can't run, you can't be elected to alderman, you can't be elected to city clerk. But you could be appointed village manager. You can't run for mayor, but you could be appointed to run the city. Now, that doesn't make any sense. The people -- we're not saying that your opponent can't talk about your conviction. If you're going to run and you're a convicted murderer, the people will find out. If you have a criminal history, the people will find out. But to come back and say, this

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State, you cannot rehabilitate yourself, you cannot be convicted of -- of property damage, felony amount, and ever be able to come forth and look your neighbors in the eye and say, "I'd like to become your alderman." We shouldn't put a ban for life. That's too severe. There has to be something said about being convicted, spending ten years to put your life in order and go forward. The people know who should be there or not. To say to the people, we're not going to allow you to decide who should be in this office but we're going to continue to be able to appoint felons, but you can't go out there and elect someone who, ten years later, is putting his life back together, is wrong. This is a good bill and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hendon, for the second time.

END OF TAPE

TAPE 2

SENATOR HENDON:

I apologize for rising a second time. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Hendon.

SENATOR HENDON:

Senator Cullerton, is there anything in this bill that would prevent that convicted rapist from changing their name and, thus, hiding their conviction?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

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SENATOR CULLERTON:

This -- this bill does not deal with -- or -- or change whatever the current law is with regard to changing your name and lying, while you campaign, about your background.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

So -- so, a convicted rapist, or if Richard Speck gets out, or a convicted murderer, a child molester, they, under this law, could -- could, after ten years, change their name, hide their conviction or just -- just not even change their name, just do whatever they can to polish up their conviction, hide their conviction, and then gain access to children while we're passing bills right now to restrict child molesters from having access to schools. But if you are an alderman, then you will have more access to -- to -- to children and to victims. Is that not correct? Don't you believe that an elected official has additional access that -- that a nonelected official would have?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

In your hypothetical, this convicted rapist would have to wait ten years before they can run for alderman, but they could run for State Senate against you right now. So, if they want to gain access to records, since they are a convicted felon, and they want to have power and political power, they can just file against you right now. There's no prohibition for them running against you in the primary for State Senator - that convicted rapist. Whether they can change their name, I don't know. If they do and they hide their background, they can become an Illinois State Senator and sit on this Floor and debate bills, just like there's a convicted felon over in the House doing the same thing. No

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prohibition. And I think that's hypocritical, that we can say that we can let people run for our office and Governor who have had a conviction but make no provision at all for someone who may have made a mistake in the past, who got probation, who -- who received a felony conviction, then ten, twenty, thirty years later want to run and they can't even run. And that's why I'm proposing this bill. So let's deal with the hypocrisy of the current law.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Then if you're so concerned, then why didn't you do the reverse and keep a person from being able to run for Governor or run for State Representative, or run for State Senator, if they have been convicted of molesting some of these children, that are in here today?

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Is that a question?

SENATOR HENDON:

Yes, that was a question. Why didn't you do it the other way?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, Senator, I did indicate that I'd be open to a suggestion that even in our offices or State Senator or -- or -- or the Governor, that you have to also wait ten years. But I am not in favor of a total prohibition. I think that the State Representative who sits over in the -- in the House who got elected from the people is eligible to serve in the General Assembly. I think he's eligible to run. The people voted for him. They knew about the conviction. It was part of the campaign and he still got elected, and he's serving in the General Assembly. And I don't think he should be banned for life from

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ever being a -- a candidate. I don't think that's fair, and that's why I put the bill in. If you think that we could have a ten year -- if you'd support a bill that says everybody, across the board, has to wait ten years after they get out of jail to become eligible for any office in Illinois, I'll be happy to support that amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

In conclusion, my friend, the State Representative you keep referring to happens to be my State Representative. I don't think he asked you for this bill. There's an alderman that you refuse to refer to, who probably happens to be a friend of yours, who's a convicted carjacker, bank robber and kidnapper serving in the city council right now, and this will allow people like that to continue getting elected. And we need to understand that the City of Chicago is unique and different from the rest of this State. I know for a fact that elections in Chicago is about as crooked as they could ever get, and if you're going to allow and send a signal that mass murderers, rapists, bank robbers, anybody can run, then you -- if you think those people are going to get there and be decent, honest, elected officials, then you are dreaming, my friend. You're simply saying that, as long as you can hook up the money and get with the right group, we don't give a darn what you do. Rapists, murderers, carjackers, kidnappers, bank robbers, you can be aldermen of the City of Chicago. It is a Chicago tradition, so I'm not surprised.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. Chairman -- Mr. President. I just wanted to say for the record, when this bill came over to the Senate, it did

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not say what it says right now. My name is on there as a sponsor of -- but I have -- after I've reviewed this, I've respectfully requested to be -- to be removed, and I just wanted to state that for the record.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much. I would move the previous question.

PRESIDING OFFICER: (SENATOR MAITLAND)

You are the last speaker, Senator Petka. Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I indicated in the debate that I think that it's -- the current law is really inappropriate. I was made aware of the fact, through news reports back in March, that a fellow wanted to run for Mayor in Calumet City, that he was not allowed to do so. I read the story about how he had pleaded guilty to aggravated battery when he was a young person, received two years probation, and later on wanted to be a candidate and was kicked off the ballot. And I just think that that's not -- not fair, that we can sit here and have a law -- we who make the laws can say that people can run for the Legislature if they've had a conviction, but they can't run for -- for mayor or for alderman. And so, I have asked in this debate for people to consider that. Now, it comes out in debate that there's some concern about this thing being equal, that we're making -- still making a distinction between people who run for -- for office for the Judiciary -- I'm sorry, for -- for the Legislature and for municipal offices. So I would be more than happy to consider -- go back before the Judiciary Committee, prepare an amendment that indicates that it'll be ten years for everybody. Anybody who wants to run for office in -- for Governor all the way down to dog catcher, they

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got to wait ten years. I'll submit that to the Judiciary Committee. If that comes out, then we'll have a debate on it. If not, then the bill -- I'll -- I'll just take this amendment off, we'll let Senator Parker rejoin me as the cosponsor, and then we'll just vote on the bill as it came out of the House. So I would like, at this time, to take the bill out of the record. I'll prepare the amendments and go back to the Judiciary Committee.

PRESIDING OFFICER: (SENATOR MAITLAND)

Bill's out of the record. House Bill 1177. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1177.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This -- this is the Department of Agriculture's administration bill, and it amends numerous Acts in their Section of the Statute in order for the Department to be in compliance with the U.S. Department of Agriculture. I know of no opposition to the bill. Ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1177 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1177, having received the required constitutional majority, is declared passed. House Bill 1178.

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Senator Luechtefeld. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1178.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. House Bill 1178 simply amends the Illinois Highway Code to require that road district clerks all receive a per diem for each day he or she is necessarily employed in the discharge of the official duties. Such per diem shall be fixed by the county board of commissioners. In the -- only the seventeen counties that this would affect, most of those counties are in southern Illinois. Presently, it is becoming very difficult to get people to do these, for the present pay, I think, is four dollars per day -- the per diem payment is. This would simply allow the -- the county board of commissioners to raise that -- that pay. I know of no opposition. Would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1178 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, 1 Nay, no Members voting Present. House Bill 1178, having received the required constitutional majority, is declared passed. House Bill 1186. Senator Dillard. House Bill 1188. Senator Burzynski. House Bill 1193. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1193.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. House Bill 1193 introduces the language that we had passed last year, that the Governor had vetoed a portion of the bill that we passed. This does not include that. It does include all the provisions that he said he would sign, and it -- it includes numerous changes in the local government Section. I'll go briefly through 'em quickly and I'll answer any questions, if you have any. It provides for purposes of a Municipal Joint Action Water Agency for water supplying from the Mississippi and Missouri River. It codifies the deadline to set township and municipal salaries. It provides items that may be added to an agenda for a township meeting. Provides that township electors may authorize township trustees to provide mental health services. It authorizes the Bi-State Development Agency to allow commissioners to participate in meetings by phone, similar to the law passed in Missouri. It makes some other technical and minor changes and I'll answer any questions, if you have any.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1193 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, 1 Member voting Present. House Bill 1193, having received the required constitutional majority, is declared passed. House Bill 1215. Senator Burzynski. House Bill 1216. Senator Burzynski. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

House Bill 1216.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation is similar to 1215, except it does have one other additional provision. Nonrefundable fees are required for the initial issuance of an individual or agency license which is five hundred, and triennial renewal of an individual or agency license which is four-fifty. This is an agreed-to bill. There's no known opposition. I'll try and answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Welch.

SENATOR WELCH:

The -- the analysis I have says the amendment retained the exception -- exemption for towing employees contained in the bill. What exemption is there for towing employees in this bill? What is that?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Basically, what we'd had is we'd had a Locksmith Act that towing employees, as well as those locksmiths of smaller than two individuals in their businesses, were required to be licensed, were required to be licensed locksmiths. This says they are

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removed from that. They do not have to be. Towing businesses go help people unlock their cars, et cetera, so they don't have to be certified or licensed as a locksmith.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

The way it sounds, also what it looks like this bill is doing, is currently - and correct me if I'm wrong - currently there is an exemption for a fee from a single person locksmith, and that person does not have to be licensed, and now we are licensing that same single member and charging that person a fee. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Actually think -- actually, Senator, I believe it's just the reverse of what you said. We're trying to help that small businessman.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the question is, shall House Bill 1216 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1216, having received the required constitutional majority, is declared passed. Top of page 8. House Bill 1218. Senator Peterson. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

House Bill 1218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. House Bill 1218 provides that a municipality is authorized to enforce a county weight limit ordinance applying to county highways when those highways are within the corporate limits, and they are entitled to the proceeds of any fines collected from the enforcement. The bill arises out of a concern where municipalities in Lake County were enforcing county weight limits, on county roads and found there is no statutory authority to enforce those weight limits, and this bill would remedy that situation. I ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1218 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1218, having received the required constitutional majority, is declared passed. House Bill 1219. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1219.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

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SENATOR KLEMM:

Thank you, Mr. President. House Bill 1219 amends the Sex Offender Registration Act and the Child Sex Offender and Murderer Community Notification Act. It's an initiative from the Illinois State Police and it consolidates community notification requirements. It requires the Department of Mental Health and Developmental Disabilities to notify law enforcement agencies upon release of sexual offenders. It places Illinois in closer compliance with the federal sex offender community notification laws. It establishes some fines and registrations to help cover the program. And it permits -- permits the Illinois State Police access to some database to get this information. There's no opposition. I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1219 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1219, having received the required constitutional majority, is declared passed. House Bill 1233. Senator Fawell. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1233.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is offered at the request of the Secretary of State. Just clarifies that the courts do have the authority to order the Secretary of State to issue a title

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changing the legal ownership of a vehicle. And it does a few other technical things. If you have any questions, I'll be glad to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1233 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1233, having received the required constitutional majority, is declared passed. House Bill 1250. Senator Butler. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1250.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, House Bill No. 1250 addresses a very, very serious problem we have in my district. We have experienced some devastating floods in recent years, and the communities have been cooperating with each other in order to present a plan which is now -- has been -- or maybe even as we speak, has been approved. The problem is funding in the initial stages. The township has in it's road fund sufficient money to get that plan started. These are funds that have accumulated and were to be abated, but they will now -- they will now be transferred, under this bill, to support flood control measures. At present, the law forbids them from transferring funds between -- between accounts, and this merely says they may, in this instance, use these funds to begin working on their flood

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control project. That's the first part of it. Second part of it is an amendment by Senator Petka, and I'll yield to him to -- for an explanation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETERSON:

Thank you very much, Mr. President. And first of all, I'd like to thank the sponsor of this bill for permitting this amendment to be placed upon his bill. What this does, Members of the Senate, is to permit a township board to authorize the employment of an attorney by the township road commissioner. The monies for the attorney would come out of the township road commissioner's fund so that we would not be dealing with the -- any expenditures of township funds, per se. And I might add that the Township Officials of Illinois want this legislation because currently there are a number of township road commissioners who are employing attorneys who they believe are being employed without statutory authorization. So what we are doing here is permitting a practice to be -- become -- to enjoy statutory authority, which basically is now being used by -- as a matter of custom.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. And while it's a wonderful amendment and a wonderful amendment sponsor, and one of the nicest guys in the Senate on the bill, I would just point out a couple of things. In urban townships -- as -- as towns -- as municipalities grow inside of townships, road districts -- township road districts have less and less mileage and less and less bridges to maintain. Many of the townships that are now under the tax cap have decided not to adjust their tax rates down. They're accruing

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funds in those tax rates. If we begin the process of saying, "Go ahead and maintain your levies and, in fact, walk them up under the tax cap," and then allow them to -- to transfer around and use those in a different way, we're starting a precedent I think we might come to regret. I would suggest to Senator Butler that although there's severe flooding in my area and a lot of other areas, there are other ways to deal with -- the appropriate thing for the highway commissioner and the township board to do here is to reduce their tax rate on the bridge and road -- road and bridge fund and increase it in either the general fund or another fund to make this -- this -- this project a reality. I certainly respect the sponsor, but I'd ask you to think real hard about whether we want to start transferring road and bridge funds, which are a dedicated fund, to the discretionary uses of -- of townships boards. In this case it applies only to one township. But like many other things here, they start in small ways and become initiatives that sometimes we may wish we hadn't have started.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. One question of the amendment sponsor, if I may.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Trotter.

SENATOR TROTTER:

Senator Petka, isn't it under current law -- aren't we already -- the supervisors and the township board of trustees able to appoint township attorneys?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETERSON:

You are correct. They can appoint them, but there -- there has

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to be a conflict between the -- the attorney for the township and -- and the -- the township highway commissioner. And there are instances where lawsuits are filed where there is -- because of the nature of the lawsuit, they should be entitled to separate representation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Thank you, sir. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Trotter.

SENATOR TROTTER:

Okay. Senator Butler, on this -- just to elaborate a little bit on -- on my other good friend, Senator Rauschenberger, isn't this a way that we can actually -- or, you're attempting to circumvent going for a front-door referendum?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Sure. We can have a front-door referendum on just about anything. I might point out in response to Senator Rauschenberger, that he is absolutely right and probably the way to approach this over the future is to have some sort of restrictions on the amount that can be accumulated. I don't know how to figure that out. The township in this case did recognize that and have begun a process for decreasing the amount of money that -- that could accumulate in the road fund. That -- that process will be underway. In this -- in this particular case, we're trying to -- we're trying to get that flood control project underway as quickly as possible to prevent future problems that they've had. So I would agree with everybody on this that -- but we ought to give them a mechanism, or at least a restriction, on

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how much money they can accumulate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 1250 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 25 Ayes, 20 Nays, 6 Members voting Present. House Bill 1250, having not received the required constitutional majority, is declared failed. House Bill... All right. House Bill 1252. Senator Dillard. House -- Oh, I -- I thought you said no. Sponsor indicates he wishes that bill...

SENATOR BUTLER:

I haven't experienced this before, so I'm trying to get some information. Is -- is Postponed Consideration under -- possible -- okay.

PRESIDING OFFICER: (SENATOR MAITLAND)

It is. It is.

SENATOR BUTLER:

Okay, thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Sponsor requests that the bill be placed on Postponed Consideration. House Bill 1253. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1253.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. House Bill 1253 provides that an uninsured individual who is involved in an

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accident would not have his driving privileges reinstated until he's obtained a special type of auto insurance. This legislation was at the request of the Secretary of State. The special type of insurance is called "Safety Responsibility 22" or SR 22. What this will do -- what the legislation will do is enable the State to keep -- keep a better track of these individuals to ensure that they maintain insurance. The policies known as SR 22 would have to be maintained for three years. Be happy to answer any questions there may be, but I would request your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1253 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1253, having received the required constitutional majority, is declared passed. WAND-TV from Decatur asks leave to videotape. Is leave granted? Leave is granted. Senator Hawkinson, do you request this bill to be removed -- returned to the Order of 2nd Reading for an amendment? All right. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR MAITLAND)

I'm sorry, Madam Secretary. Yeah. Senate -- I beg your pardon. Senator Hawkinson seeks leave of the Body to return House Bill 1279 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order -- on the Order of 2nd Reading is House Bill 1179 {sic} (1279). Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

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Amendment No. 2, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is truly a technical amendment. It changes "the" to "a" and it changes a double quotation mark to a single quotation mark without any substantive effect. I would ask for the adoption of Senate Amendment No. 2 to House Bill 1279.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson has moved adoption to Floor Amendment No. 2 to House Bill 1279. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1286. Senator Syverson. Senator Syverson. House Bill 1288. Senator O'Malley. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1288.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. House Bill 1288 is the annual cleanup from the Commissioner of Banks and Real Estate. It makes regulatory and administrative changes in the Office of Banks and -- and the -- and Real Estate Act, the Savings Bank Act, the Residential Mortgage License Act, the Corporate

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Fiduciary Act, the Electronic Fund Transfer Act, the Illinois Bank Holding Company Act, the Foreign Bank Representative Office Act and the Foreign Banking Office Act. Also makes changes affecting -- affecting the effect of the Business Corporation Act upon financial institution. Again, the bill is the Commissioner's annual housekeeping request, and the provisions of the bill which cross-reference or refer to the Business -- Business Corporation Act represent agreed language between the Secretary of State and the Commissioner. I'd be happy to answer any questions there may be, but I would request the support of the Members of the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Trotter. Is there discussion? If not, the question is, shall House Bill 1288 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, 1 Member voting Present. House Bill 1288, having received the required constitutional majority, is declared passed. House Bill 1289. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1289.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Food and Agriculture Research Act. Provides that the Department of Agriculture may retain up to one percent of the total appropriation for C-FAR to offset the cost association with the C-FAR membership. Currently, that expense is being covered by a

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grant from the Kellogg Foundation which will expire this December. Know of no opposition. Ask for you Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Sieben, do you -- since C-FAR is a research grant program, do you know of any reason that the members of the -- of C-FAR themselves couldn't pay their own administrative costs and keep as much of this money as possible focused? As this appropriation rises -- I think this year we're going from three to six million, we're -- we're talking about a one-percent set-aside of the research money. I just wondered whether there's a -- a critical need, why C-FAR, as a group who obviously are supportive of this, couldn't -- it would maybe help hold down administrative costs. I just wondered if you knew.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Yes. There are certain administrative costs with handling this program and certain expenses that are covered by the members. The one-percent grant at your level of six million dollars would amount to about sixty thousand. Doesn't increase the appropriation at all. It just allows them to use this for administrative purposes, 'cause the grant that they are using to do that with now expires. So -- now, some of those members may be in a position to cover some of that expense themselves. It doesn't require that they do this. It just allows them to use up to that amount. Appreciate your question.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Collins.

SENATOR COLLINS:

What -- what kind of research are we talking about here?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

We're talking about food and agricultural research in the State of Illinois conducted primarily by our State universities.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

As I understand it, Senator, if you might, that this would amount to about ninety-thousand-dollars for this fiscal year. Does that sound correct, according to the analysis I have in my hand?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

That's correct. One percent of the appropriation could amount to ninety-thousand dollars.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Would the appropriation be nine million for this year, then?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

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I believe it moves up to nine million dollars for the research in the next fiscal year.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

I understand that the estimated cost of various expenses that are routinely incurred by C-FAR for their specific duties costs currently around a hundred and thirty-five, thirty-six thousand?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Looks like -- looks like your analysis agrees with my analysis.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Then aren't you a little short by about forty-some thousand?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

I -- I think that's -- partly addresses what Senator Rauschenberger was talking about. We may have to find some other sources for some of these expenses.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

You know, it comes as sort of a surprise to me that, you know, we work real hard to get these research dollars that are for the various campuses across Illinois for research and now we're starting the diversion of money for administrative costs. It just seems to me that this is administered through the Department of Agriculture. Why can't they absorb it in their own budget?

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Why do we have to divert any money for research in -- in Illinois to any type of administrative cost? Seems to me that the Department of Agriculture ought to absorb the cost themselves. Can you respond to that?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Well, I think we all realize that their -- their budget is extremely tight, like everybody else, and they're looking for a way to do this. And I think they would -- you know, if -- if they had the funds available, they would like to fund it out of their budget, but they currently don't have that to do.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

I'm not happy about doing this, because I think once you start down this path, then we're opening up Pandora's Box for next year and the year after that. Then they'll want their own offices, their own office space, their own staff and the whole bit. I mean, if we're going to provide money for research, as tight as research money is, we ought to just provide money for research. And if the Department of Agriculture wants to put that in part of -- part of their budget, and I'm quite sure that this year that they can find ninety-thousand dollars somewhere along the line - they got a pesticide bill coming up here pretty soon for an increase in -- in that particular area - they ought to find the money in their own administrative costs. And we ought not to be taking any money out of research for this year or any outlying year, for -- for that matter.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

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Thank you, Mr. President, Members of the Senate. I rise in strong support of this legislation. I think most of us are aware this is -- research money is -- goes for agriculture research. The University of Illinois, which for years was the leading agriculture college in the nation, and they've been slipping some, and we've agreed to -- these C-FAR members pretty well serve at -- at no expenses at all. And -- and what we're trying to do is -- is to improve the agriculture research at our universities over the State of Illinois. And I think this is a very important piece of legislation. We should pass it.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR SIEBEN:

Well, thank you, Mr. President. I think we can be very thankful that the -- the group that organized the C-FAR project was able to find a hundred-thousand-dollar grant per year for several years from the Kellogg Foundation to cover a lot of these administrative expenses. But now that grant has run out, and I'm sure the people involved will seek that type of funding. This is a permissive piece of legislation that allows the Department to use one percent out of nine -- nine million - ninety-thousand-dollars - to help -- cover some of these administrative expenses. It's the only way the program is going to work. Ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1289 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, 5 Nays, no Members voting Present. House Bill 1289, having received the required constitutional majority, is declared passed. House Bill 1293. Senator Dudycz. House Bill 1294. Senator Smith.

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Senator Smith on the Floor? House Bill 1315. Senator Dudycz.
Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1315.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 1315, as amended, amends the Criminal Code relating to aggravating criteria for death penalty eligibility by adding senior citizens and the disabled. This legislation is -- was introduced in response to the murder of a senior citizen by -- by a handyman in Springfield who upon conviction was not eligible for the death penalty regardless of the heinous nature of the crime. The -- the amended bill revises the language by saying that the murdered individual was sixty years of age or older and the death resulted from an exceptionally brutal or heinous behavior indicative of want on cruelty. This language tracks the death penalty language for children under twelve. The second provision states that the murder victim was known by the offender to be a disabled person. The amendment language was drafted after the approval of the Illinois State Bar Association. I know of no opposition and I would ask for your affirmative support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1315 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1315, having received the required

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constitutional majority, is declared passed. House Bill 1316.
Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1316.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Illinois Act on Aging to require the Department on Aging to develop guidelines for the organization and implementation of Volunteer Service Credit Programs, to submit those guidelines to the -- to the General Assembly by July 1st, of next year. Ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1316 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1316, having received the required constitutional majority, is declared passed. House Bill 1337. Senator Bomke. Senator Bomke. Top of page 9. House Bill 1342. Senator Myers. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR MYERS:

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Yes. This amends the Department of Public Health Act. It requires the Department of Public Health to study the feasibility of using telemedicine technology for individuals living in rural areas, and homebound individuals. And it requires a final report to the General Assembly by July 1, 1998. I know of no opposition to this. This is a good bill and I'm hoping for a positive roll call vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1342 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1342, having received the required constitutional majority, is declared passed. House Bill 1344. Senator Dillard. Senator Dillard on the Floor? House Bill 1354. Senator Burzynski. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1354.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically, what this bill does is provides for the licensure as a cosmetology, esthetics or nail technology clinic teacher. Be more than happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1354 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1354, having received the required constitutional majority, is declared passed. House Bill 1374. Senator Tom Walsh. House Bill 1375. You want four. I'm sorry. House Bill 1374. House Bill 1375. Senator Tom Walsh. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1375.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 1375 provides that all positions in the sanitary district and job classifications shall be established. Provides that uniform pay and titles shall be established for all these positions similarly classified. This is similar to Senate Bill -- or, this is identical to Senate Bill 544 which passed 58 to nothing earlier this spring. The second provision on the bill continues the district's statutory nonreferendum bonding authority to December 31st, 2006. The purpose is to provide a long-term, stable source of funding for major capital projects to provide sewer treatment and pollution control services for entire Cook County area. And I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Just a quick question. Is this -- is this for nonreferendum bonding?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Walsh.

SENATOR T. WALSH:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 1375 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 33 Ayes, 18 Nays, no Members voting Present. House Bill 1375, having received the required constitutional majority, is declared passed. Senator Halvorson, what purpose do you arise?

SENATOR HALVORSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, ma'am.

SENATOR HALVORSON:

I would like for everybody to recognize -- I have some students here from my district from -- James Heart Middle School. If they could please rise and be recognized.

PRESIDING OFFICER: (SENATOR MAITLAND)

Will our guests please rise and be recognized? Welcome to the Senate. Senator O'Daniel, for what purpose do you arise, sir?

SENATOR O'DANIEL:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR O'DANIEL:

In the rear gallery on the Democrat side I have a group of eighth -- the eighth-grade class from the Marion Grade School, along with their instructor Cindy Grimes, and one of them is my brother's granddaughter, Drew. I'd like for the Senate to help me

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welcome -- welcome them to the Illinois Senate. Will you please stand?

PRESIDING OFFICER: (SENATOR MAITLAND)

Will our guests in the gallery please rise? Welcome to Springfield. Middle of page 8 is House Bill 1388. 1388. Senator Burzynski. House Bill 1410. Senator -- 1410, Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1410.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This legislation deals with structured settlements in personal injury suits. Right now there are several ways to -- to settle a personal injury suit: one, you can get a cash payment by a defendant or insurance company, or more and more in vogue are structured settlements, which are akin to annuities, where you will be paid so much money over a number of years. Representative Leitch and an attorney in Peoria have spotted some television ads where you could call an eight hundred number. People were soliciting to buy out the structured settlement. And it was felt that we ought to have some protection for victims who are receiving these structured settlements, and the vehicle chosen in this legislation is that before you can assign or sell your structured settlement, you should have approval of the circuit court. That's what this bill does. I'm not aware of any opposition. Be happy to try and answer questions, otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House

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Bill 1410 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1410, having received the required constitutional majority, is declared passed. House Bill 1412. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1412.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. House Bill 1412 amends the Secured Transactions Article of the Uniform Commercial Code. Among other things, this Article provides borrowers with certain rights to redeem or reclaim forfeited collateral. It specifies damages to which a borrower is entitled to recover when collateral has been disposed of by the lender in a -- in a manner that's contrary to the provisions of the Code. The bill keeps the borrower's damages intact and limits borrower's litigation to individual actions. I'd be happy to answer any questions there may be and I'd request the support of the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1412 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, 1 Member voting Present. House Bill 1412, having received the required constitutional majority, is declared passed. House

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Bill 1417. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1417.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Well, this is a bill that's really good government if I've ever seen one. I really don't even know why we need it, but let me explain it to you. It's simple. It authorizes any county which -- which imposes a county sales tax for public safety to discontinue it or to lower it, if they wish to, by ordinance. I would have thought they could have done that anyhow, but that's simply what it does. If they want to reimpose it, it has to go by a referendum. I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1417 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1417, having received the required constitutional majority, is declared passed. House Bill 1426. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1426.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

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Thank you, Mr. President. This legislation was requested by the Department of Children and Family Services. It amends the Child Death Review Team Act by making changes in certain time frames and some procedures in order to make those investigations more effective. It also amends the Neglected Child Reporting Act and the Juvenile Court Act of 1987 to include in the definition of a neglected child newborns whose meconium contains any amount of controlled substance or a metabolite of any controlled substance. There's no opposition that I'm aware of. I'll be happy to answer any questions if I can.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1426 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1426, having received the required constitutional majority, is declared passed. House Bill 1446. Senator Karpziel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1446.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. This bill was requested by -- by the Inspector General of DMHDD. And under current law, the Mental Health Inspector General is authorized to investigate allegations of abuse and neglect in community agencies funded by the State in addition to the State-operated facilities, but the Inspector General does not have the authority to investigate community

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facilities or programs without a -- a report of abuse or neglect. Under -- this bill requires the Inspector General to establish rules regarding the reporting of allegations of abuse and neglect. Requires notification of allegations and findings to the resident and his or her guardian. Requires facilities with substantiated reports to submit a response to the Inspector General that indicates the actions taken to prevent a similar occurrence. These responses are then reviewed by the Director. The Director may require the Department to visit the facility or agency for follow-up purposes. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Collins.

SENATOR COLLINS:

Senator Karpziel, in this case, Senator, are we saying that the Inspector General cannot do any reviews at all to determine whether or not there is some abuse in those institutions unless there are complaints filed? And -- and the reason I'm asking this question is, is because many of the elderly, it's my understanding, are afraid to even report any kind of abuse. So I'm -- I'm assuming that at some point, under the Inspector General's office, that people could just go in and do some kind of...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR COLLINS:

...impromptu evaluations of what...

SENATOR KARPIEL:

Senator Collins, under current law, which we are not changing

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in this bill, but under current law, the Inspector General does not have the authority to investigate community facilities or programs without a report of abuse or neglect.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

SENATOR COLLINS:

Are we expanding that so that they can, in fact, look at community programs?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpziel.

SENATOR KARPIEL:

We're not -- we're not requiring or authorizing the Inspector General to go in, but we have other -- other agencies and other entities that do that. What we're doing here is -- see, under current law, the residents and the guardians are not notified of allegations and findings of abuse or neglect. This is going to set up the rules by which they will be and by which the Inspector General will require facilities with substantiated reports to submit a response to the Inspector General how they're going to change things.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further -- Senator Collins.

SENATOR COLLINS:

So that the community and relatives of those persons in those programs could know in the future? Okay, thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 1446 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1446, having received the required

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constitutional majority, is declared passed. House Bill 1492.
Senator Trotter. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1492.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. This bill is being advanced by the Joint Committee on Administrative Rules in response to complaints that were received regarding unnecessary and onerous provisions by some agencies in giving out material and rulings that have actually been passed by the Joint Committee on Administrative Rules. Basically, what's happening right now is some agencies are utilizing the Freedom of Information Act rules which would make it a seven-day waiting period. The Joint Committee on Administrative Rules feels that is unnecessary, that this is public information and it should be gotten readily. And I would like to see passage of this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1492 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1492, having received the required constitutional majority, is declared passed. House Bill 1500. Senator Butler. Top of page 10. House Bill 1529. Senator Fitzgerald. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1529.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President. House Bill 1529 is a CMS administration bill. It amends the Forms Management Program Act changing the title to the Forms Notification {sic} (Notice) Act and removing the provisions of a form management center within CMS to design and review State agency forms. It amends the State Finance Act removing the requirement that CMS approves certain fixed charges which are already certified by various State agencies. A lot of this bill results from suggestions or -- from the Auditor General and from the Legislative Audit Commission. I know of no opposition. I'd appreciate favorable consideration. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1529 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1529, having received the required constitutional majority, is declared passed. House Bill 1535. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1535.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Juvenile Court Act of 1987. Excuse me. Provides that if the court at the detention or shelter care hearing determines that the parent or person liable for the minor's support is able to contribute to that support, the parent or person liable for support shall be required to pay a fee for room or board at a rate not to exceed ten dollars per day as established by the county board of the county in which the minor is detained, with the concurrence of the chief judge of the circuit, unless the court determines that it is in the best interest and welfare of the minor to waive the fee. And I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1535 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 1535, having received the required constitutional majority, is declared passed. House Bill 1548. Senator Shadid. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Presently under the current law, if a -- if a shoplifter strikes a clerk in a department store or in a grocery store, the penalty is a Class A misdemeanor. This will raise the penalty up to a Class 3 felony. And I -- there are no

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known objectors, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1548 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1548, having received the required constitutional majority, is declared passed. House Bill 1558. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1558.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. House Bill 1558 amends the Code of Corrections, permitting the sentencing court to impose consecutive sentences under certain circumstances. House Bill 1558 is an initiative of the State's Attorneys' Association. The bill allows for consecutive sentences and further allows a sentencing court to impose a sentence whose aggregate term is more than the two most serious offenses. The -- the circumstances that would trigger this new sentencing option are at least one of the offenses is a Class X or Class 1 felony, in which the defendant inflicted severe bodily injury, or when the offense was criminal sexual assault, aggravated criminal sexual assault, or predatory criminal sexual assault. Again, I'm pleased to answer questions there may be and I would request the affirmative support of the Members of the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? If not, the question is, shall House Bill 1558 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 1558, having received the required constitutional majority, is declared passed. House Bill 1564. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1564.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill comes from the Illinois Community Bankers' Association and it's also supported by the Illinois Bankers' Association and the Chicago Bar Association. And it is in response to a 1st District Appellate Court case which held that a bank relying on a forged power of attorney document was not protected by the Power of Attorney Act. It also makes various changes clarifying that the reliance is valid based on dealings with named agents and principals, and this protects persons who are acting in good faith but are being fraudulently presented with invalid power of attorney documents. And again, it comes from the Illinois Community Bankers and is -- as a response to a 1st District case. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

The sponsor yield for a question?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Dillard, do I understand then, if a bank is acting on a -- under a forged power of attorney, they're not protected are they?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Senator Geo-Karis, based upon past dealings with somebody and if they relied in good faith, they would be protected.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further -- is there further discussion? If not, the question is, shall House Bill 1564 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, 1 Nay, no Members voting Present. House Bill 1564, having received the required constitutional majority, is declared passed. House Bill 1572. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1572.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. House Bill 1572 amends the Medical Practice Act to authorize the issuance of a three-year temporary license to persons holding or eligible for the degree of Doctor of Chiropractic. I know of no opposition to that and would just ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1572 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1572, having received the required constitutional majority, is declared passed. House Bill 1578. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1578.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What House Bill 1578 does is it moves the Early Intervention Service System Act from the Illinois State Board of Education to the newly formed Department of Human Services. We feel that over the past twenty years, that the Department of Mental Health and Disabilities has really led the State in services to children and families. They've supported our communities throughout the calendar year, as opposed to the State Board of Education's focus on a nine-month school year. There are times in the summer which we think that this is very important, so it's an overall viewpoint from Department of Human Services. So that's what this bill does, and I would be happy to answer any questions or I'd ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Walsh.

SENATOR T. WALSH:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Walsh.

SENATOR T. WALSH:

Senator Donahue, was there input from the -- the families who are serviced under the Early Intervention program into the transfer?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Yes, there has been, Senator Walsh.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR T. WALSH:

And -- and they were generally favor -- they -- they favored this move or felt that the -- that they would be better served by this move?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

I appreciate that question because that's the whole point. I've had an enormous amount of mail in regard to this, and what is taking place is under the State Board, they are reducing the eligibility, and -- and we feel that more children are going to be served under the Department of Human Services, as opposed to the Department of -- State Board of Education. So this is very much family-oriented and to improve the services, not to make them less.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you. Question of the sponsor.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator.

SENATOR COLLINS:

Senator Donahue, I'm looking as -- in opposition to this bill, and we're talking about the Association of Retarded Citizens -- now, this is my analysis. I'm assuming that that's what staff come up with. Other coalitions are Senior Citizens with Disabilities. I have some problems and concern about this critical service moving to that Department at a -- at a time when the Department is attempting to organize and deal with any number of very critical issues. And if you are going to move this program from the State Board, I think maybe we should wait until the -- the Department settle down. Give it some time and -- and then we could talk about moving.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins, I think we have the answer to the question. Senator Donahue.

SENATOR DONAHUE:

Senator Collins, this deals with children -- early age children. I don't know where the retired citizens would be -- have anything to do with this legislation. The Illinois Association of Retired -- Rehabilitation Facilities is very much in support of this legislation. I know of no opposition. I really don't.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator del Valle. I'm sorry. Senator Collins.

SENATOR COLLINS:

Well, I'm -- I'm sorry. I mean, apparently, they registered in committee in opposition, because we have a very efficient staff person and I'm sure she wouldn't -- wouldn't list this here. And it doesn't matter to me whether you're talking Early Intervention

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or not. You're not talking about adults, but you're still talking about Early Intervention. And I'm saying that at this point in -- in the development of the new Human Service Department, because it is a very critical issue and a very sensitive type of issue, and a very critical time in the development of the children, that we should not move right now to move that service to the Department of Human Services when that Department has not become settled and -- and come to grips with many of the other kinds of responsibilities that they have to do -- deal with, in addition to the fact that we haven't funded, nor will we adequately fund, that Department to do it. So I'm thinking that Early Intervention ought to stay, right now, with the State Board, until such time that we can -- that the Department will have time to work out some of the problems and rules and regulations.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. The State Board tried to narrow the definition of who would qualify for services. With this bill, are we going to retain the current definition and not limit services just to children with severe disabilities?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you -- thank you, Mr. President. That is very much the intention, Senator del Valle. We are very concerned about the focus from the State Board of Education in this regard. We have twenty million new dollars going into this from the Governor's budget this year. We feel it's -- this is the time that it needs to be done to have the proper development within the Department of Human Services. So I think it's critical that it be done now and I think it's very important.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and Ladies and Gentlemen of the Senate. I merely want to say that I -- when I was Chairman of Health and Welfare, about six years ago, we had that; we should have taken care of it at that time. But this is a good piece of legislation and I join my colleague on the other side in supporting her in this legislation. And I ask the support of all of our colleagues here on the Floor, that you will vote in the affirmative with us. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Donahue, you wish to close?

SENATOR DONAHUE:

Thank you very much, Senator Smith, for that. I -- I just believe this is a very important piece of legislation. The whole purpose is to be able to provide these very necessary services for our young people, and I would ask -- implore you for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1578 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. House Bill 1578, having received the required constitutional majority, is declared passed. House Bill 1585. Senator Berman. Is Senator Berman on the Floor? House Bill 1588. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1588.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. House Bill 1588 is requested by the Community Bankers' Association, and what it does is it authorizes reverse stock splits for bank holding companies. As you know, a reverse stock split simply decreases the number of authorized shares. And it also allows banks to purchase, at fair market value, any fractional shares that may exist because of that. There's no opposition. I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1588 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 53 Ayes, no Nays, 2 Members voting Present. House Bill 1588, having received the required constitutional majority, is declared passed. Senator Carroll, for what purpose do you arise, sir?

SENATOR CARROLL:

Thank you, Mr. President. I guess it would be a point of personal privilege. I had been away from my desk when House Bill 1375 had been voted on. Had I been here, I would like the record to reflect, I would have voted Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will so indicate your intent, Senator Carroll. House Bill 1613. Senator Myers. Senator Myers? House Bill 1618. Senator O'Malley. House Bill 1619. Senator Obama. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 1619.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Members of the Senate. This bill accomplishes two things. The first is it allows out-of-state residents to act as administrators and guardians of estates and trusts. Currently, only residents can serve in that function, but it's often better for the children and may be more efficient to have nonresidents serve in these capacities. This is a recommendation of both Bar Associations. I know of no opposition to that aspect of the bill. The second portion of the bill allows for the creation of perpetual trusts that are exempt from current laws regarding time limits. I know of no opposition to this portion of the bill either. It will improve business for trust administrators here in the State of Illinois. I'd like -- I'd ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 1619 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, 1 Nay, no Members voting Present. House Bill 1619, having received the required constitutional majority, is declared passed. House Bill 1633. Senator Syverson. Senator Syverson? House Bill 1641. Senator O'Malley. House Bill 1655. Senator O'Malley. House Bill 1705. Senator Cronin. House Bill 1840. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 1840.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1840 amends the Pull Tabs and Jar Games Act by increasing the maximum limits. Takes the single prizes from two fifty to five hundred, tickets per game from four thousand to six thousand, the right to participate - the price of the ticket - from one dollar to two dollars, and a single-day award from twenty-two fifty to five thousand. The reason for this suggestion of an increase is the riverboats have virtually killed all the pull tab business in the so-called Moose Clubs, VFW, KCs, Elks, American Legion, et cetera. Be happy to answer any question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1840 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 35 Ayes, 18 Nays, no Members voting Present. House Bill 1840, having received the required constitutional majority, is declared passed. House Bill 1833 {sic} (1883). Senator Myers. House Bill 1884. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1884.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

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SENATOR RADOGNO:

Thank you, Mr. President. This bill amends the Illinois Roofing Industry Licensing Act. It renames the certification program as a licensure program and requires that a licensee must display his or her license number in all advertising for services regulated by the Act. This is an outgrowth of the task force on the roofing industry that was formed by the 89th General Assembly. I know of no opposition and ask for your favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1884 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 52 Ayes, no Nays, no Members voting Present. House Bill 1884, having received the required constitutional majority, is declared passed. House Bill 1916. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1916.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 1916 is an initiative of the City of Chicago. The bill amends the Park District Act, the Metropolitan Transit Authority Act, the School Code, the Public Community College Act, and the Illinois Wage Payment and Collection Act. Upon notice from the comptroller of the City of Chicago that a debt is due to the City, the wages of employees of the Chicago Park District, the CTA, the Chicago public schools and the Chicago community colleges may be garnisheed by their

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employer. The employer may withhold the amount of the debt due; however, the amount deducted shall not exceed twenty-five percent of the net amount of the paycheck. And before the garnishment, the City of Chicago shall certify that the employee has been afforded an opportunity for a hearing. Debts due to the City include a specified sum owed to the municipality for City services, work or goods after the period granted for payment has expired or a specific sum owed to the municipality pursuant to a court order or order of an administrative hearing officer after exhaustion of judicial review. I'll be more than happy to answer any questions, and otherwise I seek your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there -- is there discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Just one quick one. In your interpretation of the language you just read, Senator, this would not include child support payments, or anything such as that would not be included in this legislation. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

That's correct. This -- this strictly is money owed to the -- to the City of Chicago by the employees of these public entities. If we are going to be asking the public to -- to pay the debts they owe the City, we should be requiring those employees of these entities that are on -- receiving their -- their wages from tax dollars to also be put up to the same standards. And I'd like to

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just add that, currently, with the City of Chicago, there are eighteen hundred employees owing almost seven hundred thousand dollars. With the Chicago public schools, there are over eight thousand employees that owe 3.7 million dollars. City college -- City colleges have fourteen hundred employees owing six hundred and four thousand. Chicago Park District, nine hundred twenty-five employees owe three hundred and sixty-two thousand dollars. And members of the Chicago Transit Authority number over two and a half thousand people, who owe almost 1.5 million dollars. So that we are talking about almost fifteen thousand employees of these entities of owing almost seven million dollars to the City of Chicago. If we are going to be putting -- we should be putting them to the same standards that we are requiring the general public to -- to fulfill their debts to the City.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the question is, shall House Bill 1916 pass. Those in favor will vote Aye. Opposed, Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 1916, having received the required constitutional majority, is declared passed. House Bill 1923. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1923.

(Secretary reads title of bill)

3rd Reading of the bill.

END OF TAPE

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PRESIDING OFFICER: (SENATOR MAITLAND)

...Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1923 merely provides that a financial institution retain sole discretion to recognize or refuse an adverse claim on a deposit account held by a financial institution when offered a surety bond by the claimant. This was offered by the Illinois Bankers Association and it was on the Agree Bill List. I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1923... Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, 1 Member voting Present. House Bill 1923, having received the required constitutional majority, is declared passed. House Bill 2015. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2050 {sic} (2015).

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 2015 amends the Controlled Substances Act providing for increased penalties for delivering drugs at or within a thousand feet of any nursing home or similar area housing seniors. This would be exactly the same as we now have in the Statutes for schools, public parks and public housing facilities. Ask for your support

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of House Bill 2015.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2015 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2015, having received the required constitutional majority, is declared passed. House Bill 2030. Senator Cronin. House Bill 2061. Senator Parker. House Bill 2122. Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2122.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 2122 creates a Domestic Violence Abuser Service {sic} (Treatment) Fund. It adds an additional twenty-dollar fine upon a disposition of conviction or court supervision for the offense of violating an order of protection. The sentencing court can refuse to order the additional fine upon the request of the victim if it would create an undue burden on the victim. Circuit clerks can hold back ten percent of the fines to cover administrative costs. Monies from this Fund will be appropriated to the Department of Human Services for the purpose of providing funding to a qualified domestic violence abuser services program, less the ten percent held back to administer the program. Such programs are established by reference to the established protocol and should be distributed back to programs in the judicial circuits which actually imposed

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the penalties. This is supported by IDPA and the Illinois Association of Family Services Agencies. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 2122 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2122, having received the required constitutional majority, is declared passed. House Bill 2132. Senator Radogno. Top of page 12. House Bill 2132 {sic} (2138). Senator Petka. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2138.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. House Bill 2138 provides a mechanism for a defendant to obtain fingerprint or forensic testing years after a crime has occurred. The -- the reason for this legislation is relatively simple. Scientific advances throughout the last twenty years have given law enforcement, and especially forensic examiners, tools that were unavailable at the time. This legislation simply permits a person who has been accused of a very serious crime to ask for a test to be conducted. Before this can be done, the person must show that the identity of that individual was -- was an issue at the trial and that the evidence was not contaminated - in other words, there was an adequate chain of custody. The testing will

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then be -- will then be ordered if -- if the evidence would basically result in the person being absolutely acquitted of the evidence. We've had a number of situations, unfortunately, in the last several years where people have sat on death row and recent scientific advances have been able to conclusively establish that they could not have committed the crime. I believe that this piece of legislation strengthens the integrity of the judicial system in the fact-finding process, and I -- I move for its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Discussion? If not, the question is, shall House Bill 2138 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2138, having received the required constitutional majority, is declared passed. House Bill 2150. Senator Berman. Senator Berman. I cannot see if Senator Berman's in his... No. Okay. House Bill 2161. Senator Klemm. House Bill 2178. Senator Donahue. House Bill 2179. Senator Lauzen. Say -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2179.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. What House Bill 2179 does, it's a State Police initiative, and any person who doesn't -- who is driving on a suspended license or a revoked license and does not have insurance will immediately have their car impounded.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2179 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2179, having received the required constitutional majority, is declared passed. House Bill 2215. Senator Dillard. House Bill 2216. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2216.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR MYERS:

This bill authorizes the Department of Commerce and Community Affairs to operate or manage within or outside the Department a corn to ethanol research facility, and the purpose of this facility is to reduce the costs of producing ethanol through the development and commercialization of new production technologies. This bill is a -- a DCCA initiative. It also is supported by the Illinois Corn Growers, Illinois Farm Bureau, Department of Agriculture, Ethanol Industry and SIU Edwardsville. And I would ask for a favorable consideration for this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 2216 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting

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Present. House Bill 2216, having received the required constitutional majority, is declared passed. House Bill 2232. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2232.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Sex Offender Registration Act to make changes required by the federal government to maintain certain federal funding requirements. We have to make these changes by September 13th of this year or we risk losing about two million dollars in federal monies. It's an initiative of the Criminal Justice Information Authority to bring us into compliance with federal requirements, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 2232 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2232, having received the required constitutional majority, is declared passed. House Bill 2236. Senator Karpel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2236.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. This is the Department of Professional Regulation's omnibus sunset bill. It is identical to Senate Bill 857, which we passed out of here 55 to 1 this Session, except for one change, which was requested by the Governor's Office. This bill -- the change is that this bill gives authority for geologists to have additional time to apply for licensure without examination, and the reason being, for -- because the Department of Professional Regulation does not yet have rules in place regarding the licensure. And if you want me to go through a summary -- if not, I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2236 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2236, having received the required constitutional majority, is declared passed. House Bill 2262. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2262.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill is now identical, as we amended it here, to my Senate Bill 110, which amended the Boat Registration (and Safety) Act and Snowmobile Registration (and Safety) Act. It provides that the

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person convicted of operating a watercraft while under the influence is guilty of a Class 4 felony, if they had a previous conviction. And also, it provides that the police officer, if he has reasonable suspicion to believe that the person's under the influence, may request the person to submit a -- to a breath screening test, and that's identical as it is in the motor vehicle laws. I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 2262 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2262, having received the required constitutional majority, is declared passed. House Bill 2287. Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2287.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2287 is a result of some of the disclosures we have seen, in the City of Chicago and elsewhere, where people who were reported to be police officers -- were peace officers or correctional officers were actually taking activities in furtherance of gang activities. They were actually members of gangs and fostering gang activities. This would make it a Class 3 felony for anyone who was a peace officer or correctional officer to engage in that activity, unless, of course, they were doing it

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as part of their official duties in an undercover capacity. So I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2287 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2287 having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we have -- we have gone all the way through the Calendar. We are winding down. We have one other order of business. We're waiting for a Supplemental Calendar. And then we will -- we will move forward. So just stand -- stand pat for a little bit. Resolutions.

SECRETARY HARRY:

Senate Resolution 74, offered by Senator Jacobs and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution 36, offered by Senator Demuzio.

It's substantive.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SECRETARY HARRY:

Senate Joint Resolution 37, offered by Senator Donahue.

(Secretary reads SJR No. 37)

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 37. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Donahue now moves for the adoption of Senate Joint Resolution 37. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR GEO-KARIS:

I do have about twelve shares of bank stock and I have been voting on some of these banking bills. Some I voted against, too. But I want the -- the record to reflect that I voted my conscience, and I...

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will so indicate, Senator Geo-Karis. All right. Ladies and Gentlemen, on your desks is Supplemental Calendar No. 1. Motions in Writing. Mr. Secretary.

SECRETARY HARRY:

Having voted -- or, pursuant to Senate Rule 7-15, having voted on the prevailing side, I move to reconsider the vote by which

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House Bill 473 failed.

Filed by Senator Petka.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. Very briefly, I filed this motion because of certain answers that were given by the sponsor of this legislation which, in my opinion, clarify the intent of this legislation. For that reason, I would ask for a reconsideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there any discussion? If not, Senator Petka, having voted on the prevailing side, has moved the -- that the motion is reconsidered with respect to House Bill 473. All those in favor of the motion will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 45 Ayes, 9 Nays, no Members voting Present. The motion to reconsider the vote, before the Senate, prevails. The Order of 3rd Reading is House Bill 473. Senator Dudycz. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 473.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. This is the quick-take legislation that we just debated at length yesterday regarding the request for Morton Grove, Rosemont, Oak Park and Champaign. I would seek your affirmative support.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there -- Senator Jacobs.

SENATOR JACOBS:

Yeah. Just -- we tried to get a point of inquiry before. We'd like a ruling of the Chair -- or, I'd like a ruling of the Chair of what constitutes the prevailing side. As I look at it in this previous motion, Senator Petka voted No, but the prevailing side was the Ayes with 25-24, and I just want a -- a interpretation of what is the prevailing side.

PRESIDING OFFICER: (SENATOR MAITLAND)

The bill failed, Senator Jacobs, so there was no prevailing side. Well, there -- the affirmative vote did not -- the affirmative vote did not prevail. The No vote was the prevailing vote. Further discussion? Further discussion? If not, the question is, shall House Bill 473 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 38 Ayes, 16 Nays, 2 Members voting Present. House Bill 473, having received the required constitutional majority, is declared passed. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Mr. President, I rise to announce a Republican Caucus in Senator Pate Philip's Office. Lunch is being served, and it shouldn't last more than maybe a half an hour. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Thank you. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

I want the record to reflect that Senator Shaw was absent again yesterday and today because of illness.

PRESIDING OFFICER: (SENATOR MAITLAND)

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The -- the record will so indicate, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

May I make an inquiry as to -- is it necessary for our Members to remain? Are we going to conduct business after the caucus, or can we dismissed?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator, we're going to adjourn in just a -- momentarily. Yes, sir. Senator Demuzio.

SENATOR DEMUZIO:

Well, are we going to conduct business after the caucus, or are we...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, I said adjourn. I did not say recess. I said we are going to adjourn momentarily.

SENATOR DEMUZIO:

That's great.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Very -- very good. Pursuant to the adjournment resolution, Senator Myers moves that the Senate stand adjourned until 3 o'clock p.m. 3 o'clock p.m., Monday, May 12th. Senate stands adjourned.

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