

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Father Eugene Costa, St. (John) Vianney Church, Sherman, Illinois. Father Costa.

FATHER EUGENE COSTA:

(Prayer by Father Eugene Costa)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

The Illinois Information Service has request to videotaping the proceedings. Is leave granted? Leave is granted. Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Friday, May 11th, 2001.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

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

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Monday, May 14th, in the year 2001, be postponed, pending arrival of the printed Journal.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. We'll be going to 2nd Readings and then, eventually, 3rd Readings, so... On page 26, near the top of the page. House Bill 39. Senator Parker. Senator Parker. Take it out of the record. House Bill 215. Senator Dillard. Senator Dillard. Take it out of the record. House Bill 250. Senator Robert Madigan. Senator Madigan. Take it out of the record. House Bill 254. Senator Robert Madigan. Take it out of the record. House Bill 263. Senator Dillard. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 263.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 266. Senator Radogno. Take it out of the record. House Bill 267. Senator Robert Madigan. Take it out of the bill -- record. House Bill 273. Senator DeLeo. Senator DeLeo. Take it out of the record. House Bill 333. Senator Parker. Senator Parker. Take it out of the record. House Bill 335. Senator Dillard. Senator Dillard. Take it out of the record. House Bill 478. Senator Molaro. Senator Molaro. Take it out of the record. Top of page 27. House Bill 513. Senator Bomke. Senator Bomke. Take it out of the record. House Bill 549.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Senator Cullerton. Senator Cullerton. Take it out of the record.
House Bill 572. Senator Burzynski. Senator Burzynski. Take it
out of the record. House Bill 888. Senator Cronin. Senator
Cronin. Take it out of the record. House Bill 1051. Senator
Cronin. Senator Cronin. Take it out of the record. House Bill
1215. Senator Dillard. Senator Dillard. Take it out of the
record. House Bill -- Senator Dillard? All right. We'll go back
to House Bill 1215. Senator Dillard. Read the bill, Mr.
Secretary.

SECRETARY HARRY:

House Bill 1215.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any Floor amendments approved for
consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 1465. Senator Robert Madigan. Take
it out of the record. House Bill 1466. Senator Robert Madigan.
Take it out of the record. House Bill 1531. Senator Weaver.
Take it out of the record. House Bill 1555. Senator Dillard.
Senator Dillard. Take it out of the record. House Bill 1599.
Senator Luechtefeld. Senator Luechtefeld. Take it out of the
record. House Bill 1640. Senator Walsh. Senator Tom Walsh.
Take it out of the record. House Bill 1655. Senator Dillard.
Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1655.

(Secretary reads title of bill)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

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

PRESIDENT PHILIP:

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 1664. Senator Lauzen. Take it out of the record. House Bill 1692. Senator Dillard. Senator Dillard. Take it out of the record. House Bill 1728. Senator Thomas Walsh. Senator Walsh. Take it out of the record. Now, on the top of page 28, House Bill 1825. Senator Burzynski. Senator Burzynski. Take it out of the record. House Bill 1840. Senator Petka. Senator Petka. Take it out of the record. House Bill 2099. Senator Molaro. Senator Molaro. Take it out of the record. House Bill 2125. Senator Weaver. Take it out of the record. House Bill 2137. Senator Weaver. Take it out of the record. House Bill 2157. Senator DeLeo. Senator DeLeo. Take it out of the record. House Bill 2207. Senator Walsh. Senator Tom Walsh. Take it out of the record. House Bill 2221. Senator Sieben. Senator Sieben. Take it out of the record. House Bill 2228. Senator Hawkinson. Take it out of the record. House Bill 2367. Senator Luechtefeld. Take it out of the record. House Bill 2419. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2419.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance and Pensions adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments approved for

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 2425. Senator Cronin. Senator Cronin. Take it out of the record. House Bill 2439. Senator Luechtefeld. Senator Luechtefeld. Take it out of the record. House Bill 2463. Senator Noland. Senator Noland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2463.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 2595. Senator Luechtefeld. Senator Luechtefeld. Take it out of the record. Now, on the top of page 29. House Bill 2662. Senator Molaro. Senator Molaro. Take it out of the record. House Bill 2665. Senator Madigan. Senator Robert Madigan. Take it out of the record. House Bill 3008. Senator Walsh. Senator Tom Walsh. Take it out of the record. House Bill 3095. Senator Walsh. Senator Tom Walsh. Take it out of the record. House Bill 3194. Senator Walsh. Take it out of the record. House Bill 3284. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3284.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill -- House Bill 3375. Senator Walsh. Senator Tom Walsh. Take it out of the record. House Bill 3392. Senator Weaver. Senator Weaver. Take it out of the record.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

House Bill 3489. Senator Weaver. Take it out of the record.
House Bill 3490. Senator Weaver. Take it out of the record.
House Bill 3566. Senator Cronin. Senator Cronin. Take it out of
the record. House Bill 3576. Senator Madigan. Senator Robert
Madigan. Take it out of the record. ...to inform you, we're going
to House Bills 3rd Reading, the bottom of page 13. Senator
Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

On a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, last
Thursday, as you know, the Senate baseball team played the House
baseball team and, unfortunately, we didn't quite make it. We
lost 16 to 9. But I'd like to acknowledge the following Members
who played: Senator Hendon, Senator Hawkinson, Senator Molaro,
Senator Petka, Senator Dillard, Senator Tom Walsh, Senator
Sullivan, Senator Watson - who was the captain - Senator Link,
Senator Cullerton, Senator del Valle, Senator Burzynski, and
Senator Noland and Senator Syverson. I might say that the pitchers
did very well. Senator Hawkinson did a very good job and he was
followed by Brad Burzynski, who also did a good job. But,
unfortunately, some of our Senators dropped their balls and -- at
the wrong time and, consequently, we did lose the game. However,
we had a lot of fun. And we want to thank the group from St. Louis
that sponsored it and we want to thank our Senators who
participated in the game, because even though we lost, we did win
a lot of good fun. Thank you, Mr. President.

PRESIDENT PHILIP:

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

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

SENATOR DEMUZIO:

Two points. First of all, I want to -- I rise to list the Members of the Senate who did not play, that had they played, we would have won. Senator Philip, Senator...

PRESIDENT PHILIP:

I'm with you, Vince.

SENATOR DEMUZIO:

Mr. President, on a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR DEMUZIO:

Today happens to be a -- a very happy occasion for one of our Members of this Body who has a birthday today. And he has taken it upon himself, through his great and wonderful benevolence and his compassion for the Members, also to provide cake for us. Today is Senator George Shadid's birthday, and there's cake up there in front for everyone. Senator Shadid, happy birthday.

PRESIDENT PHILIP:

Happy birthday. It's not everybody who can live to be a hundred and seven years old. Congratulations. Senator Bowles, for what purpose do you rise?

SENATOR BOWLES:

For a point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR BOWLES:

In the President's Gallery today are Mr. and Mrs. Richard McGinness and Mr. and Mrs. Scaturro, who are -- who are constituents in my district and residents of the City of Edwardsville. I'd like to have them rise and be acknowledged.

PRESIDENT PHILIP:

If they'll please rise and be acknowledged by the Senate.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Senator Klemm, for what purpose do you rise? State your point.

SENATOR KLEMM:

Well, I have with me today my editor of my local newspaper, The Northwest Herald, Mark Sweetwood, who is down here observing our proceedings and listening to some testimony. And I'd like to have the Senate give him a warm welcome.

PRESIDENT PHILIP:

Will he please rise and be recognized by the Senate? Welcome.

Senator Myers, for what purpose do you rise?

SENATOR MYERS:

Mr. President, a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR MYERS:

I have with me today Ashley Gore, who's at -- a student at Chrisman High School.

PRESIDENT PHILIP:

Would she please rise and be recognized by the Senate? All right. House Bills 3rd Reading. The bottom of page 13. House Bill 2. Senator Mahar. Senator Mahar. Take it out of the record. House Bill 12. Senator Mahar. Take it out of the record. Top of page 14. House Bill 60. Senator Watson. Senator Watson. Take it out of the record. House Bill 148. Senator Myers. Take it out of the record. House Bill 169. Senator Burzynski. Senator Burzynski. Take it out of the record. House Bill 176. Senator Sieben. Take it out of the record. House Bill 180. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 180.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 180 amends the Vehicle Code and the Code of Corrections. It requires a driver to take certain precautions when approaching a stationary authorized emergency vehicle that is displaying flashing warning lights. The bill originated when a Chicago firefighter, Scott Gillen, was killed while working at the scene of an accident on the Bishop Ford Freeway. Specifically, the bill provides that when approaching a stationary emergency vehicle displaying flashing lights, the person driving the approaching vehicle must proceed with caution, and if on a road with two lanes of traffic in the same direction, change lanes into the lane which is not adjacent to the emergency vehicle or proceed with caution and reduce speed if changing lanes would be impossible or unsafe. A violator could be fined up to ten thousand dollars. And in addition to any other penalty, if the violation resulted in property damage, the person's driving privileges could be suspended for a period of between three months and one year, and if the violation results in a personal injury, the suspension could be between a hundred and eighty days and two years. If the violation results in a death, the suspension would be for two years. I know of no opposition. The bill passed out of the House with a vote of 113 to nothing, and I would be happy to answer any questions there might...

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If --
Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will sponsor yield for a couple of questions?

PRESIDENT PHILIP:

Indicates he will. Senator Hawkinson.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

SENATOR HAWKINSON:

Thank you. Senator, I stand in strong support of -- of your legislation, but there -- in committee, we raised a couple of concerns, and I'd, for purposes of legislative intent, like to go over those with you now. If someone is approaching an emergency vehicle off on the -- on the shoulder, they have a duty either to -- to slow way down if they're not changing lanes, or if they're -- or if they safely can change lanes, to -- to change lanes. Sometimes -- I assume this -- this provision is designed to protect the persons and property at the scene of the emergency situation and not other motorists on the road? Is that correct?

PRESIDENT PHILIP:

Senator Dudycz.

SENATOR DUDYCH:

That's correct.

PRESIDENT PHILIP:

Senator Hawkinson.

SENATOR HAWKINSON:

So if, in attempting to change lanes to avoid any contact with the persons on the side of the road, they should accidentally or negligently run into another vehicle on that road and someone, unfortunately, be injured or killed, that's not the kind of accident that we are enacting these penalties for. Rather, these penalties are is if you injure someone or their property or kill someone who's off on the side at that emergency situation. Is that correct?

PRESIDENT PHILIP:

Senator Dudycz.

SENATOR DUDYCH:

Yes, Senator Hawkinson. For legislative intent, it is not my intent, nor is it the intent of this legislation, that an individual acting in good faith by reducing speed or changing

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

lanes have these enhanced penalties imposed upon them. The enhanced penalties are only to be imposed upon those who cause property damage or injure or kill someone at the scene where a stationary emergency vehicle is located. And the purpose of this bill is to provide a minimal level of protection at the scene for our police officers, firefighters or any other emergency scene personnel, not to punish someone acting in good faith to comply with this law.

PRESIDENT PHILIP:

Senator Hawkinson.

SENATOR HAWKINSON:

And -- and, finally, if you do have a four-lane situation, it would often be a judgment call as to whether you can safely change lanes or whether you should exercise that second option of dramatically reducing your speed and not changing lanes. If -- if someone, in good faith, decides to stay in the same lane and dramatically reduces their speed so as to comply with this Section, it's not your intention, is it, to give them a ticket because somebody else thought they should have changed lanes?

PRESIDENT PHILIP:

Senator Dudycz.

SENATOR DUDYCH:

That is correct. On roads with at least two lanes of traffic in each direction, the driver must proceed with due care and change lanes with due regard to safety and traffic conditions or proceed with caution and reduce speed if changing lanes would be impossible or safe {sic}. If a person makes a judgment call and simply slows down because he believes it is unsafe to change lanes, he would be complying with the requirements of this bill.

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Yes, thank you, Mr. President. This legislation was brought to my attention last fall by a State trooper from my area who was -- who told me that it's a big deal for the truckers out there to get as close as they can to a trooper who's pulled over somebody and literally blow their hat off their head. That -- that's the ultimate that a trucker can have, is a trooper on the side of the road and blow the hat off of the trooper's head. This guy -- my guy, this trooper in my area, has literally jumped over cars to get out of the way of trucks who've made their way down the -- the shoulder and tried to create problems for our State police. We shouldn't tolerate that, and this legislation, obviously, is going to provide some protection. But for the trucking industry of this State, I want to send a strong message that obviously, hopefully, you're out there trying to create safety on the -- on our highways, and if they're involved in activities such as this, it's not going to be tolerated. Thank you.

PRESIDENT PHILIP:

...discussion? If not, Senator Dudycz, to close.

SENATOR DUDYCH:

Thank you, Mr. President. The Lieutenant Governor, Corinne Wood, brought this legislation to my attention when the brother of the deceased firefighter in Chicago was -- who was killed, contacted her, and she took the lead on this and -- and -- or -- or, shepherded it through the House and asked that I carry it here. And it's an honor for me to be the sponsor of the -- the Senate sponsor of this bill, which will now be known as "Scott's Law". And I would ask that everybody support it.

PRESIDENT PHILIP:

The question is, shall House Bill 180 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, no voting

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Present. House Bill 180, having received the constitutional -- required constitutional majority, is declared passed. Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

On a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR KARPIEL:

I would like for the Senate to recognize a group that we have with us today in the gallery over there from Nathan Hale School, from Schaumburg, Illinois. There's twenty-four students, fourth graders. Twenty-one parents are with them, and Mrs. Bonn, their teacher. And Nathan Hale School is represented by Senator Philip and I. Would you please welcome...

PRESIDENT PHILIP:

Would you please rise and be recognized by the Senate? House Bill 183. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 183.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Peterson, to explain the bill.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 183 deals with an issue arising from overlapping tax districts. In the immediate sense, this bill would create grounds for holding Barrington Community Unit District 220 harmless from any future remedy awarded to plaintiffs in a specific overlapping tax district case. It gives the courts the power to determine that part of an overlapping tax district that was overextended or underextended. I know of no opposition to the bill. I ask for

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

your support.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Peterson, to close. All right. The question is, shall House Bill 183 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 56 Ayes, no Nays, no voting Present. House Bill 183, having received the required constitutional majority, is declared passed. House Bill 185. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 185.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Luechtefeld, to explain the bill.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the -- of the Senate. House Bill 185 amends the Downstate Public Transportation Act. It changes the definition of who shall be a participant, allowing Jackson County Mass Transit and Shawnee Area Mass Transit to become participants. Would -- I know of no opposition to this particular bill. We passed a bill similar earlier this year, a Senate bill, and I would ask for an Aye vote.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall House Bill 185 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 55 Ayes, 1 Nay, 1 -- none voting Present. House Bill 185, having received the required constitutional majority, is declared passed. House Bill 201. Senator Demuzio. Take it out of the record.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

House Bill 222. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 222.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Parker, to explain the bill.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this bill does is, current law allows a Statewide Grand Jury to be convened by a circuit judge if it is necessary to investigate and return indictments for many violations. What this does is increase the list of sex offenses facilitated by the use of computer that may be investigated by a Statewide Grand Jury. I would be glad to answer any questions and ask for an Aye vote.

PRESIDENT PHILIP:

Any further discussion? Further discussion? If not, Senator Parker, to close. All right. Shall -- the question is, shall House Bill 222 pass. Those in favor will vote Aye. Those opposed, No. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 57 Ayes, no Nays, no voting Present. House Bill 222, having received the required constitutional majority, is declared passed. Senator Molaro, for what purpose do you rise?

SENATOR MOLARO:

I would call it a point of personal privilege, but it's a -- if I could just make a point, Senator.

PRESIDENT PHILIP:

Make your point.

SENATOR MOLARO:

It is with profound regret that I would just like to announce to the Senators - we have -- we have no details, which we will

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

certainly be letting them know - that yesterday one of our former Members, who served here many, many, many years, passed away. Senator Frank Savickas didn't make it, and he passed away yesterday. Details will be coming forth. When they come forth to Senator Demuzio or whoever, we'll let everyone know, if we plan a memorial here in Springfield or somewhere else. But I thought we'd just -- unfortunately have to share that information.

PRESIDENT PHILIP:

Thank you, Senator Molaro. House Bill 231. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 231, as amended, conforms with Senate Bill 5, which passed the Senate in March. Passed unanimously. It creates a -- a Project Exile initiative here in the State of Illinois, and the difference between the -- the House bill as it arrived here and the Senate Bill 5, which is over in the -- in the House at this time, is that it has been clarified that felons who possess firearms are included in the list of persons subject to the Project Exile program. Be happy to answer any questions there might be.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator O'Malley, to close. The question is, shall House Bill 231 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

wish? Take the record. On the question, there are 58 Ayes, no Nays, no voting Present. House Bill 231, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs, on House Bill 269. Senator Jacobs? Senator Trotter, on House Bill 279. Senator Trotter? Senator Emil Jones, on House Bill 280. Senator Geo-Karis, on House Bill 293? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 293.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This bill amends the Vehicle Code and provides for insurance -- the issuance of license plates for several different groups. One is for the Pet Friendly license plate, the other one is for a Hospice license plate, the other one for a Union Member license plate, the other for the Illinois Lions; another one, the Illinois Correctional Employee Memorial; another for Gulf War Veterans; another, Paratrooper; another, K-12 Education; Park District Youth Program, another one; Coal Mining plates; and also Small Business/Entrepreneur plates. And it provides that the regular license fees are to be paid, and in addition, there's a hundred-dollar fee for each plate. In those cases where the plates are strictly commemorative, no money to a charitable cause, the full hundred dollars goes to the Secretary of State. The others go to the -- the -- the causes that are commemorated and -- and that are voluntary. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Is there discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

She indicates she'll yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Geo-Karis, I just turned my computer on, so I -- I didn't hear everything. But does this also include the Pet Friendly plate and the Hospice? Is that what you were reading, the list of those?

SENATOR GEO-KARIS:

Yes, sir.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, sir.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- is there further discussion? Is there further discussion? Seeing none, the question is, shall House Bill 293 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, no voting Present -- none voting Present. House Bill 293, having received the required constitutional majority, is declared passed. Senator Sullivan, on House Bill 356? Senator Thomas Walsh, on House Bill 382? Senator Woolard, on House Bill 417. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 417.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woolard.

SENATOR WOOLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I think that what this piece of legislation is doing is accommodating the Director of DNR and giving the flexibility necessary to ensure that the seasons are placed in a -- in a way that they will be compatible with the best ability to harvest the deer of this State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Excuse me a second, Senator Woolard. Please take your conferences off the Floor. Senator Woolard.

SENATOR WOOLARD:

Certainly appreciate an Aye vote. I think that this does do exactly what the Director of Natural Resources needs in order to ensure a good harvest and maintenance of our deer herd.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 417 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 417, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on 418. Senator Lauzen, on House Bill 442? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 442.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

SENATOR LAUZEN:

Thank you, Madam President and Members of the Senate. House Bill 442 allows the Metropolitan Water Reclamation District Act to issue bonds for a thirty-year period. Currently, they're twenty years, and under the Constitution, they can go as high as forty years. And so, the intent is to be able to issue bonds that more closely reflect the useful life of what's being bonded for. I'm not aware of any opposition. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 442 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 442, having received the required constitutional majority, is declared passed. Senator Mahar, on House Bill 445? Senator Syverson, on House Bill 446. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 446.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. House Bill 446 amends the Uniform Anatomical Gift Act, the Illinois Cornea(l) Transplant Act and the Organ Donation Request Act, and what this legislation is intended to do is to create a -- a succession of individuals when approving organ donation. This is something that's been, I think, worked out with the -- with ROBI and -- and other organizations, including, I think, the Bar Association, as well as the Hospital Association. I

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

know of no opposition. I'd be happy to answer any questions you might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 446 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 446, having received the required constitutional majority, is declared passed. Senator Radogno, on House Bill 452. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 452.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. House Bill 452 addresses a DNA database in our State which is used by law enforcement to identify and sometimes exonerate suspects. The size of that database is controlled by State legislation, and this bill adds a number of offenses of which someone is convicted, they would be required to submit those samples for the database. It doesn't require the State Police to collect or accept the samples until either July 1st, '03, or when they have the adequate resources to do so. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 452 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

the record. On that question, there are 58 Ayes, no -- no Nays, none voting Present. House Bill 452, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on House Bill 469. Senator Rauschenberger, on House Bill 505. Senator Roskam? Senator Parker, on House Bill 579. Senator Peterson, on House Bill 604. Senator Woolard, on House Bill 638. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 638.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woolard.

SENATOR WOOLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 638 is accomplishing one of those goals that we believe that the agency has been doing very effectively but was not codified by law. And with this, we'll be establishing an Advocacy Office for the children and families, and this would be a -- resolution office that would be dealing with complaints of the services that were provided to children. It also makes provisions that there is a toll-free telephone number available for any person to call in and make reports concerning child welfare, as now is done with the foster parents, but this will allow anyone to involve themselves in this issue. I would very much appreciate an Aye vote on what I believe is a great bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 638 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

voting Present. House Bill 638, having received the required constitutional majority, is declared passed. Senator Link, on House Bill 643. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 643.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This bill amends the Department of State Police Law of Civil Administration {sic} Code of Illinois and creates a statewide kidnapping alert program. Requires the Department to develop a coordinated program for statewide emergency alert when a child is missing or kidnapped. I know of no opposition to this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 643 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 643, having received the required constitutional majority, is declared passed. Senator Cronin, on House Bill 646? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 646.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 646 is a bill that got some attention with some recent tragic events that have occurred in schools. This bill simply provides that a school board must include provisions in the student discipline policy to address those students who have demonstrated behaviors that put them at risk for aggressive behavior, including without limitation bullying, as defined in the school district's policy. All this bill does is -- is require that the local school district give some thought to this issue and develop a policy about intervention, develop a policy about identifying children at risk and identifying those avenues that would be available for addressing and solving and servicing the issue. So, I ask for your favorable consideration. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Just a comment on the bill. The bill itself probably does a lot of good things; however, again, it's the General Assembly micromanaging what school boards do or don't do. I would suggest to you most school boards already have discipline policies in place -- that take care of these kinds of issues, and now, again, we're going to have a school board define what they consider to be a bully -- bully for them. I would encourage a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator Cronin, to close. The question -- the question is, shall House Bill 646 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, 1 voting

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Present. House Bill 646, having received the required constitutional majority, is declared passed. Senator Watson, on House Bill 678. Senator Sieben, on House Bill 700. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. This legislation amends the Wildlife Code to allow members of limited liability companies the same ability as corporations to obtain free landowner deer hunting permits to hunt on his or her land. Supported by the DNR and Farm Bureau. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 700 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 700, having received the required constitutional majority, is declared passed. Senator Myers, on House Bill 752. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 752.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers.

SENATOR MYERS:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Thank you, Madam President, Members. This amends the Dental Practice Act. It requires a person to have two years education at an accredited dental hygiene program to qualify for licensure as a dental hygienist. Under current law, every applicant for licensure as dental hygienist must be a graduate of high school or its equivalent, must have successfully completed two academic years of credit or its equivalent in an approved program of dental hygiene. Basically, this bill is just a codification of some rules that are already in place. Be happy to answer questions, but would ask for a positive vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House -- oops! Excuse me, Senator Lauzen. I was -- didn't see your light. Senator Lauzen.

SENATOR LAUZEN:

Thank -- thank you very much. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

She indicates she'll yield, Senator Lauzen.

SENATOR LAUZEN:

The organizations of dental hygienists, what is their position on this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers.

SENATOR MYERS:

They are in support of this bill. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? The question is, shall House Bill 752 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 752, having received the required constitutional majority, is declared passed. Senator Radogno, on House Bill 760? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 760.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. House Bill 760 amends the Tax Increment Allocation Redevelopment Act. In 1999, we made several changes to this Act, and the provisions included in this bill are an attempt to clean up and clarify changes that were made at that time. I'd be happy to go through the list in detail, but I know you have them before you. They deal with things like notice, the timing of the Joint Review Board, housing issues. It does extend three TIF districts - Sauk Village, Centreville and Galva - to thirty-five years. Their school districts have all submitted letters in favor of doing those extensions. I think significantly there is no opposition to this bill. All of these provisions have been negotiated with all of the interested parties. So, I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 760 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. House Bill 760, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 778. Read

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 778.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 778, as amended, creates a new Article in the Procurement Code and permits -- it's permissive. It permits Central Management -- or, I'm sorry, CDB's -- to hire construction managers to manage construction projects. With the expansive capital program and CDB's responsibilities in the School Construction Program, staffing and supporting and reviewing the contracts for construction the State has become somewhat difficult for them. It's a very common practice for owners to hire construction managers to oversee construction. This sets up the process by which CDB could competitively acquire construction managers if they need to use them to help manage their construction program. We've -- had seen this bill once before. It passed the Senate on a Senate bill. That Senate bill has run into unforeseen complications in the House, and I'd appreciate support of the Body to send this again over for House consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 778 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill -- 778, having received the required constitutional majority, is declared passed. Senator O'Malley, on House Bill 789? Read the

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 789.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. Ladies and Gentlemen of the Senate, House Bill 789 amends the Code of Civil Procedure with regard to the enforcement of judgments. It deletes the -- deletes the provisions requiring three persons to be sworn as commissioners to appraise the property and replaces it with an appraisal of the property by a State-certified real estate appraiser. Here in the Senate, we have amended House Bill 789 to make sure that certain elements of it conform with the provisions of Senate Bill 1-2-3-4, or 1234, which increased the homestead exemption from seventy-five hundred dollars to thirty thousand dollars, so that what we're doing here would mirror what we did in 1234 previously. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 789 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 789, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on Senate {sic} Bill 800. Senator Sieben, on House Bill 842. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

House Bill 842.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Well, thank you very much, Madam President. I understand the -- the word in this -- in this legislation is difficult to pronounce. Few of us have ever heard of it. The word is "sequestration", and that has to do with -- it means "capturing of carbon". And what the bill does, it creates the Carbon Sequestration Study Act and establishes an Advisory Committee and its memberships and duties and requires that they report to the General Assembly no later than February 1st of 2002, and then repeals the Act on January 2nd {sic} (June 1st) of 2002. And while it's too early to gauge the impact of carbon sequestration programs on Illinois farmers, any program that cuts down on greenhouse emissions, enriches soil content and provides an additional revenue stream for farmers deserves further consideration. So, I would ask for your Aye vote on the Carbon Sequestration Study Act.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 842 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 842, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 843. Senator Parker, on House Bill 846. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

House Bill 846.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Going to have to keep your conversations in a lower voice or take 'em off the Floor. And I'd ask the Senators to please be in your seats. Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The advocacy groups for the disabled have been concerned for years that the requirements to obtain handicapped license plates need to be tightened. So the Secretary of State put together a task force, and this legislation are the suggestions of that task force, which includes those people with disabilities. What it would do for the handicapped license plates is further limit who can obtain handicapped license plates to those people who are not disabled to the parent or legal guardian. It limits the issuance of handicapped license plates to one set per family in most cases. It provides handicapped plates, decals and devices may be seized or revoked if a person commits certain violations. And it also provides that the fee for replacing lost, stolen or destroyed handicapped decals may be waived if the applicant qualifies for the Circuit Breaker Program. This is an initiative of the Secretary of State. I would ask for an Aye vote and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 846 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 846, having received the required

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

constitutional majority, is declared passed. Senator Cullerton, on House Bill 863? Senator Burzynski, on House Bill 889. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 889.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill provides that no action may be brought against a professional land surveyor to recover damages for negligence, errors, omissions, torts, breaches of contract more than four years after the person claiming the damages actually knows or should have known of the negligence. This basically puts land surveyors on par in the Civil Code with structural engineers and architects.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall 889 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 889, having received the required constitutional majority, is declared passed. Thomas Walsh, on House Bill -- 922. Senator Sieben, on House Bill 953? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 953.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Well, thank you very much, Madam President. This legislation is an initiative of the Illinois Corn Growers Association in response to the StarLink biotech corn issue of -- of this current year where some seeds that were approved for -- only for animal feed consumption found their way into the human food chain. So the legislation amends the Seed Law to provide that all agricultural seeds must be labeled with the name, address and toll-free number of the person who labeled the seed or who sells, offers, or exposes the seed for sale in Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there questions? Are there questions? Seeing none, the question is, shall House Bill 953 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 953, having received the required constitutional majority, is declared passed. Senator Hawkinson, on House Bill 978. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 978.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. House Bill 978 really has two purposes. One is to protect our police officers and our firefighters and other emergency personnel, and the other is to continue to strengthen the State's response against

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

methamphetamine labs that are springing up all over the State. These labs, while they're fairly easy to put together, can be very volatile and dangerous. They can explode. They can create fires. They can injure firefighters or police officers who may be called to the scene of a home, or some other place where there's a meth lab, to a fire not knowing that a meth lab is present, or other lab for the production of controlled substances, and they can be seriously injured or killed. This bill provides for an extended term of sentencing if there is an injury or a death of emergency personnel during the commission of an offense involving the illegal manufacture of a controlled substance under Section 401 of the Illinois Controlled Substances Act, or the illegal possession of explosives. Again, it's designed to protect our emergency personnel from these meth labs and from responding to situations not knowing that a drug lab is there. Be happy to answer questions. Otherwise ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 978 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 978, having received the required constitutional majority, is declared passed. Senator Dillard, on House Bill 1000? Senator Shadid, on House Bill 1011? Senator Lauzen, on House Bill 1029? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1029.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

SENATOR LAUZEN:

Thank you very much, Madam President. House Bill 1029 simply updates the definition of "media" to reflect current technology.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1029 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 Ayes, no Nays, none voting Present. House Bill 1029, having received the required constitutional majority, is declared passed. Senator O'Malley, on House Bill 1030. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1030.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1030 permits personal and proprietary information in an application to organize a bank to be submitted confidentially to the Commissioner. It further prohibits the nonconsensual use of or reference to an existing bank name in third-party solicitations or mailings. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1030 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Present. House Bill 1030, having received the required constitutional majority, is declared passed. Senator Parker, for what purpose do you seek recognition?

SENATOR PARKER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR PARKER:

I have with me today a large school group and they were here on the Floor before, and I'd like everybody to welcome them. It's St. Athanasius. They're from Wilmette, from my district. Please, if they'd stand up, and let's give them a warm welcome. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator Burzynski, on House Bill 1039. Senator O'Malley, on 1089. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1089.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1089 amends the loan limits Section of the Banking Act by increasing the amount which a bank can loan to any one person from twenty to twenty-five percent of the bank's unimpaired capital and surplus. This -- duplicates the provision of one Section of Senate Bill 119 that passed the Senate earlier. It's agreed legislation. If there are any questions, I'll be happy to answer them.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1089 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1089, having received the required constitutional majority, is declared passed. Senator Myers, on House Bill 1094. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1094.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers.

SENATOR MYERS:

Thank you, Madam President, Members. This bill amends the Property Tax Code regarding delinquent tax notices. It's legislation from the Community Bankers Association. Under current law, any person owning or claiming properties upon which application for judgment is applied for may, in person or by agent, pay the taxes and costs due to the county collector at any time before the tax sale. In Cook County, that person may also pay any special assessments or interest due. This bill expands that to also allow any lienholder of record to satisfy delinquencies prior to the sale. It also amends the current requirement that a tax buyer give notice to owners, occupants and interested parties within three to five months prior to the end of the redemption period before entitlement to a tax deed. It clarifies that this includes notice to any mortgagee of record. Be glad to answer questions; otherwise, I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

question is, shall House Bill 1094 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1094, having received the required constitutional majority, is declared passed. Senator Burzynski, on House Bill 1096. Senator O'Malley, on House Bill 1125. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1125 increases criminal penalties for sexual assault within families and incest. It increases the penalties as follows: The first offense is increased from a Class 3 felony to a Class 2 felony; and by operation of law, a second offense is a non-probationable Class 2 felony; and a third or subsequent offense is a Class X felony. I'll be happy to answer any questions you may have, but this does strengthen our laws in the State of Illinois and sends a clear message that this activity is -- is reprehensible and not to be permitted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1125 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1125, having received the required

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

constitutional majority, is declared passed. Senator Radogno, on House Bill 1148. Senator Sullivan, on House Bill 1189. Senator Philip, on House Bill 1199. House Bill 1200. Senator Klemm, on House Bill 1201. Senator Klemm? Senator Klemm, on House Bill 1202. Senator Philip, on House Bill 1203. House Bill 1204. Senator Syverson, on House Bill 1270? Senator Syverson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1270.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

...you, Madam President. On House Bill 1270, this is some technical clean-up language for -- on school construction bonding. I don't know of -- I know of no opposition to that and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1270 pass. Those in favor will vote Aye. Opposed, Nay. And the -- and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present. House Bill 1270, having received the required constitutional majority, is declared passed. Senator Peterson, on House Bill 1277. Senator O'Malley, on House Bill 1302? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1302.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1302 allows the area agencies on aging to receive funds on a per capita basis. There was some questions raised when we originally called this bill for a vote, and I think they've been answered satisfactorily. I'd be happy to answer any questions you may have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any questions? Is there any discussion? Seeing none, the question is, should House Bill 1302 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 2 Nays, none voting Present. House Bill 1302, having received the required constitutional majority, is declared passed. Senator Myers, on House Bill 1356? Senator Parker, on House Bill 1493. Senator Philip, on House Bill 1519? Senator Philip, on House Bill 1521? Senator Philip, on House Bill 1523? Senator Myers, on House Bill 1623. Senator Syverson, on House Bill 1684? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1684.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. House Bill 1684 is the registry legislation that we previously passed in the -- in the Senate. There is ongoing negotiations with the House, as well as the

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

providers and the State agencies, and would just ask that we move this forward.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1684 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, no Nays, 15 voting Present. House Bill 1684, having received the required constitutional majority, is declared passed. Senator Petka, on House Bill 1695. Senator Klemm, on House Bill 1709. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1709.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. This is an initiative of the Township Officials of Illinois. It makes changes in the Illinois Vehicle {sic} (Highway) Code to allow the maximum amount of construction and maintenance that can be bid from five thousand to ten thousand. And also, it allows -- increases from five thousand to ten thousand the maximum value of a contract for anything other than professional services that can be let without competitive bidding. The reason we're doing this, obviously, is inflation. In 1991, the General Assembly raised the bidding threshold to ten thousand, which is what this bill does, for all the townships that are over ten thousand in population. Due to the inflation, obviously, over the last ten years, this would keep it in keeping with what's used for all the other units of local government. They

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

also are asking for -- the townships can have a -- joint projects with the county, and they share dollars to do these projects. Well, sometimes the bids come in less than what was anticipated and they have some additional funds that they would like to use for some township road improvements without, necessarily, having to go to the county engineer, and the County Engineers support this legislation. It would allow them to do that, as long as the amounts don't exceed five thousand dollars. It's supported by the Department of Transportation, Illinois Association of County Engineers, the Township Officials. There's no opposition. I do ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1709 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1709, having received the required constitutional majority, is declared passed. Senator Peterson, on House Bill 1712? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1712.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. House Bill 1712 is an initiative of the State Board of Education. The bill makes a technical correction in the double whammy portion of the general State aid formula. For the 2000-2001 school year, the State Board allocated general State aid dollars among school districts as we believe was

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

intended by the General Assembly. The legislation would codify our actions. If we don't pass this bill, overall, school districts -- eighty-nine school districts will have to pay the State back 2.6 million dollars. I ask for your support of House Bill 1712.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1712 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1712, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR TROTTER:

Thank you very much. Seated with me today is Grace Gachanja who is from Nairobi, Kenya, and she's studying over at UIS in public health. And I just would like to have the Body welcome her, as she's here with us today.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator -- Senator Klemm, on House Bill 1810. Senator Klemm? Senator Munoz, on House Bill 1812. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1812.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Madam President and Members of the Senate. House Bill 1812 enhances penalties for certain crimes if a judge or jury determines that those crimes were committed in furtherance of gang activities. Ladies and Gentlemen, at this time, I'd like to defer the bill over to Senator Petka, who has had a number of years as -- prosecuting and can possibly give you better -- on the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President and Members of the Senate. As my distinguished colleague pointed out, the -- this bill was amended as it came out of the House. The amendment was basically the product of some discussions between myself and Democratic staff members and our staff members. It's my amendment. What this bill does is take a very, very significant step in connection with gang-related activities. First of all, it provides for a new aggravating factor under our Criminal Code for a defendant who is convicted of first degree murder and the murder was committed in the furtherance of gang-related activities. The -- the reason for the inclusion of this aggravating factor is the result of a circumstance that happened in the House district of Representative Mendoza. There was a fifteen-year-old boy who was out in his -- on the sidewalk, and some gang members twenty and twenty-one years of age came up to him and -- and demanded that he tell them what gang he belonged to. When the young man resisted and kept on making statements he was not a member of a gang and would not answer their question, they simply opened -- fired on him and killed him. Under current Illinois law, the defendants of this very brutal and senseless act of violence and murder would

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

not be eligible for the death penalty. It seems to me that if we are truly going to crack down on the young hoodlum gang members and toughs, that when they commit the ultimate -- or, the ultimate crime, that the ultimate penalty ought to be available. Additionally, there are enhancements of penalties dealing with gang-related activities for the crimes of aggravated assault, aggravated battery and aggravated battery with a firearm. The -- the bill is -- as I indicated, has been amended. It -- it -- we deleted crimes of aggravated discharge of a firearm because there were concerns raised by myself and others about proportionality of that type of an offense as -- as it contrasts with attempt murder. I do believe that it is truly a bill that not only aims and -- and targets gang offenders, but is certainly something that is necessary, especially in connection with the very unfortunate and brutal murder of a -- of a -- of a teenager by gang members. Madam President, I'll answer any questions that Members of -- of this Body might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I think this is a very, very good bill - and I commend the sponsors, Senator Munoz and also Senator Petka for his explanation - because it's time that we looked into the gang -- member activities stronger than ever. We've got 'em all over the place, and it's -- this bill is a step in the right direction. And the sooner they realize that this -- we mean business and the State means business, perhaps it could have some evaluation of their thinking, and I certainly support this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Obama.

SENATOR OBAMA:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Thank you, Madam President, Ladies and Gentlemen of the Senate. I want to stand just to clarify some of the issues that exist in this bill. The amendment that was discussed by Senator Petka, I think does improve the bill, because originally what this did was to make an enhancement of the death penalty where there was either a gang affiliation or it was -- the -- the murder was committed in furtherance of gang activities. Obviously, if that original portion that stated that it was in -- gang affiliation, in and of itself, would have been sufficient, I think would have been problematic from a constitutional perspective. I'm not sure that, as amended, those same concerns exist. This may be perfectly legal from a constitutional perspective, and I don't want to get into a -- a major debate about the death penalty. Obviously, the situation in Representative Mendoza's district was extraordinarily tragic. But I -- I do still have a problem with the bill, and I guess this is the point that I want to raise - and maybe Senator Petka, if you want to respond to this. One of the -- one of the things that this bill does now is to make it a -- an -- an aggravating factor that potentially would allow for the death penalty if a murder is carried out in furtherance of gang activities. And -- during committee, I asked the sponsor, as well as a witness from the City, to determine what exactly constituted "in furtherance of gang activity", and I was distressed to learn that even the witness wasn't entirely clear as to what that constituted. So, I'm wondering, Senator Petka, if you could clarify for me. What exactly are the standards that would qualify as "in furtherance of gang activity"?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Senator Obama, I was aware of the question that you asked -- asked in committee. I was aware of the responses. The -- when

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

you -- we make reference to so-called standards of conduct in furtherance of gang activities, I would simply like to point out that we have an aggravating factor that exists, prior to this, that talks about a person being eligible for the death penalty if the murder is committed in a cold, premeditated and calculated way involving an intentional intent to take a life. None of those words are defined within -- within the aggravating factors. Understand, Member -- Members of this Body, that a jury must find beyond all reasonable doubt that the -- that the murder was -- was committed in furtherance of gang activities and must make that finding as a matter of record before it can consider -- further consider whether or not the death penalty applies, so that a prosecutor would be charged with the responsibility, at the trial of this case and -- and at the sentencing hearing, to -- to -- to convince a juror beyond all reasonable doubt that that aggravating factor was, indeed, present.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Obama.

SENATOR OBAMA:

Well, thank you, Senator Petka, but -- but I guess that doesn't alleviate my concerns, in -- in part, for precisely the reason that you point out. If you look at the list of aggravating factors that we already have, one of them is, as you stated, that the murder was committed in a cold, calculated and premeditated manner pursuant to a preconceived plan. If you're correct, Senator Petka, that, in fact, that is an -- that is something that is -- is an appropriate standard for an aggravating factor, it strikes me that if a murder was carried out in furtherance of any criminal activity, including gang activity, that, in fact, this would be more than sufficient to cover the situation. What I'm concerned about is for us to single out, quote, unquote, "gang activity" as a -- as a standard that is different from activity

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

involving all kinds of other criminal conduct. And it's -- it just strikes me that -- that part of what I'm concerned about when I see the words -- particularly given the original bill that -- that stated that gang status, in and of itself, was a potential aggravating factor, what I'm concerned about is that we use this term "gang activity" as a mechanism to target particular neighborhoods, particular individuals for, admittedly, heinous crimes that I think need to be punished to the fullest extent of the law irrespective of where they happen and irrespective of the particular criminal body that they're working with. So, because I think that the current situation of the fifteen-year-old that you discussed could have been covered under this provision that you read and because I'm concerned about us -- us targeting particular neighborhoods or particular types of individuals for enhancements as opposed to others, I'm -- I'm probably going to be voting Present on this bill. And -- and I would suggest -- I would just like to make one last point. I think it's problematic for us to continually pass criminal laws based on anecdote. Each and every time we have one, single situation where the prosecutor, I guess, doesn't get what he wants, we end up coming down here and passing a law, which is part of the reason why we've got a Criminal Code that's rife with contradictions. And it seems to me that we already have sufficient laws on the books to deal with these kinds of situations. And -- and for those who support the death penalty, anytime that somebody, in a -- in a -- in a -- the fashion that you described in Senator Mendoza's district, carries out these -- these heinous crimes, I think they can, in fact, be dealt with in the appropriate fashion.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam President. And if I just may -- respond

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

briefly to the prior speaker. I -- I have to say, I'm -- I'm somewhat surprised that he would be concerned about us going out after organized gangs. We spent, here in this Body, three weeks over Christmas vacation dealing with situation involving the transportation and possession of firearms, and recurrently, the -- the speeches on the Senate Floor dealt with the need to take firearms out of the hands of gangbangers. We now have gangbangers who are using firearms to kill people. And what we are suggesting by this legislation is that when we, in fact, have gang members who have taken the law into their hands, as it exists, and simply kill people for no reason, to further the activities of a gang, something that this Legislature has had a series of public policy pronouncements over the last decade as being something that is not a desirable element in society, I think that it is just appropriate that the punishment fit the nature of the crime and especially so if it is a member of a -- of an organized street gang.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Obama.

SENATOR OBAMA:

I -- I apologize for rising again, but I -- I just need, I think, to clarify something, Senator Petka. I don't think that it's fair to characterize my comments as saying that I've got a problem with us dealing with street gangs. All right? I -- I have street gangs in my community that -- and -- and we are working diligently to try to deal with them, and 99.9 percent of the legislation that comes down here that is on the books to -- to get tough on gangs I'm supportive of, and I think that's true for most of the criminal bills that come up in Judiciary. What I am concerned about is a particular and narrow concern, and that is, is that when we apply the ultimate penalty - that's the death penalty - that we make sure that we are applying it in a uniform

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

fashion across the board, that there's no -- no intimation, at any point, that one person who commits a terrible crime is going to get one treatment and another person who gets -- commits that same crime is going to get a less severe treatment. And my concern, specifically in this situation, is if a individual shoots somebody and kills them, let's say because of a -- an argument on the street, that they, potentially, are not eligible for the death penalty. If that same person gets in that same argument and shoots that person on the street and kills them, but that other person happens to be a member of a -- a street gang and the perpetrator happens to be a member of a rival street gang, that somehow, now, they might get a different penalty than that same murderer in the other context. That's what's problematic. I think that if we're going to apply the death penalty, we better make sure that it's absolutely uniform across the board. That's the particular concern that I've raised, and I want to make sure that it's in the record that my -- my objections are not to us trying to deal with the street gang problem on -- that -- that exists in Chicago and elsewhere in -- in the State.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Petka.

SENATOR PETKA:

The distinction pointed out by the distinguished Senator is a distinction without a difference. Under current law, if the -- if a person who's out on the street is victimized in a -- in -- by, for example, an armed robbery where they may take their coat or their shoes or -- or -- or their wallet and they kill him, they would be eligible for the death penalty. If -- if it was simply unprovoked random shooting, they would not be eligible for the death penalty. In -- in this instance, Senator, what we are suggesting is that if you are a member of an organized gang and you are furthering gang activities, that that should have the same

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

status as if you were robbing the individual and then murdering him.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam Chair. A couple of quick questions for the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR DEL VALLE:

Senator, I'm -- I'm trying to, in my own mind, get this clear. You talked about organized gangs. Would this apply to organized crime also, someone who is murdered in the furtherance of activities of organized crime? Organized crime is all over, also. In my mind, organized crime operate like gangs. They're involved in -- in -- in criminal activities. So, would the death penalty also apply to organized crime, and is organized crime specifically mentioned in the Section where we would be putting gangs?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Senator, the definition for organized gangs is -- is the same that is under the Omnibus Organized Street Gang Terrorism Act {sic} (Streetgang Terrorism Omnibus Prevention Act) that we've had on the books for ten or twelve years. Under the circumstance that you've made reference to as far as organized crime, the likelihood is that the individuals would be charged under a contract murder, which also is that they would be eligible for the death penalty.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

I didn't mention contract murders. I want to know if

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

organized crime, just like organized gangs, would be covered under this?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

The answer is yes, that they would be eligible.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Hendon. Oh, I'm sorry. Senator del Valle.

SENATOR DEL VALLE:

One more quick question. Now, in -- in -- in Representative Mendoza's district and -- and in my district, we've had situations where businesspeople, company owners, have knowingly exposed their employees to dangerous chemicals. These are workers. I've had bills in the past to establish penalties for those individuals. Those bills have -- have been rejected by your side of the aisle. In your opinion, would an individual who knowingly, as the head of a company, exposes their employees to dangerous chemicals and that exposure leads to death of those individuals, should that corporate owner, then, be eligible for the death penalty?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Senator, the aggravating factors that are -- are traced out under Illinois law, and this would be the twentieth, involve an intentional act, an intention to kill. I'm -- I'm not so sure that they would be -- the fact that they knew about something is not the same thing that they intended to do what they -- they -- they intended the -- the consequences of their action. So my answer would be no.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Hendon.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

SENATOR HENDON:

Thank you -- thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

Indicates he will.

SENATOR HENDON:

Senator Petka, I apologize. I must have missed something. I was wondering why you were carrying debate instead of Senator Munoz. Can you explain that?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Senator, the -- the amendment that was on this bill -- when it came over, even though Senator Munoz is the sponsor, it was my amendment. And he is...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

Okay. I was -- I was just concerned because I wanted to make sure that Senator Munoz's original intent was still intact with your amendment. Could -- would Senator Munoz care to respond?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator Hendon.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

Then, Senator Munoz, are you in agreement, then, that a gang member could be targeted but not a member of a drug cartel?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

SENATOR MUNOZ:

That's possible, Senator. But you have to -- with the bill, for them to be proven guilty, when a prosecutor takes this legislation intact, it's -- gang related. If a gang member comes up to another person and shoots them, a known gang member that's been on the -- has a numerous record, it's totally different, then, from a drug cartel, totally different, then, from an average citizen.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

Well, wouldn't you agree that a member of a gang {sic} cartel could be even more dangerous than a member of a street gang, because that member of the drug cartel is bringing in poisonous narcotics that are killing our children?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator. Drug cartels can be more dangerous than the average street gang, but keep in mind, when a drug cartel goes into action and makes a hit, they normally do it professionally. Whereas, you have the street gang members that -- the older guys that know that they have -- already have a numerous criminal history, they will go ahead and get the younger kids to go out and perform such an act, committing death, whatever the case may be, to get their point across.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

So are you saying murder, when done professionally -- a murderer who is professional in -- in their talent should get a better break than some poor kid on -- on the street?

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

SENATOR MUNOZ:

No, Senator, that's not the intent of this bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

Well, I -- I -- I thought I heard you say that because a member of the drug cartel is professional in their art of murder, that they would not qualify under this bill. Let me ask you another question. What about a -- a -- a terrorist? And what we're trying to get to - I want everyone to understand - is that this bill, unfortunately, targets one group. One group. It does not target organized crime. You've said yourself drug cartel -- it was almost as if it was acceptable because they murder with -- with profession and with art and precision, that they not be targeted, but that a young kid in -- in the street in your neighborhood and in my neighborhood would be eligible for the death penalty, and I just think that that's -- that's wrong. That's discrimination. That's selective enforcement of the law. Lastly, and I'll conclude with this, I -- I -- I'm just concerned that with all the mistakes that have been applied by this State and all the people that have been proven to be not guilty who were on death row, that you would be so willing to go forward with a program and trust the system which has failed in the past, and trust some prosecutors who have failed in the past, and law enforcement people, to not send an innocent person to death row because they say that that young person's in a gang. They could have been twelve, thirteen or fourteen years old when they were affiliated with a gang and have totally turned their lives around, but that stigma will carry them the rest of their life. And according to this legislation, they could be given the death

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

penalty. And I -- and I just think that it's wrong.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Just to respond to the last speaker. When I first came to the House in -- I believe it was in 1989, I sponsored legislation which is now the law that deals with giving the death penalty to individuals who are part of a drug conspiracy in which a murder has been committed. So it covers the situation that the last speaker spoke to. In addition, I believe that the -- the comment that Senator Munoz made about drug cartels not being eligible for the death penalty has been taken out of context. If they fit the definition of an organized gang underneath the Omnibus Streetgang Terrorism Act {sic}, they would be eligible, and it would be up to the prosecutor to prove beyond a reasonable doubt that that was the case.

PRESIDING OFFICER: (SENATOR KARPIEL)

WICS-TV requests permission to videotape the Senate proceedings. Is leave granted? Leave is granted. Senator -- further discussion? Senator Emil Jones.

SENATOR E. JONES:

Yeah. Thank you, Madam President. Will the sponsor yield? Senator Munoz. When we talk about individuals affiliated with gangs, could you give us example in Cook County where gangs are located? Are gangs throughout the area of Cook County? Gang members?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

SENATOR MUNOZ:

Most definitely, Senator. Pretty much the entire City and now you have 'em on the outlying portions of the City and most of the suburbs, where they're going out and try to take control out

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

there, as well.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jones.

SENATOR E. JONES:

Well, if there are gangs throughout Cook County and other parts of the State, and if they are dealing in -- with drugs and so forth - and I've been reading reports about drugs amongst -- well, young people in high school - would you say that, be it the northern suburbs, the western suburbs, that they -- all these individuals who have these drugs -- they get 'em some sort of way, right? So is that as a result of gang activity? How do they get those drugs?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

SENATOR MUNOZ:

Well, drugs is a wide spread, Senator. As how they get 'em, there's a number of individuals that go out and seek certain areas which aren't there yet and give 'em to the kids, primarily high school students, to get 'em enticed, to get 'em hooked, and, therefore, that's where the spread starts. But keep in mind, this bill is not affiliated with the drugs. We're talking about, this -- is for the gangs.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jones.

SENATOR E. JONES:

Well, what -- what disturbs me, and to the bill, is simply this here, and I -- I wasn't here last week, but I had read a report or a study as it relate to young people being tried as an adult. Well, what was so shocking about that report is that it was just black and Hispanic youngsters being tried in our court system as -- as adults. I've had the opportunity to visit the juvenile detention center many times, and you would think -- out

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

of a population that averages anywhere from five to six hundred per month, and it is predominately black and Hispanic youngsters for the entire Cook County. And I'm concerned, Senator Petka, about the application of the law. Is the -- are certain areas just being targeted as such? And you -- you're -- you're in law enforcement. And what I'm saying to you, are certain groups just being targeted? 'Cause all the studies indicate that your suburbs have just as much drugs - more sometimes - than you have in the -- in the City. But they do not -- the young people, thirteen, fourteen, I don't see 'em at the juvenile detention center. What happens to them?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

SENATOR MUNOZ:

First of all, to your first question, Senator, with regards to trying kids as adults, has nothing to do with the bill. And second of all, sir, the bill just mainly states for the gangs, as -- as mentioned. You're talking about the City and -- and we're targeting certain peoples or certain racial or whatever the case may be. This bill is intended for hard-core criminal killers that go out there and prey, whether it be on kids, whether it be on seniors, and they are gang members. That's what the bill is intended for. And so many times, yes, crime does happen mostly, as they say, in minority communities. Well, I have it in my district. And it's Mexican-Americans killing Mexican-Americans. And that's a real shame, and that's where it needs to stop.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jones.

SENATOR E. JONES:

Well, this is not for a response, but let's deal with reality. And the reality is that, sure, there are gangs in your community, maybe crime. But we're talking about application to the law

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

equally enforced throughout the State of Illinois, not selective enforcement. And when you talk about selective enforcement, you only talk about a certain area. If that were the case, Senator Munoz, if that were the case, if youngsters are running in drugs, committing crimes throughout Cook County, then those same individuals, I would see them at the juvenile detention center. But the prosecutors and law enforcement -- if you happen to come from the northwest side, maybe some parts of the southwest side, or south suburbs, or northern suburbs, they aren't prosecuted. They are -- it's selective enforcement of the law. Even though this bill is only dealing in one aspect of it, but it's related to the problem. And you should be concerned and everybody in here should be concerned when you get a study that showed that all these individuals who had committed crimes are being tried as -- as adults, it is almost ninety-nine percent Hispanic and black. That's wrong. It's wrong and I'm shocked that you would even sponsor this bill, because it's targeting your community. Sure, we don't want Mexicans killing Mexicans or Hispanics killing each other, or blacks killing each other, but it's happening throughout our community, not just in one selective community, and that's what makes it so bad about this particular bill. This particular bill is designed to do one particular thing. Those same ninety-nine percents that'll be tried as adults does not apply equally across -- across the -- across the board. It's unfortunate that we -- we find ourselves at this particular stage. Very unfortunate. But I don't want all the crime being committed in all community, but treat everybody equally. It's the -- it's the uneven treatment that they get from prosecutors, uneven treatment that they get from police, and that's why we have a serious, serious problem with our criminal justice system. And all this bill does is further it, make it even worse. I don't intend to vote for it. It's a bad bill. I intend to vote No.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Molaro.

SENATOR MOLARO:

...you -- thank you, Madam President. Would Senator Petka yield for a question?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR MOLARO:

This question has a little bit to do with what Senator Geo-Karis, our distinguished Senator, stated. I think her -- her sentiments, which a lot of us feel actually, was to send a clear message or to let these gangbangers know. So, in other words, as the law is written today, if we get one of these kids, in your instance the eighteen-year-old shooting somebody who's eighteen years old, he either could wind up with sixty years, life without possibility of parole. There's a lot of sentences. So now, if he gets life without possibility of parole, what -- what does the State gain by being able to put him to death? In other words, life without possibility of parole or a sixty-year sentence is not enough of a public policy statement by us that we don't condone gangbangers killing other people? They know that. They know that. The eighteen-year-old knows he shouldn't be doing this. He knows it's wrong. He's just going to do it anyway. I think our public policy is that we don't condone people killing other people. We certainly don't like some eighteen-year-old gangbanger killing a kid for not joining a gang. So I think since the -- since we've already said it, all we're doing is giving the State the ability to put to death this eighteen-year-old, who, by the way, nowadays, eighteen years old -- I have eighteen-year-old. I don't consider them an adult, the way some of these kids act. But now we can put this eighteen-year-old to death. So by being able to put 'em to death, what message are we sending that we don't

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

already send? What's the -- what's the gain to the State?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Well, thank you, Senator Molaro. And I -- I did not believe that this bill would be a debate on the death penalty, but I'm -- I'll freely engage in that if you choose. First of all, you make certain basic assumptions that putting someone in prison for murdering someone else is proper punishment. In my opinion, it's not proportional, which is what the Constitution requires. Second of all, the people of this State, when they had an opportunity thirty years ago to abolish capital punishment in the State, voted in overwhelming numbers not to do that. In terms of the -- the public policy in -- in the year 2001, placing a person in prison for sixty years does not mean, necessarily, he'll serve sixty years. Laws can change. People can be pardoned. People can have their sentences commuted. And we can have a circumstance of what happened in the State of Texas, about two months ago or three months ago, where a person who probably should have been executed, was in -- in prison for murder, escaped and went back and did what he does best: He murdered a police officer. If that person would have got the punishment that he deserved, the chances are that we would not have a -- a young widow in the State of Texas with three children without a father. There are other circumstances, Senator, where we can cite, where individuals who were in prison for murder were released and are back in prison for murder again and are eligible for the death penalty. And I can say this, as far as eighteen-year-olds being too tender -- or, too tender-minded to commit serious crimes, the worst killer I ever prosecuted was a fellow named Henry Brisbon, who was seventeen years old, who murdered four people in the most despicable, indescribable manner than can be possibly put forward. I wouldn't

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

even want to bring it here today 'cause it would nauseate you. But he was seventeen. He wasn't eligible for the death penalty, but when he got to prison, he murdered again, and he's now on death row. What public purpose is served? Very simply this: Right now a gangbanger who commits the -- the murder that was -- that happened in Senator {sic} Mendoza's district - and I might add, Senator, I have a very large gang population in a portion of my district - that those individuals would -- would be at least eligible to face scrutiny from a judge and a jury as to decide whether or not they should receive society's ultimate punishment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Well, we're not going to get in a death penalty debate, not on this bill, so -- so I'll get off that. I just certainly am glad I gave you the opportunity to be able to say what you just said. But the only problem that I seem to have - and we'll forget the death penalty for a second - is obviously something happened in Senator Munoz's district, which actually borders mine, and Representative Mendoza, she's there firsthand seeing this all the time, and it -- and it's horrible. Drive-by shootings. We see two-year-old babies getting killed. It's absolutely horrifying. So the question is -- when we see this happen, we come here and meet as the General Assembly and the question becomes, what do we do about it? What are we going to do to stop this? I'll mention just one thing that happened in Senator del Valle's district about four or five months ago. Some fourteen-year-old was shot in the back of the head as he walked down the street because they thought it was a rival gang color, and it turns out he was just an eighth grader minding his own business. They shot him in the head. The police went out and arrested the doer. They arrested him. Show him handcuffed, being led through. Front page, "Killer

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Arrested". They go, he was arraigned, charged with murder. They're going to go for the death penalty. Five days later, they had to release him because they arrested the wrong guy. Mistakes still happen. So when we stand here and say -- over the past summer since this incident, and over the past year, when we stand here and say, "What can we do to stop the exact conduct we're trying to stop," what are we going to do about it, what are we going to do to stop these gangbangers from drive-by shootings or going up to these younger kids and say, "Either you get in the gang or we're going to kill you"? They don't get in gang, they shoot 'em. How do we stop it? So I looked, trying to figure out how many bills that we put in, in appropriations, for education, how much more we've done for after-school programs, how many task forces? When we have all these Senate joint resolutions and House resolutions and all these task force to study all these things that we're studying, how many task force did we put together to get the brightest minds in this building and in this State and in this county to come up with to address the problem as to why these eighteen-year-olds are going to keep killing 'em? What are we going to do to stop it? And after all the bright minds on everything, we can go -- and I looked at all the bills that we presented - the only bill that we could come up with to say "Here's what we'll do to stop this type of conduct, instead of putting them in jail for sixty years" - and by the way, it's a hundred percent day-for-day for murder; it's not eighty-five percent; there is no good time; it's a hundred percent - instead, the only thing that this General Assembly could come up with is we're going to say instead of putting -- giving them life without possibility of parole or sixty years, "We're going to put 'em to death. That'll stop this conduct. That'll teach these eighteen-year-olds." Come on. What are we doing this, so we feel better about ourselves? This isn't going to stop that conduct.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

With a bill like this, we have to have something else that we can do. We should have task force. We should be putting more money into education. We should have after-school programs to try to stop this conduct. Not this type of a bill. So with this bill alone, I think we're sending the wrong message, and I urge a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Petka, there is -- Senator Munoz, to close. You want to make a comment, still? Senator Petka.

SENATOR PETKA:

Senator Molaro, my good friend, we've -- we've talked about this off the Senate Floor. To place a premium on the -- value of education would be to understate the case. But I would point out that some of the most educated people we've had in this nation have become the worst of mass killers. Ted Bundy went to law school and was one of our worst mass murderers. The -- the fact of the matter is that something is required beyond education. And for some of these people, educating them just simply makes them smarter criminals. You know, there is still -- and you've asked, you know, where the answer is, and at the risk of sounding, you know, perhaps somewhat trite, it's -- it's found in the -- in the Old Testament, in the Book of Genesis. There is a concept of people who do evil. They're evil people, and all the education in the world is not going to do anything for 'em. They understand the difference between right and wrong and have made a conscious, evil decision. And I would -- these are the individuals that, in my opinion, are ripe, appropriate targets for capital punishment. And all the education and all the college education in the world is not going to change that.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator -- excuse me. Senator Munoz, to close.

SENATOR MUNOZ:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Thank you, Madam President. Ladies and Gentlemen of the Senate, first of all, I'd like to start off by thanking Senator Petka for all his help on this amendment. And the reason that I had deferred earlier was to give a better explanation because of his years as a prosecutor, and hopefully he answered some of 'em. I surely tried to do my best when they were -- questions came to me. Ladies and Gentlemen, the intent of this bill came to Representative Mendoza. In the last five months, we have had a number of shootings in the district, one being a fifteen-year-old who was shot five times, which of course, died. Then in another shooting incident, a two-year-old girl is left blind for the rest of her life in one eye. Not only is it traumatic for her, thank God is she alive, but it's very traumatic for her family. Having seen all that and having to deal with the families, what can you say to them? How can you console them? This is why this bill was drafted. And this is why it's here before us today. I understand my colleagues have some opposition. Points well taken. And to Senator Molaro, this is not a "make me feel good" bill. This bill is designed for people that want to take a gun and kill somebody and they are involved in gangs. I see this as a deterrent. No, maybe it might not stop all the murders in the State of Illinois, maybe it might not stop all the shootings, but this bill, if it can save one life or possibly save some little kid from being permanently disfigured, or anybody for that fact, for the rest of their lives, I would think that we've done some justice here today in the Senate. I ask of you for a favorable vote to do what's right for our communities back home, so we can possibly save a life or save somebody from getting permanently disfigured. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 1812 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 44 voting Aye, 9 voting Nay, 5 voting Present. And House Bill 1812, having received the required constitutional majority, is declared passed. House Bill 1813. Senator -- oop! Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCH:

Hello. Thank you, Madam President. I stand on a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR DUDYCH:

Standing right beside me here is a special guest that has joined us from faraway Belarus. Mrs. Evgenia Soutskover has joined us this afternoon. She is here in our country and our State and in our city visiting her daughter, Irina Soutskover, who is an employee of the Attorney General's office across the street. And Mrs. Soutskover is here for a month, and I'd like for the Senate to give her a warm welcome.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. The Associated Press requests permission to take photos. Is permission granted? Permission's granted. House Bill 1813. Senator Lauzen. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1813.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. House Bill 1813 addresses

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

unforeseen consequences in the conversion to a dyed fuel system in Illinois where uses of the fuel are -- are clearly not subject to taxation. There's no known opposition. Request an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Discussion? Senator -- if not, the question is, shall House Bill 1813 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 1813, having received the required constitutional majority, is declared passed. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR BOMKE:

We have with us today, or visiting, behind the Republican Senate, a charter -- local chartered school, the Ball Charter School, the fifth-grade class from the Ball Charter School. I'd like them to be recognized. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. House Bill 1814. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1814.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Senate. This bill comes from the Attorney General via his Violent Crimes Advisory Commission, and it does a few things. It allows one judge of the Court of Claims to award emergency funds under the Crime Victims Compensation Act. It adds the Secretary of State or his designee and the Chief Justice of the Court of Claims to the Violent Crimes Advisory Commission. It creates the unlawful attempt to collect compensated debt against the crime victim. It extends the time limitation for filing a claim for compensation under the Crime Victims Compensation Act from one year to two years. And last, it provides a two-thousand-dollar emergency award under the Crime Victims Compensation Act. I don't know of any opposition. Again, it comes from the Attorney General's Violent Crimes Advisory Commission. And I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 1814 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 1814, having received the required constitutional majority, is declared passed. House Bill 1887. Senator Obama. House Bill 1900. Senator Dillard. House Bill 1904. Senator Molaro. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1904.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro.

SENATOR MOLARO:

Yes, this is a simple bill that allows permissive language.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Right now, a subcontractor must put two percent of the -- the contract in escrow with the -- with the general contractor. And as it stands right now, the general contractor either just puts it in a noninterest-bearing account, or if it's interest-bearing, it goes to the contractor. This will allow, if the contractors agree, to have permissive language to allow that interest to go to the benefit of the subcontractor. I know of no opposition, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 1904 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 1904, having received the required constitutional majority, is declared passed. House Bill 1908. Senator Dillard. I'm sorry. On the top of page 20 of the Calendar, House Bill 1907. Senator Syverson. House Bill 1908. Senator Dillard. House Bill 1970. Senator Peterson. House Bill 1988 -- (19)89. Senator -- House Bill 2058. Senator Roskam. House Bill 2113. Senator Dudycz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2113.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. Under current law, any new or used vending machine that prepares and serves hot food and beverages is exempt from sales taxes in Illinois. Replacement parts for these machines are also exempt, and House Bill 2113

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

expands that exemption to commercial, coin-operated machines if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machine.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Welch.

SENATOR WELCH:

Yes. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR WELCH:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCH:

According to the Department of Revenue, it's between two and three million, but the Illinois Economic and Fiscal Commission comments on their statement says that data regarding the current exemption, which began January -- January 1st of 2000, for new or used automatic vending machines is not yet available in the Comptroller's tax expenditure report. In addition, it is not known how many machines or machine parts that are proposed in the bill will be used in commercial, coin-operated amusement and vending businesses. Therefore, the net fiscal impact of House Bill 2113, as engrossed, cannot be determined.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

But the Department of Revenue says two to three million dollars out of the State treasury. Well, it seems to me that, you know, now we're -- we're spending money again here without it

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

being included in the Governor's budget. And we did have a lecture here about three weeks ago about not doing that, in particular from your side of the aisle. So I think that those Members on either side that took Senator -- what is it? -- Rauschenberger's lecture to -- sorry -- to heart, should -- should -- sorry -- should vote with Senator Rauschenberger's conscience. I think he had a -- had a good point to make. And I think that we should vote No on this.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Dudycz, to close.

SENATOR DUDYCZ:

Yes. Thank you, Madam President. Current exemptions include graphic arts machinery and equipment, farm chemicals, machinery, equipment, as well as photo processing equipment and machinery. The rationale for this legislation is that the exemption is proper since these machines generate tax revenues from the products that they dispense. And the taxing of the sales of these machines, in effect, creates a double taxation, first from the machine itself, and second, from the products that are being dispensed on it -- or by it. I would ask your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 2113 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 34 voting Aye, 18 voting Nay, 2 voting Present. And House Bill 2113, having received the required constitutional majority, is declared passed. House Bill 2148. Senator Lauzen. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2148.

(Secretary reads title of bill)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President, Members of the Senate. House Bill 2148 amends the Illinois Plumbing License Law. Requires plumbing contractors to register with the Department of Public Health. Under current law, the Plumbing License Act is administered by the Department of Public Health and the Act does not provide for licensure requirements for plumbing contractors, only individual plumbers. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2148 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 2148, having received the required constitutional majority, is declared passed. House Bill 2161. Senator Demuzio. House Bill 2220. Senator Sullivan. House Bill 2247. Senator Dudycz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2247.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. House Bill 2247 amends the Peace Officer Fire Investigation Act to provide that a badge, different from the badge issued to peace officers, may be authorized by the Office of the State Fire Marshal for the use of fire prevention

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

inspectors employed by the Office. You may recall, last year we passed Senate Bill 1874 limiting the scope of badge authorization for all -- of all State agencies only to sworn peace officers. Since then, according to the State Fire Marshal's Office, fire prevention inspectors -- was -- informed -- we were informed that the fire prevention inspectors are often called to the scene of a fire in an emergency, much like the municipal firefighters, and they need some sort of identification to distinguish themselves from the other persons at the fire scene. And -- however, since these investigators do not have peace powers, they currently cannot wear any insignia or badges. This involves approximately thirty-five inspectors. The bill amends the -- the Act to provide that a badge different from the badge used by peace officers may be authorized by the Office of the State Fire Marshal for the use of fire prevention inspectors by -- employed by the Office.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2247 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 2247, having received the required constitutional majority, is declared passed. Senator Wendell Jones, for what purpose do you rise?

SENATOR W. JONES:

...personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR W. JONES:

Yes. Senator Karpiel, since you're so busy being our President, I wanted to introduce some people from your district. We have, on the Republican side up here in the gallery, the Hale

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Grade School from Schaumburg, Illinois. They're accompanied by Representative Kay Wojcik, and it's her granddaughter's class. And we're happy to have them here from Schaumburg, Illinois.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Thank you, Senator Jones. Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

...you -- thank you, Madam President. For a point of an announcement, please. I'd like to call for a Republican Caucus immediately in Senator Pate Philip's Office. It will last about an hour. Pate Philip's Office immediately.

PRESIDING OFFICER: (SENATOR KARPIEL)

The Senate will stand at ease -- in recess until 1:30. Senator Smith, for what purpose do you rise?

SENATOR SMITH:

I stand to announce that there will be a caucus meeting in Senator Jones' Office immediately, as soon as we leave the auditorium. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. There has been a call for a Democratic Caucus in Senator Jones' Office immediately.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR KARPIEL)

The Senate will come to order, and we'll go back to where we left off, on page 20 of the Calendar. And I think we were on 2254. House Bill 2254. Would all the Senators please come to the Floor and be in their seats? We are going to go -- we're going back to 3rd Reading. Resolutions.

SECRETARY HARRY:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Senate Resolutions 143, 144, 145 and Senate Joint Resolution 36. They're all offered by Senator Philip.

PRESIDING OFFICER: (SENATOR KARPIEL)

Page 20. House Bill 2254. Senator Sullivan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2254.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 2254 enables the Illinois Secretary of State to identify on our driver's license information to prevent underage purchase of tobacco. Currently, under twenty-one is marked on the license. We will add on to that under the age of eighteen {sic}.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2254 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 55 voting Aye, none voting Nay, none voting Present. And House Bill 2254, having received the required constitutional majority, is declared passed. House Bill 2255. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2255.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. This legislation comes from Representative Jay Hoffman and is a result of what we felt was a non-level playing field in regard to the school construction grant program. This is -- what happened was, in -- in metro east area, one of the school district, O'Fallon High School, got a seventy-four-percent grant from the State, and Collinsville got a seven -- or, Collinsville got a thirty-seven-percent grant from the State, and Edwardsville got a thirty-four-percent grant from the State. Now, why did that happen? And that's what this legislation is all about. O'Fallon happened to be a high school district, and the others are unit districts. So what we're trying to do is create a -- a new, level playing field for all school districts. Currently, the grant index is based on the type of districts. So unit districts are actually being penalized in this process. So this is -- wasn't the intent of the legislation. It's just the manner in which the -- the calculation is being made. So this clears that up, and everyone will be, hopefully, treated with -- with fairness.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House -- shall House Bill 2255 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 2255, having received the required constitutional majority, is declared passed. House Bill 2259. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2259.

(Secretary reads title of bill)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill was put together and offered by the Highway Users Federation. It's a rewrite of the truck size and weight laws. The purpose of doing this is because it's very difficult to decipher exactly what that present law is. This is -- has no substantive changes in the law. It is simply an attempt to make the Illinois Code Sections dealing with size and weight more easily understood. I would be glad to answer any questions, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2259 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 2259, having received the required constitutional majority, is declared passed. House Bill 2265. Senator Halvorson. House Bill 2266. Senator Halvorson. House Bill 2277. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2277.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill makes a number of minor changes to the Local

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Government Debt Reform Act. And let me just walk you through a couple of these changes. It makes a minor change with respect to notices that appear in newspapers to say that the title of the person, if their name is printed, does not have to appear in newspapers, because apparently some newspapers won't print both a name and a title. It permits notices to be sent by fax or e-mail to bring us into the twenty-first century with respect to notifying governing bodies or news media. It permits interest to be transferred in a couple of limited funds for local governments in a way that is already granted to school districts, park districts and forest preserve districts. It makes a technical change by replacing a phrase, "the principal of and interest" with "debt service". It makes a minor change, which is totally technical, dealing with coverage for federal or State funds. And then there is a technical change with respect -- and has -- that has been requested by the State Board of Education and the Chicago Board of Education. But essentially, there are no major changes in this. It's minor. And I'd be happy to answer any questions. It's been looked at by a number of bonding firms, including Chapman and Cutler.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR WELCH:

Senator, could you tell me what funds the township can switch amongst?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Thank you. The amendment allows them to transfer interest earnings, except where the interest can only be used by a respective fund, such as retirement funds and tort immunity funds, and it gives them the power, Senator Welch, to do what school districts, park districts and forest preserve districts already have.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

So they can't levy for one fund, take the money, move it to another, unless it's just the interest on the fund?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

They can, Senator Welch, take the interest from some funds and use them for a different purpose, unless there is a prohibition with respect to those restricted funds, and those generally are retirement funds and tort immunity funds. There you can't transfer the interest.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR DILLARD:

Just appreciate a favorable roll call. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 2277 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 22 -- I'm sorry, there are 54 voting Aye, 4 voting Nay, none voting Present. And House Bill 2277, having received the required constitutional majority, is declared passed. House Bill 2282.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2282.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. House Bill 2282 makes two changes dealing with currency exchanges. First of all, it -- currently, forgery insurance is required or may be required by a currency exchange to assume the first hundred dollars of loss. This bill would change that to the first thousand dollars of loss. The second thing deals with the Unclaimed Property Act. Right now a currency exchange has to report property filed by the business association. It's due before May 1st of each year. This bill would change it to provide that a currency exchange is required to report unclaimed property within thirty days of the conclusion of the Department of Financial Institutions' annual examination. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2282 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 2282, having received the required constitutional majority, is declared passed. House Bill 2283. Senator Sullivan. House Bill 2290. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2290.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This amends the Vehicle Code by deleting language limiting a sentence of a term of imprisonment for a felony DUI conviction to one to three years and makes certain defendants who are convicted of a felony DUI eligible for an extended-term sentence. What we're doing here is clarifying something that came out of an appellate court decision. This is an initiative of the DuPage County State's Attorney, and essentially we're trying to clarify what I think a number of State's attorneys believed was already the law. And there's been a limited reading by one appellate court, and we just want to clarify it. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 2290 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are -- there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 2290, having received the required constitutional majority, is declared passed. House Bill 2295. Senator Roskam. House Bill 2296. Senator Dillard. House Bill 2300. Senator Roskam. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Roskam.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 2300 amends the Code of Corrections to amend the Section mandating that if a defendant has two prior Class 2 or greater felony convictions and is convicted of a subsequent Class 1 or Class 2 felony, that person shall be subject to Class X sentencing, allowing - and this is what we're changing - for out-of-state felony convictions to count. Right now there's -- there's language in the statute that we're taking out that says that a judge, in a sentencing time, can only look at Illinois convictions. At the -- the suggestion of Chairman Hawkinson, we changed that so the judge has to look to make sure that the elements of the other offenses match up to the elements in the Illinois offense. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2300 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, 1 voting Nay, none voting Present. And House Bill 2300, having received the required constitutional majority, is declared passed. House Bill 2301. Senator Dillard. House Bill 2315. Senator Munoz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2315.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Madam President, Members of the Senate. The bill

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

just changes the offense of unlawful use of armor piercing bullets to unlawful use of firearm projectiles, and includes as firearm projectiles any armor piercing bullets, dragon breath shotgun shell, bolo shell, or flechette shell. And it expands the offense of manufacturing, selling or transferring of these types of bullets. In short, it expands the list of antipersonnel projectiles and outlaws them. Antipersonnel projectiles have no legitimate use. They are designed for the sole purpose of seriously injuring people. In fact, they cannot even be used for target practice. I know of no opposition. I'd be willing to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2315 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill -- I'm sorry, 2315, having received the required constitutional majority, is declared passed. House Bill 2376. Senator Mahar. House Bill 2380. Senator O'Malley. House Bill 2391. Senator Syverson. On the top of page 22 is House Bill 2392. Senator Radogno. House Bill 2426. Senator Roskam. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2426.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 2426 has nothing to do with the

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

telecommunications rewrite, which is why I was asked to be the sponsor. What we're doing here is we're adding a definition for a "private branch exchange" or "PBX" to the Emergency Telephone Systems Act. It defines a PBX as a private telephone system and associated equipment located on the user's property that allows communications between internal stations and external networks. What we're actually doing is bringing into compliance a 9-1-1 system that AT&T has. I know of no opponents. It passed the committee unanimously. I'll answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2426 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 2426, having received the required constitutional majority, is declared passed. House Bill 2428. Senator Rauschenberger. House Bill 2432. Senator Munoz. House Bill 2436. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2436.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill is very similar to one that we've already passed out of here relative to the Nursing Scholarship Act. Adds funds into that Act, as well as a minimum service time for nurses to pay back for those scholarships. And I would be more than happy to answer any questions.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2436 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 2436, having received the required constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Committee on Commerce and Industry - Senate Amendment 1 to House Bill 1000; to the Committee on Education - Amendment 1 to House Bill 678; to the Committee on Environment and Energy - Amendment 3 to House Bill 1887 and Amendment 1 to House Bill 2900; to the Committee on Executive - Amendment 2 to House Bill 201, Amendment 3 to House Bill 201, Senate Resolution 143, Senate Resolution 144, Senate Resolution 145, and Senate Joint Resolution 36, all to the Committee on Executive; to the Committee on Insurance and Pensions - Amendment 2 to House Bill 2419; to the Committee on Judiciary - Amendment 1 to House Bill 2058 and Amendment 2 to House Bill 2265; to the Committee on Local Government - Amendment 1 to House Bill 1011 and Amendment 1 -- or, Amendment 2, that is, to House Bill 3576; to the Committee on Revenue - Amendment 1 to House Bill 922, Amendment 1 to House Bill 1277, Amendment 1 to House Bill 2392 and Amendment 2 to House Bill 3289; and Be Approved for Consideration - Senate Amendment 2 to House Bill 418.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. Back on page 22 of the Calendar is House Bill 2440. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2440.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill addresses concerns over growth in the dogfighting business and cruelty to animals. It creates a new dogfighting Section in the Criminal Code which essentially makes it illegal to, in any way, promote or facilitate dogfighting, and it specifies the penalties for doing so. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2440 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 2440, having received the required constitutional majority, is declared passed. House Bill 2538. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2538.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 2538, as you see it before you, represents legislation that came to us from the House, with two amendments. One was offered by myself and the other by Senator Link. This represents agreed legislation that we worked out in committee.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

I'd be happy to answer any questions you might have.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR RAUSCHENBERGER:

Senator O'Malley, has the question of the delegation of authority to the Commissioner been cured in this bill? I mean, the -- I don't know the elements that you worked on.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

The -- the provision you're -- you're concerned about is provided for in the amendment that I offered.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall House Bill 2538 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 2538, having received the required constitutional majority, is declared passed. House Bill 2564. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2564.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Parker.

SENATOR PARKER:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Thank you, Madam President, Ladies and Gentlemen of the Senate. The Motor Vehicle Review Board was put into law to help the automobile dealers and the manufacturers settle disputes. What this bill does, merely expand the types of disputes between auto dealers and auto manufacturers which can be heard before the Motor Vehicle Review Board to include everything within the Motor Vehicle Franchise Act. It is agreed to. I would ask for an Aye vote, and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2564 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 2564, having received the required constitutional majority, is declared passed. Senator Mahar, for what purpose do you rise?

SENATOR MAHAR:

For the point of a announcement, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Make your announcement.

SENATOR MAHAR:

Senate Environment and Energy Committee will meet immediately upon adjournment in Room 400.

PRESIDING OFFICER: (SENATOR KARPIEL)

I hope everyone heard that. The Senate Energy and Environment Committee will meet immediately upon adjournment in Room 400. House Bill 2575. Senator Sullivan. House Bill 2602. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2602.

(Secretary reads title of bill)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Under current law today, an airport authority, with the permission of its governing local government, can issue a -- can issue authority to levy a facility charge. The facility charge can be used for a number of purposes. Most frequently it's used to create common elements that make the transportation network of the ground people -- ground movement of the airport work better. A good example is a combined automobile rental facility, maybe a drop-off point, maybe a parking area. As we've moved into this and more local airports are considering doing facility charges, there's been some complications as to how the rental car companies must disclose the facility charge that is imposed on their customers when they disclose the price of rentals. There's been a court case where there's been a conflicting interpretation of the statute. This seeks to clarify this. What this bill does, in effect, is makes it clear that a -- an automobile rental company has to explicitly disclose the facility charge, in addition to the rental charge, in all of its advertisement and price quoting. The bill's been carefully reviewed and approved -- or, is approved of by the Attorney General's Office, as far as the disclosure Section and consumer protection. It does not authorize any new facility charges. Those are already available under current law and are actually given permission for by the local government that's got authority. So this clarifies how a car rental company publishes its rates and explains to its customers that they have to pay a facility charge in addition to the rent. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Any discussion? If not, the question is, shall House Bill 2602 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 2602, having received the required constitutional majority, is declared passed. House Bill 2641. Senator Rauschenberger. House Bill 2646. Senator Dillard. House Bill 2807. Senator Dillard. House Bill 2844. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2844.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 2844, with its amendment, represents an agreement between the Department of Corrections and the -- our Prisoner Review Board on the elements that they'll share in supervising prisoners in the parole process and in the post-release process. It's really kind of technical in nature, but it -- it divides the authority between them in a way that both sides have agreed with.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2844 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 2844, having received the required

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

constitutional majority, is declared passed. On the -- top of page 23 is House Bill 2845. Senator Hawkinson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2845.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. House Bill 2845 adds the Director of the Department of Corrections to the Illinois Law Enforcement Training and {sic} Standards Board. There are currently eighteen members, and the Director would be the nineteenth member. I'm not aware of any opposition and would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 2845 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 2845, having received the required constitutional majority, is declared passed. House Bill 2847. Senator Obama. House Bill 2900. Senator Sullivan. Senator Sullivan? House Bill 2905. Senator Philip. House Bill 2911. House Bill 2914. House Bill 2917. House Bill 2920. House Bill 3014. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3014.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 3014, as amended, is an initiative of our Department of Nuclear Safety. It allows authority for them to cooperate with federal authorities and local governments to effect the cleanup in Ottawa, Illinois, of the radioactive contamination they have there. Also permits them to receive funds from third parties or from trusts or environmental groups to complete the cleanup. It's technical in nature and -- to permit the Department of Nuclear Safety to work on the -- the Ottawa cleanup.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3014 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 3014 having received the required constitutional majority, is declared passed. House Bill 3015. Senator Donahue. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3015.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mrs. -- Madam President. As of January 1st, 2002, service providers who install or service a radiation machine will have to register with the Illinois Department of Nuclear Safety. House Bill 3015 also allows the Department to

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

promulgate the rules to do this registration. And I would ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3015 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 3015, having received the required constitutional majority, is declared passed. House Bill 3024. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3024.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 3024 requires disclosure of the owners or all the beneficial -- beneficiaries of any land trust before the State of Illinois, for airport or correctional use or -- can acquire the land. So it's a disclosure bill. Requires full disclosure of all of the beneficiaries of a land trust or the owners of any real property before the State can effect the acquisition.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3024 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 3024, having received the required

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR WATSON)

...Wendell Jones, for what purpose do you rise, sir?

SENATOR W. JONES:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR W. JONES:

I'd like to introduce some people in the President's Gallery. They just drove down from Palatine, Illinois, from the Prince of Peace Lutheran Church in my district, with Richard Maxwell and his visitors. I'd like to have the Senate...

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Maxwell and your visitors, will you please rise, and we'd like to welcome you to the Illinois Senate. Nice to have you here. House Bill 3055. Senator Woolard. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3055.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woolard.

SENATOR WOOLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What we're dealing with here is reporting to the schools on a child who has been abused and this record traveling with them on a continuing basis. There was an amendment that was put on in the Senate. I think it was a good amendment. It makes this a better bill. It ensures that there shall not be any unfounded charges that remain a part of the record, and they will be expunged if cleared. But this is one of those cases that we could go into

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

some real detail about what happened in my district. There was a young man that was being abused by his stepfather, and when he moved to the new school, there was no reporting records that followed. And in a very short period of time, with no one aware at the new school what was taking place, this young man was killed and placed in a suitcase and left in the home, no one recognizing that there was any problems whatsoever. So this is an important issue. It's something that DCFS is in agreement. I believe that, as amended, it's something that everyone supports. I would...

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? Is there any discussion? If not, the question is, shall House Bill 3055 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 3055, having received the required constitutional majority, is declared passed. House Bill 3065. Senator Peterson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3065.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 3065 provides that the Secretary of State may issue a special restricted license for a period of twelve months to an individual using vision aid arrangements other than standard eye glasses or contact lenses, allowing the operation of a motor vehicle during nighttime hours. Provides the Secretary shall adopt rules

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

defining the terms and conditions by which the individual may -- may obtain and renew this special restricted license. Provides that all drivers must meet minimum requirements, including possession of a valid driver's license, previous operation of a motor vehicle during daylight hours for a period of twelve months using the vision aid arrangements other than standard eye glasses or contact lenses, having a driving record that does not include any traffic accidents, and successfully completed a road test administered during nighttime hours by the Secretary of State's Office. We have surrounding states that also have this provision - Kentucky, Wisconsin, Michigan and Indiana - by special examination or a case-by-case evaluation or by doctor's approval. This is supported by the Secretary of State, and I ask for your support of House Bill 3065.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3065 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 3065, having received the required constitutional majority, is declared passed. House Bill 3068. Senator Lightford. Out of the record. Top of page 24. Top of page 24 is House Bill 3078. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3078.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3078 specifically and clearly states that public records include the dollar amounts of court settlements of public bodies. It exempts suits brought by prisoners. It includes both actual and threatened litigation when there's a settlement. And this is an initiative of the Illinois Press Association, who believe that we need to make it clear that this is public information that should be accessible to people with a FOIA request. I'd be happy to answer questions, or appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, what's the public policy reason for not disclosing terms of prisoner settlements?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It was requested. It -- the amendment was agreed to by the Press Association at the request of the Department of Corrections. They cited hundreds and hundreds of frivolous suits and said that they felt that the way the bill was structured that it would be a burden on them. The agreement to remove correctional prisoner suits from the FOIA was made in the House. I -- I really can't enlighten you anymore than that, 'cause -- I wouldn't think there would be any settlement money -- settlement dollars involved in most of those.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Senator Hawkinson.

SENATOR HAWKINSON:

Well, the frivolous suits would probably just be dismissed without any settlement. So we'd only be talking about that narrow class of suit. Does this exempt prisoner suits in, say, deaths in the county jails?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Only -- the only suits that are exempted are after a prisoner is committed to the Illinois Department of Corrections.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

I'm going to support the bill, but I -- I see no good public policy reason for excluding the terms of settlements in these suits. As a matter of fact, I think they ought to be disclosed.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Rauschenberger, do you wish to close? The question is, shall House Bill 3078 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there's 56 voting Yes, 1 voting No, 1 voting Present. House Bill 3078, having received the required constitutional majority, is declared passed. House Bill 3125. Senator Obama. I beg your pardon. Senator Sullivan. Out of the record. House Bill 3126. Senator Radogno. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3126.

(Secretary reads title of bill)

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This is an initiative of the Department of Public Aid and it simply transfers the health insurance program for persons suffering from AIDS, who are at risk of losing their health insurance coverage, from the Department of Public Aid to the Department of Public Health, who, in reality, actually handles this program right now.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3126 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 3126, having received the required constitutional majority, is declared passed. House Bill 3128. Out of the record. House Bill 3137. Larry Walsh. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3137.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President and Members of the Senate. House Bill 3137 amends the Critical Health Problems and Comprehensive Health Education Act. Provides that the school board of each public elementary and secondary school in the State shall encourage all teachers and other school personnel to acquire,

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

develop and maintain the knowledge and skills necessary to properly administer life-saving techniques, including without limitation the Heimlich maneuver and rescue breathing. I know of no opposition and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3137 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 3137, having received the required constitutional majority, is declared passed. House Bill 3145. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3145.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. House Bill 3145 simply reimburses electors that are chosen every four years. They are an elected official for one day, and they are treated and reimbursed as an elected official, like you or I are when we are in Springfield. That's all it does, and I would ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3145 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 54 voting Yes, 1 voting No,

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

no voting Present. House Bill 3145, having received the required constitutional majority, is declared passed. House Bill 3179. Senator Tom Walsh. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3179.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 3179 amends the Consumer Fraud and Deceptive Business Practices Act. It provides that it is unlawful -- an unlawful practice to sell, market, promote, advertise, or otherwise distribute any card or other device that purports to offer discounts or access to discounts from health care providers in health-related purchases if the card or device does not expressly provide that the discounts are not insurance, the discounts are not specifically authorized by a contract with each health care provider listed in conjunction with the card or device, or the discounts or range of discounts offered are misleading, deceptive or fraudulent. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? Any discussion? If not, the question is, shall House Bill 3179 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 3179, having received the required constitutional majority, is declared passed. House Bill 3188. Out of the record. House Bill 3192. Senator Parker. Out of the record. House Bill 3203. Senator

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Sullivan. Out of the record. House Bill 3217. Senator Donahue.
Senator Donahue? Out of the record. House Bill 3247. Senator
Donahue. Out of the record. House Bill 3262. Senator Cullerton.
Senator Cullerton on the Floor? Out of the record. House Bill
3288. Senator Peterson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3288.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. House
Bill 3288 is a bill from the Department of Revenue. Generally,
the bill corrects five incorrect references to either other
Sections of the Illinois statutes or the Internal Revenue Code.
Eliminates two unnecessary administrative processes that have no
substantive effect. Makes three changes to streamline audit
procedures. And last but not least, it amends the Illinois
Income Tax Act to require withholding on gambling winnings over
two thousand dollars for all winners. It also requires
nonresidents of Illinois to pay taxes on all gambling winnings,
not just Lottery winnings. Currently, if no federal withholding
is required, nonresident gambling winners, other than Lottery
winners, that have no other Illinois income are not required to
file with the -- with Illinois or pay Illinois income tax on their
winnings, and I think they should. Please support me in House Bill
3288.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

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

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Having voted for this bill in committee, since then I've been thinking about it a little bit, and I know this bill's going to fly out of there, but I think we have to keep in mind -- what we're trying to do here is right, and I -- I commend the sponsor for that. My only concern is for those boats that are -- are on the border states with Indiana and Missouri and Iowa. It does put us at a little bit of a -- a competitive disadvantage from people saying, "Well, if I go over there and I -- I hit a -- a big winner. I don't have to pay my fed right then, but I got to pay the State." And it's not a big thing, but it's three percent. And you know, if a guy hits a six-thousand-dollar winner, that's, all of a sudden, some money. And I just don't want to drive away the twenty or thirty-five percent we get of the gross tax of the gaming by virtue of putting a three-percent grab on at that time. I'm not really against the bill. I'm just trying to -- to point out that there are some problems that I see with it from the standpoint of competition, but yet, at the same time, I do see the State's right to -- to collect the money that's due them.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR PETERSON:

Thank you, Mr. President. I understand Senator Jacobs' concern, but I'm sure all those people from Iowa or whatever state that win on the riverboats, they'll be more than happy to pay that three percent when they collect all their winnings. So I ask for your support of this House Bill 3288. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall House Bill 3288 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

voting No, 1 voting Present. House Bill 3288, having received the required constitutional majority, is declared passed. We're moving on to page 25. Top of page 25 is Senator Burzynski, with House Bill 3289. Senator Burzynski? Out of the record. House Bill 3292. Senator Peterson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3292.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 3292 is another initiative of the Department of Revenue. This bill amends the Property Tax Code to delete the requirement that the Illinois Department of Revenue employ a minimum of ten professional appraisers in their Office of Appraisals. Any professional appraisers that are utilized by the Department would have to meet the all -- would have to meet all the appropriate appraiser certification requirements, if any are utilized. I ask for your support of 3292.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3292 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 3292, having received the required constitutional majority, is declared passed. House Bill 3307. Senator Donahue? Senator Donahue on the Floor? Out of the record. House Bill 3314. Senator Radogno? Madam

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3314.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. House Bill 3314 amends the Code of Criminal Procedure to provide that "no contact" orders be entered into the LEAD System. Currently, only orders of protection are entered into that system, so this will make that information available to street-level officers. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3314 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 3314, having received the required constitutional majority, is declared passed. House Bill 3347. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3347.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3347 adjusts the annual fee paid by owners of nuclear

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

reactors to the Department of Safety for the handling of low-level radioactive waste. It establishes five hundred thousand dollars as the benchmark to be in that fund. Provides that, by rule, the Department of Nuclear Safety can assess up to thirty thousand dollars a year in the future for -- to handle low-level waste, if the amount in that fund diminishes. It really kind of reorganizes and repositions for the future this radioactive waste fund that deals with low-level storage and waste disposal. I'd be happy to answer questions. Appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3347 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 55 voting Yes, 1 voting No, no voting Present. House Bill 3347, having received the required constitutional majority, is declared passed. House Bill 3373. Senator Mahar? Senator Mahar on the Floor? Out of the record. House Bill 3426. Out of the record. House Bill 3439. Out of the record. House Bill 3440. Out of the record. House Bill -- 3463. Out of the record. House Bill 3491. Senator Weaver? Out of the record. House Bill 3492. Senator Weaver? Out of the record. House Bill 3493. Senator Weaver. Out of the record. House Bill 3494. Out of the record. Moving on, page 26. Top of page 26 is 3495. Out of the record. And 3574. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3574.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. Be patient, we're getting close to the end. House Bill 3574 removes water slides and water amusement devices from the definition of "amusement ride". The bill also requires for the permit and inspection fee to be paid to the Department of Labor at the time the application for permit to operate is filed with the Department. It allows the Department to issue an order of cessation of operation on an amusement ride or attraction if the ride is in operation before the issuance of the permit to operate or the owner or the operator has not complied with all applicable insurance licenses. The amusement ride will be allowed to resume operation when the necessary corrections have been made. This is an initiative of the Illinois Department of Labor. I ask for your support of House Bill 3574.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Wendell Jones.

SENATOR W. JONES:

A question of the sponsor. Will he yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jones.

SENATOR W. JONES:

Senator, how does this affect water slides that are owned and operated by park districts?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

It would be my understanding they'd still be under the Illinois Department of Public Health.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall House Bill 3574 pass. All those in favor, vote Aye.

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 3574, having received the required constitutional majority, is declared passed. Senator Mahar, for what purpose do you rise, sir?

SENATOR MAHAR:

For the purpose of an announcement. I'd like to change that time. The Environment and Energy Committee will meet at 3:45, in 400.

PRESIDING OFFICER: (SENATOR WATSON)

3:45 for the Environmental -- in Room 400. Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President. I rise for purposes of an announcement.

PRESIDING OFFICER: (SENATOR WATSON)

Proceed.

SENATOR L. MADIGAN:

Thanks. Tonight, COWL, the Conference of Women Legislators, is going to be holding a fund-raiser and some of our colleagues in this room will not only be participating, but will also be honored. So, please come out at 7 o'clock tonight, at the Hilton. Fifty dollars a ticket. Adeline Geo-Karis -- I think we are going to have a special guest appearance by the President of the Senate, but in disguise as another Member of the Senate, will be there. Senator Obama's participating, Senator Ronen is participating, Senator Judy Myers, Senator Kirk Dillard, and Senator Kathy Parker. So please be there tonight for the COWL fund-raiser.

PRESIDING OFFICER: (SENATOR WATSON)

I believe Tom Walsh is also participating, isn't he? Yes, Tom Walsh is participating. ...Cullerton, for what purpose do you

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 15, 2001

rise, sir?

SENATOR CULLERTON:

I just wanted to announce that I'm still negotiating with my agent and the people, and I might be in it, too.

PRESIDING OFFICER: (SENATOR WATSON)

Very good.

SENATOR CULLERTON:

Still working on it. Still working on it. It's a last minute thing. We're going to find out at the dress rehearsal.

PRESIDING OFFICER: (SENATOR WATSON)

We're looking forward to that. Is there any further business to come before the Senate? If not, Senator Sullivan moves that the Senate stand adjourned until 10 a.m., Wednesday, May 16th. See you all at the Hilton. Get your tickets early.