

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

31st Legislative Day

March 23, 1995

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise. Our prayer today will be given by the Reverend Robert McDonald, First United Methodist Church, Watseka, Illinois. Reverend McDonald.

THE REVEREND ROBERT McDONALD:

(Prayer by the Reverend Robert McDonald)

PRESIDENT PHILIP:

Will you please rise for the Pledge of Allegiance, led by Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Tuesday, March 21st and Wednesday, March 22nd, in the year 1995, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Chair will yield to Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Senator Shadid and I are today honored to have with us the back-to-back State Champion and Class AA Basketball Champions from Peoria Manual High School, as well as the cheerleaders. The school is in Senator Shadid's district, and at this point, I will yield the Chair to Senator Shadid.

SENATOR SHADID:

Thank you very much. Mr. President and fellow Senate Members,

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it gives us great pleasure in introducing, once again, the Manual Rams, who won the AA Championship last year and also this year. And they won it this year under Coach Wayne McClain, who's in his freshman year, and let's give the Manual Rams, the cheerleaders and the pom-pon girls a big hand. I'd like to introduce Coach McClain, who will introduce us to the players.

COACH WAYNE McCLAIN:

(Introduction of the Peoria Manual Rams, by Coach McClain)

SENATOR SHADID:

The glare is not bothering you, is it, from my head? Like to introduce you to Val Schifeling, who's going to introduce the cheerleaders and the pom-pon girls.

VAL SCHIFELING:

(Introduces cheerleaders and pom-pon girls)

SENATOR SHADID:

Thank you very much. And I want to thank the Senate for allowing us to do this. And, you know, the young ladies really, really are -- are a big part of this program, and I think we deserve to give them another nice, big round of applause. Thank you.

SENATOR HAWKINSON:

I want to add just one word. Not only are these young athletes tremendous ball players, as is evidenced by the record, but they're great ambassadors for the State of Illinois. I know at least Senator Watson and myself were in Champaign all weekend and watched them win the championship, but I also watched them as young boys and girls came up to them and asked for their autographs, and -- and these young men went out of their way to accommodate those kids who consider them heroes and were most accommodating. Great ambassadors for Peoria and the whole State of Illinois. So, thank you.

PRESIDENT PHILIP:

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Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Hello. Thank you, Mr. President. A point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR DEMUZIO:

We have visiting with us in the gallery today the entire second grade from South School in Carlinville, Illinois, in the gallery behind me. I'd like to have the Senate recognize the second grade from Carlinville, Illinois.

PRESIDENT PHILIP:

Would they please rise and be recognized by the Senate. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR JACOBS:

First of all, before I do, I do want to make mention of the Cub Scout group and the girls that were up in the Republican side of the gallery that gave such an outstanding Pledge of Allegiance. I think we ought to give them a hand. But also at the same time, I'd like to introduce one of East Moline's finest: Bob Scott and his wife, Judy. Please rise.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate. Committee Reports.

SECRETARY HARRY:

Senator Karpziel, Chair of the Committee on Executive, reports Senate Bills 361, 431, 579, 645, 749, 798, 808, 830, 1032, 1033 and 1152 Do Pass; Senate Bills 397, 772 and 1000 Do Pass, as

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Amended; and Senate Joint Resolution 26 Be Adopted; Senate Amendment 1 to Senate Bill 679 Be Adopted.

Senator Raica, Chair of the Committee on Public Health and Welfare, reports Senate Bills 434, 606, 626, 700, 804, 816 and 846 Do Pass; and Senate Bills 616, 689, 746, 758, 811, 905, 991, 1048, 1080 and 1095 Do Pass, as Amended.

Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Bills 533, 611, 613, 725, 810, 831, 869, 1037 and 1085 Do Pass; and Senate Bills 398, 506, 695, 910, 979, 980 and 1143 Do Pass, as Amended.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Bills 574 and 629 Do Pass, as Amended; Senate Joint Resolution 21 Be Adopted, as Amended; and Senate Amendment 2 to Senate Bill 182 Be Approved for Consideration.

Senator Barkhausen, Chair of the Committee on Financial Institutions, reports Senate Bill 433 Do Pass; and Senate Bill 681 Do Pass, as Amended.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bills 204, 703, 843, 985 Do Pass; and Senate Bills 368, 540 and 650 Do Pass, as Amended.

And, Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned to committees: Referred to the Committee on Insurance, Pensions and Licensed Activities - Senate Amendment 2 to Senate Bill 100; Approved for Consideration - Senate Amendment 4 to Senate Bill 326 and Senate Amendment 1 to Senate Bill 989.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution... Senate Joint Resolution 38, offered by Senators Smith, Hawkinson and others.

It's substantive, Mr. President.

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PRESIDENT PHILIP:

Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Thank you, Mr. President. I would like to announce a Republican Caucus immediately in the President's Office. I would suggest that it'll be approximately thirty minutes, so that we would meet back here on the Floor at 1:30.

PRESIDENT PHILIP:

That's always in order. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

I don't see Senator Cullerton on the Floor, but there'll be a Democratic Caucus also for the same period of time in the Minority Leader's Office.

PRESIDENT PHILIP:

If we could get back here by 1:30, we would appreciate it, because we intend to move some bills on 2nd and 3rd Reading. The Senate will stand in recess until 1:30 p.m.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

Senate will come to order. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

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House Bills 2401, 589, 610, 649, 686, 729, 780, 854, 823, 1048, 1511, 1493, 1530, 1650, 1696, 855, 1788, 1798, 1816, 1827, 1853, 1854, 1876, 2138, 2202, 2248, -- or 2339, 513, 539, 583 and 549.

All passed the House, March 22nd, 1995.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson, for what purpose do you arise, sir?

SENATOR WATSON:

Yes, thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR WATSON:

I would like to take this opportunity to introduce a school group who is visiting here today: the Franklin Park Junior High Beta Club, seventh graders from Salem, Illinois, and they are -- Jeanette Wright is their sponsor, and I would like for them to be introduced and welcomed.

PRESIDING OFFICER: (SENATOR MAITLAND)

Would our guests in the gallery please rise and be recognized by the Senate? Welcome to Springfield. Nice to have you here. I'd like to have the -- the Body's attention, please. With us this afternoon... If I could have your attention. We have a very special guest this afternoon I'd like to introduce to you. Her name is Lynn Gaddis, and she is this year's Illinois Teacher of the Year. She is from Armington, Illinois, teaches in the Normal Unit 5 School District, and I'd like to invite Ms. Gaddis to come to the podium and make a few remarks. Ms. Gaddis.

MS. LYNN GADDIS:

(Remarks by Ms. Lynn Gaddis)

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you very -- thank you very much, Lynn. Illinois' Teacher of the Year. Illinois Public Radio requests permission to

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record the proceedings. Is leave granted? Leave is granted.
Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to wit:

Senate Joint Resolution 35, along with House Amendment No. 1.

Passed the House, March 22nd, 1995.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver, for what purpose do you arise, sir?

SENATOR WEAVER:

Thank you, Mr. President. I'd move for the suspension of the rules for the immediate consideration and adoption of Amendment No. 1 to Senate Joint Resolution 35. What this does is add two perfunctory days for the House, and that's all it does. I'd move for the suspension of the rules.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator -- Senator Weaver moves to suspend the rules for the immediate consideration of House Amendment No. 1 to Senate Joint Resolution 35. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. All of those in favor of the House Amendment 1 to Senate Joint Resolution 35, say Aye. Opposed, Nay. The Ayes have it, and the Senate does concur in the House Amendment No. 1. Message from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

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House Joint Resolution 33.

Adopted by the House, March 22nd, 1995. It's substantive.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 113, offered by Senator Cronin <sic>.

(Secretary reads title of bill)

House Bill 182, by Senator Lauzen.

(Secretary reads title of bill)

Senator Dillard offers House Bill 234.

(Secretary reads title of bill)

House Bill 507, by Senator Peterson.

(Secretary reads title of bill)

And House Bill 545, by Senator Cronin.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Ladies and Gentlemen, it is the intent of the Chair to now proceed to the appropriations bill on the Order of Senate Bills 3rd Reading. On that order is Senate Bill 481, on page 8 of today's Calendar. Senator Rauschenberger, are you -- you wish to proceed, sir? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 481.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senate Bill 481 deals with the Department of Children and Family Services and the Department of Public Aid. It appropriates forty million dollars of new GRF from the increased revenue

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estimates to the supplemental needs and programs of the Department of Children and Family Services. It takes into account concerns and expectations from last year's budget agreement, as well as twelve million dollars in additional monies, to deal with increase in additional caseload that the departments faced. It also appropriates thirty -- 32.3 million dollars, plus the federal match, to the Department of Public Aid in a line item dedicated to the old bills of the Department. I'll be happy to take questions on the amendment -- or on the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First, if I could ask a question of the sponsor, if I might.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Carroll.

SENATOR CARROLL:

Chairman Rauschenberger, you have, in fact, established a committee -- a subcommittee, of which I have been appointed, to deal with the issue of what revenues will be available and have set that meeting for the 5th of April, in the afternoon. Might this not be premature, so that we can hold this till we know what revenues are available, after that April 5th meeting?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Carroll, the subcommittee that's going to review revenue is going to deal with revenue estimates for the next fiscal year. The earliest date of this introduction originally, as a supplemental request, goes back several months. Departments are requesting the money as soon as possible. This is one of a two-bill package. I appreciate your concern, but I -- I think it's

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clear enough at this point that the departments need this money and we should take action.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. So that there be no mistake, I have no opposition, obviously, and wholeheartedly support that which we are doing in this bill. My concern really goes to something else. In this bill, the departments, on the money, a couple weeks doesn't matter. It might -- there are many more departments affected by the next bill. And when you deal with the issue of revenue estimates, obviously you have to know where we're at in '95's fiscal year to know where we may be in '96 fiscal year. And I guess my concern is really this: As I look at the revenue estimates of the Governor and the ones we're starting to put together as we go towards an April 5th meeting to see where we're really at, it seems as if there truly is more money available than that which the Governor projected in his Budget Message. Even if you look at the two hundred and ten million that he just found, of that, in the high nineties millions of dollars, he has said let's use towards lapse-period spending. I, as a Member of the Senate, if that number is accurate, am going to recommend instead that that be used to solve the problem in the Downstate Teachers' Retirement System, to bring them either into the State system at a cost of fifty-four million to pay that benefit package, or if not in the State system, to use about sixty-five million dollars to solve that benefit package, and then, likewise, take the balance and instead of using it for the lapse-period, if that number is accurate, again double it and add about another sixty-five million to pay old Medicaid bills. My only concern is - not that this is a bad idea at all; in fact, it's a great idea - is the vehicle we could use if those numbers are accurate April 5th, in order to do

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that yet this fiscal year, and would hope that -- the Chairman would make a vehicle so available so that if those revenue estimates are as we think they are as pronounced by the Governor, that, in fact, we can allocate the sixty-five million or fifty-four million to solve the Downstate Teachers' Retirement System health care issue and allocate another, let's say, thirty-two million dollars matched with another thirty-one million of federal funds, to throw another sixty-five million at old bills now. And would -- would, as a long, rhetorical question, ask Senator Rauschenberger if -- if something like that would be available.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

First, let me say I welcome both Senator Carroll's expertise and his support of this supplemental. I'd remind him that I do think that this is not the only supplemental we can deal with. We -- the intent of dealing with the revenue estimates is to ascertain, to the best of our ability from the public revenue estimates, what level we should be working on, on a budgetary basis. We have lots of vehicles available, and I think your concerns are -- are well-stated, and -- and I would stipulate to them, it's important that we deal with all of those issues. I see this only as a first step. And again, thank you for your comments and -- and your help.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

And on that basis, Mr. President, I would urge our Members to be very supportive of Senate Bill 481. I think it's a step in the right direction.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Further discussion? Further discussion? Senator
Rauschenberger, you wish to close, sir?

SENATOR RAUSCHENBERGER:

I request a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 481 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 481, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, on page 11 is Senate Bill 923. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 923.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senate Bill 923, as amended, is the balance of the supplemental request both of the Executive Branch, the constitutional officers and reflects Senate action. It includes eighty million two hundred and ninety-seven thousand seven hundred dollars in General Revenue funds, and eighty-six million six hundred and eighty thousand dollars in other funds. Correction, please. I'm sorry. Reading off the wrong line. It includes seventeen million twenty-nine thousand five hundred dollars in GRF. Eighty-nine million eight hundred and twenty-five thousand nine hundred dollars in other funds. So you can clearly see why I need Senator Carroll's help.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I rise in opposition to Senate Bill 923. On this Floor this year and years passed, and in Washington today and years passed, we constantly hear the debate about priorities. And yet, when I look at Senate Bill 923, I have to wonder, once again, do we have our priorities in the right order. I doubt that there's one of us in this Chamber that have not been contacted at one time or another about the bills that are late, the bills that are old, the bills that have been unpaid for services provided to this State. Based on today's estimate, we're at 1.3 billion dollars. Even the bonding houses, as we know, turned -- turned our bond grading down once again, in large part because of the debts that keep growing. Senate Bill 923 doesn't begin to address that. And I applaud Senator Rauschenberger and others who tried to address it in Senate Bill 481, but Senate Bill 923 - this essential supplemental - does nothing to pay more bills. It does nothing to address the Teachers' Retirement System, the health insurance that's going to go haywire come June, where Members throughout every corner of this State, except for Cook, have been contacted by hundreds and hundreds of retired teachers who wonder how they're going to have their insurance bills paid once the System runs out of money. Senate Bill 923 does cut the seventy-two million dollars from the Department of Children and Family Services, while all of us know those caseloads have continued to grow. Based on all estimates that we've been given from the administration, the money that was saved in 481 will be needed again to fund the cuts to DCFS outlined in Senate Bill 923. What it does pay is even more concerning. We can't find enough money to commit a single dime in this bill to old bills, but we sure found the money to pay every pay raise in the State of Illinois to the State's constitutional

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officers, legislators, agency heads, judiciary, State's attorneys, and the list goes on. We found enough to fund additional dollars, one, two-million-dollar additional GRF to a veterans' home in Quincy, but we also kept in, in this bill, the six hundred thousand dollars to Anna that even the Governor said was not needed, when he first submitted his supplemental. We find enough money to pay for the transitional costs that both the Comptroller's Office and the Treasurer have said they need. And I would hope, with having served with them both, we know them well and respect them, that they could find those dollars in further efficiency efforts in their offices, similar to the Attorney General has, who has turned down the request for transitional dollars. We find enough money to settle what we hope will be for a final time the border dispute between Illinois and Kentucky. That's important. But is it as important as the dispute that pharmacists and hospitals and long-term care providers are going through in trying to balance their books, when we've failed to pay their bills? When we look at the list of items that we've funded and we compare it to the list of things we've ignored, it would look like this bill -- while it contains some things that all of us could support, it looks like Senate Bill 923 is a bill that takes care of pay raises and bureaucratic pork but does little to meet our long-term debt obligations to the health care providers of the State of Illinois. We've taken care of pay raises and said nothing to the countless downstate teachers. We've cut DCFS, but we've added to a veterans' home in Quincy. We've paid for the border dispute, but we haven't paid a dime toward old bills. I don't see anything in Senate Bill 923 that is worthy of supporting today or worthy of rushing through a supplemental bill through the General Assembly at this time. Instead of putting a hundred million dollars of GRF toward this long list of items contained in Senate Bill 923, it seems to me that we could better put it toward

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paying old bills and capture almost another hundred million to pay off old Medicaid bills, or to remove from the concern of countless downstate teachers whether or not they're going to be able to afford health insurance in June. Mr. President, I think once again our priorities are out of whack, and I would urge a No vote -- No or Present vote on this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

WCIA-Channel 3 requests permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator del Valle. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I, too, am very concerned about this -- this bill, this supplemental appropriations bill, primarily because of what we're doing to DCFS. The Governor's request for the substitute care lines was seventy-two million. We have drastically reduced that amount. Now, I am not aware of any projected decreases in caseloads in the substitute care line. So I really don't understand how it is that we could cut this request by thirty-two million dollars, and I would hope that the sponsor of this bill, in -- in closing, would explain exactly how it is that we are going to be able to deal with our court consent decrees, how it is that we are going to be able to deal with the serious problems plaguing DCFS today - an agency that is in a continuing crisis mode - how is it that we're going to deal with our responsibilities towards DCFS by cutting the Governor's request by such a dramatic amount?

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Cullerton.

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SENATOR CULLERTON:

Senator, I'm interested in one small, little part of this bill. Is there a reduction or a transfer from the Road Fund of 2.6 million dollars? Are -- are we reducing the Road Fund by 2.6 million dollars?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No, we are not reducing the Road Fund. That transfer deals with safety -- the Safety Fund and -- that the federal government has set aside due to -- other compliance issues we have in the State of Illinois.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, you said it -- we're not reducing the Road Fund, but then you referred to a transfer. Are we taking money from the Road Fund - the sacred Road Fund - and putting it somewhere else, thereby reducing the amount of money available for the sacred Road Fund?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, I'm reliably informed that we are not transferring anything out of the Road Fund. It -- it has to do with allocations within the Road Fund.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

I see. So we're -- we're creating a new fund within the Road Fund, or we're taking money from the Road Fund and putting it into a -- we're taking money from within the Road Fund and putting it

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into a Safety Fund. The money -- this 2.6 million dollars that we're transferring - we are transferring 2.6 million dollars - it's coming from a fund which is available to build roads, and now it won't be available to build roads. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

You're correct, but it's not action by this Chamber that determines that. What we're doing is increasing the appropriation authority for the safety funds that the federal government has allocated to us. But it's not action by this Chamber that -- that takes that 2.6 million dollars out of the -- but you are correct in -- in what's happened. That 2.6 million dollars is not available for construction. It's now -- we're giving the appropriation authority so it can be spent for safety. That's -- but my confusion was, that's within the Road Fund, and the sacredness of the Road Fund is something that some of us are confused by. But -- but thank you, Senator Cullerton, for the clarification.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, then I'd be happy to clarify the confusion. Ever since I've been here - seventeen years - whenever there's any move on the Road Fund, certain people get very upset. That's what I -- why I referred to it as sacred. It's not sacred to me, but it's sacred to other people down here. And it is not the action that we're taking today that's causing the depletion of this 2.6 million dollars; it's our inaction. It's our failure to pass a motorcycle helmet law, which is strongly supported by the Governor. And we had a bill in Transportation Committee this year, which didn't even get a motion Do Pass, and the fact is that

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by failing to pass that law - we're one of only three states that hasn't - we are being forced by the federal government to transfer - however phraseology you want to -- want to use - reduce the available monies that would otherwise be available to build roads and bridges, which is sacred to some people in this Chamber.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you. I'd like to ask a question of Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Rauschenberger, could you tell me what the hundred and fifty thousand dollars in transition funds for the Comptroller are going to be spent on?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To a large extent, Senator, those are going to be spent to cover lump-sum payouts that are made on vacation time and sick time that's been accrued by employees of the -- both the Treasurer and the Comptroller's Office, who have decided that with the change in administration, they'd no longer like to work there.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Then these -- these people are leaving voluntarily then I take it, Senator Rauschenberger. Is that true?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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Senator, that's a constitutional office. I -- we really don't get into their employment policies, but I -- I don't know. I think -- but to be quite honest, I think a lot of them, you know, did decide to depart, in part, perhaps, to get their lump sums.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Another question, Senator. In the Treasurer's Office, our analysis shows that the Treasurer has more than doubled the cost of communications staff for that office. Two individuals making sixty-five thousand dollars a year and a third making thirty-five thousand dollars a year. Now, is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, I -- I don't have any specific knowledge as to whether that's correct. It's not part of the supplemental process. We -- we are sending transition money. Her allocation of that money is really outside the purview of the Appropriations Committee. You may very well be correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, the Treasurer is asking for a hundred and fifty thousand dollars in transition money, and had the Treasurer not hired three people, and kept the budget where it was, that would make up more than half of the transition money she is requesting. That was the point I was trying to make. In addition, Senator, have you asked the constitutional officers or the State Police how much additional money is being spent for bodyguards for statewide officeholders this coming year?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Welch, no, I haven't. It isn't really a supplemental issue, but you're welcome to attend the Appropriation hearings when we have the constitutional officers and ask them about their next year's budget, as well as the State Police. But it's not a supplemental process.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

But my point, Senator Rauschenberger, is this: That those officials who are constitutional officers could save the money if they wanted to. Number one, when we had Terry Gainer before the Executive Appointments Committee, I asked him if the budgets for bodyguards was going up or down. He said that it's going up by over fifteen percent for the coming year. More -- more bodyguards are being used by constitutional officials, and as you know, we have more bodyguards in the State than I think any other state in the union. We have bodyguards assigned to people who people don't know who they are. They -- and they have a bodyguard because they're in statewide office. The past constitutional officers, some of them turned down those bodyguards. I think that was a good example that should be followed. But that money is being taken out of State coffers. In addition, we've got three media people working for the Treasurer's Office. Why do they need such great communications staff down there? It could be handled before for half the cost, and they did just as well. It seems to me these constitutional officials are coming to us asking for money that we shouldn't give them. So, at a time when we don't have very much money, we're turning down other good projects because we don't have the money, and then we're throwing money away where it could be saved. And each of these officials who ran who are

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requesting supplemental appropriations, campaigned on the idea that they were going to save money out of their budgets. And I'd point out a third constitutional officer, one, Attorney General Ryan turned down any transitional money. It's funny that he could save money on the transition, but the two officials who ran for money-spending positions couldn't. Maybe they should listen to Jim Ryan and -- and get some tips on how to save money in the transition.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Unlike the last piece of legislation, this legislation, I think, is a bad idea. Senator Severns has touched upon the issue, and I'd like to just amplify it a little bit. Where my concern is is in the spending cut to the Department of Children and Family Services. And make no mistake about it: Senate Bill 923 is a cut, a cut of thirty-two million dollars net in spending for foster care, in either a relative setting, a non-relative setting, an institution setting, a group-home setting, or for purchase of adoption services. Governor had proposed, I'm sure after much discussion at the bureau, that the Department of Children and Family Services, based on its actual caseload, needed another seventy-two million dollars for these services - foster care, adoption - to get through Fiscal '95, between now and June 30. This amendment says thirty-two million of those bills will go unpaid forever, unlike Public Aid, unlike what we did in Senate Bill 481. Public Aid, you can pay this year's charges, expenses, with next year's money. You cannot do that with the Department of Children and Family Services. So who are we stiffing, to use the vernacular, by this legislation? Those who give adoption care, those who give foster care. They will be providing the service

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between now and June 30th of this year, and thirty-two million dollars to those people at two fifty, three fifty, four hundred a month, will go unpaid forever. You cannot go to the Court of Claims, 'cause there will be no appropriation that just lapsed. The appropriation authority will be gone. You cannot pay it next year, because this is not what we call one of those Section 25 departments that allow you to pay next year's -- this year's bills out of next year's money. So all we are doing, unlike -- we don't like what we're doing with hospitals and nursing homes and pharmacies by making them wait for their money, here we're saying, "Provide the foster care, but we're not going to pay you the three fifty-eight a month or whatever the figure is. Thirty-two million dollars of you will go totally uncompensated forever." And I think that is wrong.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Thank you very much, Mr. President. I think a couple of things that are important to point out as I close is that this -- this supplemental, as well as the budget that we're going to be dealing with over the next few months, is about commitments. It's about commitments we make and the substantive committee work we do in this Chamber. It's about the bills we pass. There's a great deal in this supplemental that deals with action by this General Assembly through other committees. I welcome the other committees' interests and the kind of decision making that they make, all the way from Senator Dunn's bill yesterday through the actions we took on the Compensation Review Board. This supplemental does, in fact, pay bills. Any -- any allusion that it doesn't pay bills is a mistake. This supplemental pays bills that deal with flood relief, that deal with Pell grants for

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students, that deal with community care for aging. As far as the -- the transitional costs, let me remind you that for the constitutional officers, most of those transitional costs go to make lump-sum payouts. How they reallocate the money is their business, but that's from reduction and people leaving head count. I'm sure Senator Maitland would welcome support of his bill which deals with the lump-summing of -- of vacation and sick time. I think to the issue of TRFs, we need to give Senator Madigan and his Pensions and Licensed Activities Committee time to deal with that issue and to come up with a solution that we can deal with. I think we're all very concerned. Those aren't just downstate retired teachers; those are suburban retired teachers. Those are retired teachers from all over the State of Illinois, and we, like you, are very concerned about that, but this supplemental is not the place to address that. To the Department of Children and Family Services, both these two bills together represent a 9.25 percent increase in the 1995 appropriated levels. That's not a decrease. It's the first time I've ever seen a forty-million-dollar supplemental dealt with as a decrease. As to the solution to DCFS, I welcome the interest of the Public Health Committee. I welcome the interest of the Members of this Body. We need a substantive solution to the problems at DCFS, but to be quite honest with you, it's not an appropriation process. The appropriation process is allocating spending authority. The decision making on DCFS needs to be referred to the Public Health Committee and -- and Senator Bob Raica's people. As to bodyguards, those are decisions made by the constitutional officers. Those constitutional officers are elected by the people. The voters made those decisions, not your appropriation committees. At any rate, I certainly welcome the interests of Senator Carroll and Senator Severns' concerns. I would request a favorable roll call.

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PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 923 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Yeas, 12 Nays, 12 voting Present. Senate Bill 923, having received the required constitutional majority, is declared passed. ...(microphone cutoff)...yield to Senator Mahar, who has a group of special young people to introduce to the Senate.

SENATOR MAHAR:

Thank you, Madam President. It's my pleasure and -- as well as Senator DeAngelis', to introduce to this Chamber the Class 6A High School Football champs, from Homewood-Flossmoor High School, whose families reside in both of our districts. I would hope you would join me in welcoming them to Springfield. I would like to introduce their coach, John Wrenn.

COACH JOHN WRENN:

(Introduces Homewood-Flossmoor High School coaching staff)

PRESIDING OFFICER: (SENATOR DONAHUE)

We will now go to Executive Session for the purpose of advice and consent. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of January 31, 1995, reported the same back with the following recommendations that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you, Madam President. I move the Senate resolve itself into Executive Session for purpose of acting on the

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Governor's appointments set forth in his Message of January 31st, 1995. Madam President, with respect to the Governor's Message of January 31st, 1995, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Board of Regents for a term ending January 15th, the year 2001, Gretchen Winter of Chicago.

To be a member of the Board of Higher Education for a term ending January 13th, 2001, Ramon Martinez, Jr. of Evanston.

Madam President, having read the unsalaried appointments, I now seeks leave to consider these appointments on a roll call. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? 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. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's Message of February 10th, 1995, I'll read the unsalaried -- the salaried appointments to which the Senate Committee on...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski, excuse me. Mr. Secretary, would you please read the report.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive

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Appointments, to which was referred the Governor's Message of February 10th, 1995, reported the same back with the following recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's Message on February 10th, 1995, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of the Department of Central Management Services for a term ending January 20th, 1997, Michael Schwartz of Springfield.

To be the Director of the Department of Public Aid for a term ending January 20th, 1997, Robert Wright of Springfield.

Madam President, having read the salaried appointments, I now seek leave to consider these appointments on a roll call. And, Madam President, will you please put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's

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Message of February 10th, 1995, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Board of Aeronautical Advisors for a term ending January 20th, 1997, J. Paul Beitler of Winnetka.

To be a member of the Board of Agricultural Advisors for a term ending January 20th, 1997, David Rolf of Springfield.

To be members of the Board of Trustees of the Historic Preservation Agency for terms ending January 20th, 1997, Samuel Lilly of Downers Grove, and Carol Stein of Glencoe.

To be a member of the Board of Regents for a term ending January 15th, 2001, Myron Siegal of Deerfield.

To be members of the State Soil and Water Conservation Advisory Board for terms ending January 17th, 1999, Roger Dunham of New Salem, and Eldora Zimmerman of Durand.

To be members of the Southern Illinois University Board of Trustees for terms ending January 15th, 2001, Molly D'Esposito of Winnetka, William Norwood of Rolling Meadows, and Harris Rowe of Jacksonville.

To be a member of the Will-Kankakee Regional Development Authority for a term ending January 19th, 1998, Evan Roberts of Peotone.

Madam President, having read the unsalaried appointments, I now seek leave to consider these appointments on a roll call. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 58 Ayes, no Nays, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Palmer, for what purpose do you rise?

SENATOR PALMER:

Thank you, Madam President. A question about addendum A. I'm just wondering, and I couldn't hear, on the January 31st Message, I see that Mr. Odie Washington is on here. Are -- these people on this page, this is -- we're not being offered this list for a vote today, and I was wondering, are they going to come up at some time soon?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski, can you answer that question?

SENATOR BURZYNSKI:

Yes, thank you, Madam President. Yes, they will very soon. These are some appointments that needed to be made because of some committee meetings that are being held, some board meetings that are being held while we're on break in the next three weeks.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Madam President, I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DONAHUE)

You've heard the motion. Those in favor, say Aye. Opposed, Nay. The motion carries. On page 2 of the Calendar today is the Order of Senate Bills 2nd Reading. I would advise each and every Member to move your bills. It will be in your best interest. Senator Klemm, on Senate Bill 62? Senator Raica, on Senate Bill 64? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 64.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Peterson, on Senate Bill 133? Senator Peterson, on 134? Senator Garcia, on Senate Bill 147? Senator Hasara, on Senate Bill 192. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 192.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Ralph Dunn, on Senate Bill 263? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 263.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Hendon, on Senate Bill 283? Read the

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bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 283.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator O'Malley, on Senate Bill 284. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 284.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Sieben, on Senate Bill 336. Senator Sieben, 337. Senator Barkhausen, on Senate Bill 354? 355? Senator Woodyard, on Senate Bill 448? Senator Sieben, on -- Senator Sieben, on Senate Bill 458. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 458.

(Secretary reads title of bill)

2nd Reading of the bill. The State Committee -- or the Committee on State Government Operations adopted Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Peterson, on Senate Bill 472. Senator Hasara, on Senate Bill 507. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 507.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Fawell, on Senate Bill 539. Senator Fitzgerald, on 635? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 635.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hasara, on Senate Bill 640. 3rd Reading, for Senate Bill 635. Senator Hasara, on Senate Bill 640. Senator Thomas Dunn, on Senate Bill 664. Senator Woodyard, on Senate Bill... Senator Woodyard, on Senate Bill 728. Mr. Secretary -- no. It has a fiscal note, Senator. Do you want -- do you wish to call Senate Bill 728? Senator Lauzen, on Senate Bill 760. Senator Maitland, on Senate Bill 761. Senator Barkhausen, on -- Senate Bill 774. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 774.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Hawkinson, on Senate Bill 782. Senator Syverson, on Senate Bill 821. Senator Klemm, on Senate Bill 822. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 822.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on -- Senate Bill 836. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 836.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Viverito, on Senate Bill 932. Read the bill, Mr. Secretary. Senator Viverito, can I hold you just a second? Senator O'Malley, on Senate Bill 866. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 866.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now Senator Viverito, on Senate Bill 932. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 932.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Barkhausen, on Senate Bill 934. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 934.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator O'Malley, on Senate Bill 940. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 940.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Sieben, on -- Senate Bill 942. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 942.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator O'Malley, on Senate Bill 943. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 943.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dudycz, on Senate Bill 947. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 947.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Klemm, on Senate Bill 948. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 948.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Klemm, on 956. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 956.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Watson, on Senate Bill 958. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 958..

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Molaro, on Senate Bill 974. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 974.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Molaro, on Senate Bill 983. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 983.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Berman, on 989. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 989.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman, to explain the amendment.

SENATOR BERMAN:

Thank you, Madam President. Amendment No. 1 is a technical amendment. It strikes the previous preamble language and substitutes more -- more clear language in the preamble. The substantive language is not changed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator moves the adoption of the Amendment No. 1 to Senate Bill 989. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other -- further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Lauzen, on Senate Bill 995. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 995.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator O'Malley, on 1007? Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 1007.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

There been any Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Philip, on Senate Bill 1015. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1015.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Watson, on Senate Bill 1018. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1018.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Cronin, on Senate Bill 1019. Senator Cronin. Senator Fawell, on Senate Bill 1026. Senator Klemm, on

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Senate Bill 1066. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1066.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Severns, on Senate Bill 1096. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1096.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Rea. Senate Bill 1111? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1111.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

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3rd Reading. Senator Dillard, on Senate -- sorry. Senator Lauzen, on Senate Bill 1149. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1149.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Lauzen, on Senate Bill 1150. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1150.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Fawell, on Senate Bill 1154? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1154.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Rea, on Senate Bill 1193? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1193.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Hasara, on Senate Bill 1204. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1204.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Thomas Walsh, on 1211. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1211.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Garcia, on Senate Bill 147. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 147.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. On page 6 of the Calendar today is the Order of Senate Bills 3rd Reading. The intent of the Chair is to begin on Senate Bill 235, where we concluded yesterday. Senator Parker, on Senate Bill 235. Read the bill, Madam Secretary.

END OF TAPE

TAPE 2

ACTING SECRETARY HAWKER:

...(machine cutoff)...235.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 235 makes a correction in the RTA Act that was the result of a legislative oversight several years ago. It's very simple. It reduces the statute of limitations for filing suits under the RTA Act from two years to one year. In 1986 all units of local government were granted one-year statute of limitations under the Local Government and Governmental Employees Tort Immunity Act. The CTA has that limitation. This bill simply addresses the oversight and provides the RTA, Metra and Pace with the same protection now provided the CTA and every other unit of local government.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Senator Molaro.

SENATOR MOLARO:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll -- she'll yield, Senator Molaro.

SENATOR MOLARO:

Do you -- the term that you used, "oversight", how can this be an oversight -- usually when these committee meets and if you said we did it across the board, how could the RTA have been missed?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

The -- the assumption is from the organizations that they are hopeful it was an oversight, because the CTA has been included, and because they are -- the RTA, Pace and Metra are local units of government and they should have been included also.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Any further discussion? Seeing none, the question is, shall Senate Bill 235 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 3 voting Present. On -- Senate Bill 235, having received the required constitutional majority, is declared passed. Senator Geo-Karis, on Senate Bill 239. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 239.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

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SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, this bill amends the Counties Code and the Unified Code of Corrections to allow a county to have a boot camp program for eligible inmates incarcerated in a county jail. Sets out the minimum requirements. At the present time Cook County can do it, but the other counties don't have the right as yet. And what the -- the county board must approve and fund the program, and -- can be used to ease overcrowding in the county jail by allowing low-end felony offenders to serve their sentence, and I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 239 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 239, having received the required constitutional majority, is declared passed. Senator Dudycz, on Senate Bill 245. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 245.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Read the bill, Madam Secretary -- or, Mr. Dudycz. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senate Bill 245 amends the Illinois Public Labor Relations Act and the Illinois Educational Labor Relations Act to transfer peace officers employed by the State universities from the Illinois Educational Labor Relations

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Act to the Illinois Public Labor Relations Act. This was introduced at the request of the Fraternal Order of Police. Currently, the police officers that are employed by the State universities for collective bargaining purposes are covered by the Illinois Educational Labor Relations Act, and Senate Bill 245 would transfer them to the Illinois Public Labor Relations Act. The Legislature made a similar change with regard to the university-employed firefighters in 1993. This is -- the police officers feel that it would be fair for the university police to be part of the Illinois -- the Illinois Public Labor Relations Act. All other police officers are covered under this, as -- as well as the fact that those employees that are covered under the Illinois Educational Labor Relations Act do have a strike clause and police officers who are covered under the Illinois Public Labor Relations Act have a no-strike clause. And I would seek your support on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. I have some concerns, Senator Dudycz, on this transfer. There is a good bit of difference between police officers' activities in and around the State-supported universities than those working for municipalities. I don't know whether it's a wise idea to put them all under the same Labor Relations Board. I know of no problems that they've had under the Educational Labor Relations Board, but -- but I do have some reservations and some of the institutions of higher learning have -- have some concerns about making this change.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Ralph Dunn.

SENATOR R. DUNN:

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Thank you, Madam President. I, too, have some concern about it. Southern Illinois University had looked at it and they haven't really found out whether it'd be a good thing for the university and the members of the -- of the police down there or not. We haven't heard from them, and -- and I -- I, too, am opposed to the bill for right now.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Further discussion? Seeing none, Senator Dudycz, to close.

SENATOR DUDYCZ:

Yes. Thank you, Madam President. Just briefly, there -- there is no known problem currently within the system. The law enforcement community does -- would like to have the police officers transferred under the Public Labor Relations Act because they are, by law, peace officers and for the public's purposes they would have a no-strike clause, which they do not have that currently. And I would just seek everybody's support.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 245 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 19 Nays, none voting Present. Senate Bill 245, having received the required constitutional majority, is declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you. Could we get the air conditioning turned down a little bit. There are a lot of people complaining it's too -- too cold in here.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz, on Senate Bill 246. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 246.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senate Bill 246 amends the Public Labor Relations Act to provide that proceedings before an arbitration panel are deemed pending before the arbitration panel upon the initiation of the arbitration procedure for the purpose of prohibiting changes in conditions of employment without the other party's consent. I just read that. I'm told that that's a technical clarification of the law, and there is no known opposition to this bill, and I would ask everybody's support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 246 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. Senate Bill 246, having received the required constitutional majority, is declared passed. Senator Maitland, on Senate Bill 253? Senator Geo-Karis, on Senate Bill 269. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 269.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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Madam President and Ladies and Gentlemen of the Senate, this bill stipulates that public institutions of higher learning may grant -- higher education may grant, in addition to such events previously authorized by the Board of Higher Education, tuition waivers in the amount not to exceed one percent of all tuition income. It's a "may" bill, and the rationale for it is that there'll be fewer lawsuits against State universities for noncompliance, no cuts in men's programs, and makes more opportunities available to women, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 269 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 2 Nays, none voting Present. Senate Bill 269, having received the required constitutional majority, is declared passed. Senator Berman, on Senate Bill 273. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 273.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. This bill amends the State Employees Group Insurance Act to allow the maximum amount of dependent coverage to be increased from two thousand dollars to five thousand dollars. The cost is nominal. It'll be borne by the person who's taking out the insurance, and the two-thousand-dollar level was created many, many years ago and it's really inadequate to address the needs for a basic life

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insurance policy. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 273 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 273, having received the required constitutional majority, is declared passed. Senator Karpziel, on Senate Bill 275. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 275.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Senate Bill 275 provides that no regulation or ordinance of a Water Authority shall be applicable to a public utility which is under the direction of the Illinois Commerce Commission unless the Commission, after a hearing, enters an order approving the applicability of the regulation or ordinance. This bill responds to the concerns that public water authorities could be created and then pass rules that would prohibit or restrict a utility from developing additional water supplies or from exporting water outside of the Authority's limits, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is -- whoa. Senator Woodyard. Excuse me.

SENATOR WOODYARD:

I'm sorry. Thank you, Madam President. And I reluctantly

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have to rise in opposition to this particular bill. This issue is a very, very controversial issue in -- in my district in Vermilion County, in which a -- a privately owned water company is trying to drill wells upstream to use the water for Lake Vermilion to reduce the contamination and nitrate levels, and the people in those townships in which the wells would be drilled are in the process of forming their own water company. They don't want to -- to have to allow the private water company to drill those wells. My hope was that at some point in time - we've started the process already in Conservation 2000 - to develop a cohesive, consistent water policy in this State. And I just feel that I have to oppose this bill at this point in time, with the hope that we will get some kind of a statewide water policy. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Senator Karpel, to close.

SENATOR KARPIEL:

Thank you. This bill does not eliminate the ability of a Water Authority to form or to regulate water supplies within its area. It does, however, provide a formal public process for all parties affected by regulation of a water authority to have input - input before the Illinois Commerce Commission. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 275 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 2 Nays, none voting Present. Senate Bill 275, having received the required constitutional majority, is declared passed. Senator Shaw, on Senate Bill 277. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 277.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Senate Bill 277 makes the fourth Monday in April a -- a commemorative holiday for Native Americans. That's all the bill does.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

Could I add Halloween to this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is -- well, you've got to be quicker, fellows. Senator Syverson.

SENATOR SYVERSON:

Thank you. A question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Syverson.

SENATOR SYVERSON:

In making this a holiday, is this -- does this give it a legal holiday with days off of school, and closing of banks?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

No, it did not -- it does not. It just -- it's just a commemorative holiday. No banks are closed. No schools are out. None of that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Senator Shaw, to close.

SENATOR SHAW:

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I just ask for Aye vote on the Bill 277.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 277 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 3 Nays, none voting Present. Senate Bill 277, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on Senate Bill 293. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 293.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR WALSH:

Thank you, Madam President. Senate Bill 293 creates the Mental Health Treatment Preference Act <sic>. This allows mentally capable persons to make a declaration of preferences or instructions regarding any future mental health treatment. Permits the principal to appoint an attorney-in-fact to make mental health treatment decisions when the principal has been determined to be incapable. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 293 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 293, having received the required constitutional majority, is declared passed. Senator Watson, on Senate Bill 299. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 299.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. This comes from the Department of Conservation and it's primarily a Legislative Reference Bureau cleanup. It contains the language that was originally intended to be in the recodification of Chapter 56. However, these changes were not in the recodification bill because the changes were substantive. I know of no opposition. Passed out of committee on a unanimous vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 299 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 299, having received the required constitutional majority, is declared passed. Senator Hasara, on Senate Bill 301. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 301.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hasara.

SENATOR HASARA:

Thank you, Madam Chairman. Senate Bill 301 clarifies the language for military leave of -- leaves of absence. It's simply

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a clarification in the bill. We have two kinds of military leaves, and this bill's simply clarifying it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 301 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 301, having received the required constitutional majority, is declared passed. Senator Petka, on Senate Bill 303. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 303.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President, Members of the Senate. This bill was requested by the Prisoner Review Board of the State of Illinois. The -- the bill simply states that when executive clemency petitions are filed and denied, that a new petition for executive clemency cannot be refiled within one year, unless certain circumstances are present, those being significant additional information or if there are compelling humanitarian -- humanitarian reasons for the petition. The bill came out unanimously from the Judiciary Committee. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 303 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 303, having received the required constitutional majority, is declared passed. Senator Peterson, on Senate Bill 315. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 315.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President and Members of the Senate. Senate Bill 315 is an initiative of the State Board of Elections. It does four things: It increases the filing threshold to two thousand dollars from the current one thousand dollars for political committees and candidates; it requires newly created political committees to file a statement of organization within ten business days, except any committee created within thirty days of an election shall do so within five business days; it requires the State Board of Election to render a final decision of a complaint within sixty days of receipt of such complaint, except when the complaint is filed during the sixty days preceding an election; and last, it requires the treasurer of a political committee to notify another political committee within five business days that an in-kind contribution has been paid or donated on their behalf.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

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

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PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hendon.

SENATOR HENDON:

On the fourth point, Senator Peterson, the treasurer would have to notify another political committee. Is that someone that's in opposition -- or they're running against, or -- I'm not clear on that part.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

That would be if I wanted to -- my political committee wanted to support your political committee and I did an in-kind contribution. My treasurer would have to notify yours within five days so you knew what the value of that in-kind contribution was.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Lauzen.

SENATOR LAUZEN:

The -- I think that the second thing that you mentioned is that the -- it's the delivery to the State Board of Elections, as opposed to postmark will no longer be a factor. Is that accurate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

That's not contained in this bill, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Senator Peterson, to close.

SENATOR PETERSON:

Thank you. I think it's been pretty well explained, and I

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would appreciate your favorable vote for Senate Bill 315.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 315 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 315, having received the required constitutional majority, is declared passed. Senator Syverson, do you wish to return to 2nd Reading Senate Bill 326? Senator Syverson seeks leave of the Body to return Senate Bill 326 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 326. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

I'd like to table Amendment No. 3.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson has moved to table Amendment No. 3 to Senate Bill 326. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is tabled. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 4, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, on Amendment No. 4.

SENATOR SYVERSON:

Amendment No. 4 is just a technical amendment to the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and Senate Amendment No. 4 to Senate Bill 326 is adopted. Are there any further Floor amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 326. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 326.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President and Members of the Senate. Senate Bill 326 brings tax caps statewide. What this bill does and what's different from the original tax cap bills, which were in place in 1991, and what we passed earlier this year for Cook County, is it brings tax caps statewide, but only by front-door referendum by county board initiative. There are many areas of downstate counties, especially where I come from, where tax caps are -- where property taxes are exceeding at such an extreme rate that something needs to be done. We believe that this legislation will help address those downstate counties that are suffering from that, but also will allow those counties that are -- that do not have that problem to be excluded from this legislation. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, as I'm reading the index here, it states that, "Provides that any taxing district (now, a park district) may issue general obligation bonds without a direct referendum." Are you now allowing municipalities and other entities to pass bond issues without referendum?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

This just -- this allows them to continue to bond, but requires that they stay under the cap.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

I understand that, Senator, and -- and that part, you know, I -- I can probably concur with, but again, as I read it, we are now allowing municipalities and/or taxing districts to issue general obligation bonds without a direct referendum. That is not the case under current law, with the exception of one-half of one percent of the assessed valuation. This, as I read it, appears to do away with referendums for the issuance of bond issues.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

No, this only allows them to bond up to the limit that they had before and only on the authority that they had before. It does not expand or give them any additional over what they had before.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Well, without looking at what the forest preserves had before, 'cause I'm not aware of what the forest preserves had before, we are going to allow municipalities to do what the downstate preserve -- or, reserve districts were able to do before. I don't know what that was. Can you tell me what that was?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Not sure if I understand your question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

As I read it, it is saying that only a park district now can do what you are allowing other taxing bodies to do. Can you explain to me what the limit is on park districts now that they can do without a referendum?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

If they have non-referendum authority now, this allows them to keep that, as long as they stay under the cap.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

I understand what you're saying as to what you're doing with the tax cap. My question is, however, is currently municipalities, other political entities, cannot tax without a referendum on a general bond issue, with exception of one-half of one percent. It's my understanding that park districts really

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have no limit as to what they can tax without a -- a referendum. Whenever I read this, we are giving municipalities that same authority.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

They will still be subject to statutory rate limits.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

I understand that, Senator. And maybe I'm not stating my question right. But as I read it, what we are doing now is moving other taxing districts out of their normal referendum process and their general obligation bond process, and allowing them to go to the limit, as they were a park district, and if the park district is unlimited, now we are saying -- and we're giving other municipalities that same authority, now we are saying that municipalities, counties, can tax unlimited without referendum.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

There's no unlimited authority in this legislation. I'm not sure where -- where you're reading that in. They are still going to be required to stay under the cap.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

And I -- apologize that I don't have the bill in front of me, but I do have the index in front of me, and I'm reading from the index, which I assume is part of the legislation, which says - put my glasses on here - again that, "Provides that any taxing district (now, a park district) may issue general obligation bonds

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without a direct referendum." What does that sentence mean?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

This strictly clarifies their ability to limit -- to limited tax issues.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

According to Senate Amendment 1 is that -- first of all, is that still in the bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

According to Senate Bill -- Amendment No. 1, it provides that a county or taxing district is eligible for a referendum only if it is -- only if its equalized assessed value is at or above the 1983 equalized assessed value, and it provides that the referendum is initiated by ordinance or resolution of the governing body, rather than by petition of the electors. Now, I would like to know, if there is a referendum required, if you're going to issue the general obligation bonds.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

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SENATOR SYVERSON:

I think the language you're looking to has to do with the -- first of all, it has to do with the 1983 EAV. We're talking about excluding those counties who have not hit the 1983 EAV, which excludes all but thirty-nine counties. Is that the...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Are you telling me, then, that my County of Lake would not be bound by your bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

It's my understanding that Lake already has the caps.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

That's true, but I think the question that everyone wants to know if -- from what I understand from the Senator on the other side, is whether or not you have to have a referendum of the people if you're going to have general obligation bonds increased. That's my question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Yes. If you don't have -- if you don't have non-referendum authority, then, yes, they would have to have a referendum.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator, if you have a school district, like a community college, that transcends a couple of counties and one county votes for the caps and another county doesn't, what effect does that have?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

As I think was addressed in Amendment No. 4, for those taxing districts that go over county lines or extend into more than one county, only that taxing district's board has the ability to put that question to a referendum of all the taxing -- of those counties or those taxpayers who would be included in that taxing district.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

So the school board or the community college board could request the county clerk to have an election, or put on the election ballot a cap in another county that may not qualify under the equalized assessed valuation limits that you were speaking to in this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

If the -- if, for example, the school -- school district wanted to, if it was over county lines, then only the school board could put that on, on the county that had the -- the majority of that taxing district. ... (microphone) ... On all -- it would be on all -- it'd be in both or all three counties - the taxpayers that are affected by that - it would be placed on the referendum, but

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only, again -- only can be put on by the school board itself, not by citizen initiative or county board.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- Senator Welch.

SENATOR WELCH:

So, your bill applies to thirty-nine counties. If you have a county that's not one of those thirty-nine, but it's in a community college district or a -- or another school district that overlaps, that county - not being one of thirty-nine - could still be subject to a cap?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

If the taxing district itself is above the '83 level, then it could also be included in that referendum.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

What are the -- what's the time frame on this? When does it -- when would the county board be voting on a resolution? When would it be on the ballot, and when would the cap go into effect?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

It would be the next general election if the county board of the taxing district chose to put it on for that -- for the next general election.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Can this only be voted on at a general election, or could it be voted on at a special election, a municipal election? Can it

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only be the November general?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

It's my understanding it'd only be general election.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

As I read the bill originally, the bill allowed -- before amendment, the bill allowed a voter-initiated referendum to decide whether there should be a tax cap. That's been changed so that the only time that a downstate county will have the opportunity to decide by referendum whether they want a tax cap is by resolution of the county board. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

That's correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Why did you shift the initiative from the voters to the county board?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

For a couple reasons. One is because I think it could help expedite it. It brings the control -- county government is one of

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the most accessible layers of government that taxpayers have. It's something that they would not have to go out and get all the signatures, having the taxing districts then question those signatures. It can be done much quicker and much cleaner by just having them petition their county board to pass a resolution. The county boards that I've talked to - at least those that I represent - have strongly supported this and fully intend on passing that -- that resolution, which would actually mean things could be done, I think, quicker and cleaner, and plus it makes the county board more accountable to the taxpayers, as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Madam President. I would just -- I -- I -- while I applaud Senator Syverson's efforts to bring some tax relief to downstate communities, I just want to remind those Senators from areas which currently have tax caps that this bill weakens and waters down the tax cap, and particularly the one which we just passed for Cook County, because that makes an exception for park district non-referendum bonds and also for the Metropolitan Water Reclamation District of Greater Chicago, and for that reason, I can't support it. Thanks.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. I guess a question of the sponsor, if I would, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

I think that Senator Welch kind of touched on this, but I want to make sure that I got the -- the response perfectly clear. If I

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-- now Marion County is not on the list. Clinton County is on it. We have -- the City of Centralia, it presides in both counties; the school district is in both counties; the community college district is in both counties. Now, from what I understand, that the City of Centralia, the school district in Centralia and the community college will have to initiate if there, in fact, is to be a referendum on the cap, and you answer yes. Now, Marion County is not on the list of counties eligible. Will we, then, be putting a cap on a county -- or on a taxing district that is not on the eligible list?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

That's correct. Just those taxing districts only. So it would not be a -- on other taxing districts. But for that city, that school district, those residents in that county that is not on the list would have the opportunity to vote on that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Madam President. I may have a conflict of interest on this bill. I intend to vote my conscience.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Further discussion? Senator Syverson, to close.

SENATOR SYVERSON:

In 1991 tax caps were passed in the collar counties, and a recent Sun-Times article said that taxpayers have saved over three hundred million dollars. This year we brought tax caps to Cook County, yet there are other areas of the State that are suffering far worse than even Cook County. In a recent real estate magazine, Real Estate Business talked about some of the

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highest-taxed cities in the -- in the country, and in there they list Lansing, Michigan; Syracuse, New York; and Rockford, Illinois as some of the highest-taxed cities in the country. There are many downstate cities that are suffering and communities that are suffering and need this kind of a relief, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 326 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 8 Nays, 4 voting Present. Senate Bill 326, having received the required constitutional majority, is declared passed. Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

Thank you, Madam President. Purposes of an announcement. The Judiciary Committee of the Senate will convene immediately upon the adjournment of the Senate this afternoon in Room 400. If we get up there right away, I think we may be able to conclude our business hopefully without too long a hearing today.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 150, offered by Senator Klemm.

(Secretary reads title of bill)

Senate -- pardon me, House Bill 197, offered by Senator Raica.

(Secretary reads title of bill)

House Bill 309, offered by Senator Smith.

(Secretary reads title of bill)

House Bill 413, offered by Senator Madigan.

(Secretary reads title of bill)

House Bill 513, offered by Senator Karpziel.

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(Secretary reads title of bill)

And House Bill 539, offered by Senator Fawell.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, earlier Senator Donahue was in the Chair, and wishes to move Senate Bill 972 on page 4. With leave of the Body. Leave is granted. On the Order of 2nd Reading is House <sic> Bill 972. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 972.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Any further business to come before the Senate? If not, Senator Hasara moves that the Senate stand adjourned until 9 a.m., Friday, March 24th. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Any idea how long we might be here tomorrow?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, we don't know for sure. Let -- let us give you a call. I apologize.

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