

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

35th Legislative Day

April 20, 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 Gregory L. Carlson, senior pastor at Faith Wesleyan Episcopal Church, chaplain of the Winnebago County Sheriff's Department, Rockford, Illinois. Reverend Carlson.

REVEREND GREGORY L. CARLSON:

(Prayer by the Reverend Gregory L. Carlson)

PRESIDENT PHILIP:

Will you please rise for the Pledge of Allegiance. 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, April 18th and Wednesday, April 19th, in the year 1995, be postponed, pending arrival of the printed Journals.

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. The Chair will now turn over the podium to Senator Hawkinson, for a presentation. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Representative Leitch and I are proud to have with us here today the Richwoods High School Scholastic Bowl Team. On the same weekend -- weekend that Peoria Manual won back-to-back State basketball championships, Richwoods High School Scholastic Bowl won the State championships for the

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Scholastic Bowl, and we're honored to have them with us here today. I would like to introduce one of their coaches, Kathy Brooks-Juergens, who will introduce the team. Let's welcome the Richwoods 1995 State Champion Scholastic Bowl.

COACH BROOKS-JUERGENS:

(Introduces the team, coaches and staff to the Illinois Senate)

SENATOR HAWKINSON:

Again, thank you very much, and -- and we're honored to have you here and want to congratulate you and hope you do it again next year.

PRESIDENT PHILIP:

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR SYVERSON:

I'd like to welcome in the galleries on both sides - in fact, all around you are -- are friends and coworkers and civic leaders from Illinois' second city, Rockford, Illinois. And I'd like to have them rise and be...

PRESIDENT PHILIP:

Senator Syverson.

SENATOR SYVERSON:

And also on behalf of Senator Burzynski and myself, we'd like to -- we hope that all of you enjoyed your lunch on -- on behalf of the -- the Chamber and the -- the packets of information you've received over the last two days. And if you have a chance, stop down in the Rotunda and see all the -- all their activities and booth set up that help explain a lot about Rockford, which is, as you know, the second-largest city in the State of Illinois and a

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major manufacturing hub for this State. Thank you.

PRESIDENT PHILIP:

Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Well, thank you, Mr. President. I would just like to call for a Republican Caucus immediately in Senator Pate Philip's Office.

PRESIDENT PHILIP:

That request is always in order. I'm assuming that we will be at least a half hour. I would suggest we will probably stand at ease until about 1:15.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeANGELIS)

The Senate will please come to order. Committee Reports, Mr. Secretary.

SECRETARY HARRY:

Senator Karpziel, Chair of the Committee on Executive, reports Senate Bills 247, 429, 450, 585, 674, 801, 825, 826 and 1123 Do Pass; Senate Bills 643, 720 and 1186 Do Pass, as Amended; Senate Amendment 2 to Senate Bill 772 Be Adopted and Senate Amendment 1 to Senate Bill 830 Be Adopted.

Senator Raica, Chair of the Committee on Public Health and Welfare, reports Senate Bills 198, 662 and 975 Do Pass; Senate Bills 57, 143, 181, 189, 190, 331, 358, 359, 443, 445, 523, 562, 577, 596, 709, 847, 964, 1097, 1113, 1133 and 1195 Do Pass, as Amended; Senate Amendment 2 to Senate Bill 758 Be Adopted, Amendment 1 to Senate Bill 816 Be Adopted, and Amendment 2 to

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Senate Bill 1080 Be Adopted.

Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Bills 287, 323, 324, 346, 423, 554, 738, 842, 1027 and 1093 Do Pass; Senate Bills 260, 349, 422, 525, 534, 736, 859, 977, 978, 1081, 1082, 1094 and 1183 Do Pass, as Amended; and Senate Amendment 4 to Senate Bill 100 Be Adopted.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Bills 399 and 818 Do Pass; and Senate Bills 46, 460, 630 and 694 Do Pass, as Amended; Senate Amendment 1 to Senate Bill 276 Be Tabled by Sponsor; and Senate Amendment 2 to Senate Bill 276 Be Approved for Consideration.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bill 135, 563, 564, 565, 568, 716 and 753 Do Pass; Senate Bills 126, 213, 393, 401, 541, 726, 729 and 1022 Do Pass, as Amended; and Senate Amendment 1 to Senate Bill 472 Be Adopted.

And, Senator Barkhausen, Chair of the Committee on Financial Institutions, reports bills -- Senate Bills 304, 356, 552, 553, 660, 1060 and 1083 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 50, offered by Senator Clayborne.

And Senate Joint Resolution 41, offered by Senator Clayborne, Jones and others.

They're both substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Messages from the House.

SECRETARY HARRY:

A 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

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titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 36, 222, 249, 532, 597, 689, 974, 1140, 1270 and 496.

All passed the House, April 19th, 1995.

PRESIDING OFFICER: (SENATOR DeANGELIS)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 178, offered by Senator O'Malley.

(Secretary reads title of bill)

House Bill 222, by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 300, by Senator Smith.

(Secretary reads title of bill)

House Bill 471, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 497, by Senator Tom Dunn.

(Secretary reads title of bill)

Senator Klemm offers House Bill 553.

(Secretary reads title of bill)

House Bill 597 is offered by Senator Tom Dunn.

(Secretary reads title of bill)

House Bill 731, Senator Cronin.

(Secretary reads title of bill)

Senator Madigan offers House Bill 781.

(Secretary reads title of bill)

House Bill 897, by Senator Hawkinson.

(Secretary reads title of bill)

House Bill 955, Senators Karpiel and Fawell.

(Secretary reads title of bill)

House Bill 1130, by Senator Woodyard.

(Secretary reads title of bill)

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Senator Geo-Karis offers House Bill 1498.

(Secretary reads title of bill)

House Bill 1510, by Senator O'Malley.

(Secretary reads title of bill)

House Bill 1708, by Senator O'Malley.

(Secretary reads title of bill)

House Bill 1800, Senator Watson.

(Secretary reads title of bill)

House Bill 1810 is presented by Senator Peterson.

(Secretary reads title of bill)

House Bill 1842, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 2326, by Senator O'Malley.

(Secretary reads title of bill)

And House Bill 496, by Senator Fitzgerald.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeANGELIS)

On page 2 of today's Calendar is the Order of Senate Bills 2nd Reading. I might remind the Members to start moving their bills 'cause we're getting very close to those deadlines. On page 2 is Senate Bill 3. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 3.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 14? Senator Fitzgerald? Take it out of the record. Yes. Okay. Put it back in the record.

SECRETARY HARRY:

Senate Bill 14.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 62. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 62.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. For what purpose does Senator Klemm...

SENATOR KLEMM:

I tried to get your attention, Mr. President. I would like to ask leave to have Senate Bill 62 recommitted to the Revenue Committee and not moved to 3rd Reading. It was -- I didn't catch your attention.

PRESIDING OFFICER: (SENATOR DeANGELIS)

That motion is always in order.

SENATOR KLEMM:

Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Klemm has asked that Senate Bill 62 be recommitted to Revenue Committee. All those in favor, signify by saying Aye. All opposed, say No. It is recommitted. Senate Bill 130. Senator del Valle? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 130.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments considered for approval?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 133. Senator Peterson. Take it out of the record. Senate Bill 134. Out of the record. Senate Bill 137. Senator Raica? Senator Raica? Take it out of the record. Senate Bill 240? Senator Woodyard? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 240.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SECRETARY HARRY:

Pardon me, Mr. President. The Committee on Judiciary adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 256? Senator Butler? Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House <sic> Bill 256.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 265. Senator Garcia? 265? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 265.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 270. Senator Geo-Karis. Senator Geo-Karis, Senate Bill 270? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 270.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 276. Senator Mahar. Take it out of the record. Senate Bill 312. Senator Bowles. Read the bill, Mr.

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Secretary.

SECRETARY HARRY:

Senate Bill 312.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 317. Senator Cronin? Take it out of the record. Senate Bill 320. Senator Butler? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 320.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 332. Senator Molaro? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 332.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. For what reason does Senator Walsh seek recognition? Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State...

SENATOR WALSH:

I would like to honor -- I would like to introduce a very special guest that we have with us in the front of the Chamber, a former Illinoisan, the former Press Secretary of our beloved friend and former Illinoisan, Ronald Reagan. From Centralia, Illinois, Jim Brady is here.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Welcome back to Illinois, Mr. Brady. Senate Bill 336. Senator Sieben? Senator Sieben, 336? Take it out of the record. Senate Bill 337. Senator Sieben? Take it out of the record. Senate Bill 344. Senator Jones. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 344.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 354. Senator Barkhausen. Senator Barkhausen, 354? Take it out of the record. 355. Senator Barkhausen? Take it out of the record. 357? Senate Bill 377. Senator Watson. For what reason does Senator Fawell seek recognition? Oh. Senate Bill 395. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 395.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 397. Senator Philip. Take it out of the record. Senate Bill 412. Senator Dudycz. Yes. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 412.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Senate Bill -- 3rd Reading Reading. Senate Bill 415. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 415.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 427. Senator Donahue? Senator Donahue. Okay. Senate Bill 434 -- take it out of the record. Senate Bill 434. Senator Cronin. Senator Cronin, 434. Senator Cronin, 434. Take it out of the record. Senate Bill 438. Senator Cullerton. Senator Cullerton? Take it out of the record. Senate Bill 439. Senator Cullerton? Take it out of the record. Senate Bill 441. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 441.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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3rd Reading. Senate Bill 472. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 472.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading -- have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Very briefly, Senate Amendment 1 to 472 was a -- a technical amendment asked for by the County Assessor of Cook County, Mr. Hynes, because the Cook County process is different than the other hundred and one counties. And this brings everything into play, and I ask for approval of the Amendment 1 to 472.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Is there any discussion? If not, Senator Peterson moves the adoption of Amendment No. 1 to Senate Bill 472. Those in favor, signify by saying Aye. Opposed, say Nay. The Ayes have it. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 478. Senator Karpziel? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 478.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 511. Senator Petka? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 511.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 524. Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 524.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 539. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 539.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved?

SECRETARY HARRY:

No amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

For what reason does Senator Fawell seek recognition?

SENATOR FAWELL:

Will you please take that out of the record? I'm sorry. We haven't got the amendment ready yet.

PRESIDING OFFICER: (SENATOR DeANGELIS)

All right. We'll take it out of the record. Okay. Take it out of the record. Senate Bill 540. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 540.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 559. Senator Fawell? Senator Fawell, 559? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 559.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted

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Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 580. Senator Dunn? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 580.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 586. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 586.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 588. No. Take it out of the record. Senate Bill 599. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 599.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 600. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 600.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 602. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 602.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 611 Senator Donahue? Senator Donahue. Take it out of the record. Senate Bill 613. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 613.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments considered?

SECRETARY HARRY:

No -- no further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 616. Senator Maitland. Read the bill.

SECRETARY HARRY:

Senate Bill 616.

(Secretary reads title of bill)

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2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1 .

PRESIDING OFFICER: (SENATOR DeANGELIS)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 620. Senator Butler. Read the bill.

SECRETARY HARRY:

Senate Bill 620.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 623. Senator Butler. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 623.

(Secretary reads title of bill)

2nd Reading of the bill. The Department <sic> of Agriculture and Conservation adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 628. Senator O'Malley? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 628.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

Senate Bill 656 -- I beg your pardon. 636. Senator Parker. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 636.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator DeAngelis, for what reason do you rise?

SENATOR DeANGELIS:

Thank you, Mr. Secretary <sic>. There are many, many important things happened on this date, but probably the most important thing that ever happened in this Body was the birthday of Senator Laura Donahue. And I would like to tell you that it is her birthday. Senator Donahue, happy birthday, and glad to have you in the Body.

PRESIDING OFFICER: (SENATOR WATSON)

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Thank you, Representative <sic> DeAngelis. And -- Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Thank you very much, Mr. President. I would like to thank Senator Philip for a beautiful cake and invite all of you to have a piece in the front of the well.

PRESIDING OFFICER: (SENATOR WATSON)

Well I think we can say that fifty-eight of us certainly wish you a -- a happy birthday and many returns, Laura. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Also a point of personal privilege. Evidently..

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point.

SENATOR JACOBS:

Evidently good things come in twos because, also, Saturday is also Evelyn Bowles' birthday. So, we'd also like to wish her a happy birthday on Saturday.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles. Very good. Happy birthday. We all wish you well. Senate Bill 656. Senator Maitland. Senator John Maitland, on Senate Bill 656. Mr. Secretary, take it out of the record. Senate Bill 664. Senator Tom Dunn. Out of the record. Senate Bill 690. Senator Weaver? Senator Weaver? Out of the record. Senate Bill 691. Senator del Valle. Senator del Valle. Please read the -- the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 691.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 706. Senator Dudycz? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 706.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any other Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. How about Senate Bill 708, Senator Woodyard? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 708.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Lauzen? Senator Lauzen, on Senate Bill

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721. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 721.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 725. Senator Lauzen. Out of the record. Senate Bill 731. Senator Maitland. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 731.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 741. Senator Sieben. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 741.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 747. Senator Dudycz? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 747.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 760. Senator Lauzen? Senator Lauzen. Out of the record, please. Senate Bill 768. Senator Petka? Senator Petka? Out of the record. Senate Bill 776. Senator Parker. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 776.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 781. Senator Karpziel. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 781.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 782. Senator Hawkinson? Out of the record. Senate Bill 787. Senator Severns? Please read the bill,

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Mr. Secretary.

SECRETARY HARRY:

Senate Bill 787.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 788. Senator Karpziel? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 788.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 798. Senator Lauzen. Out of the record. Senate Bill 802. Senator Barkhausen? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 802.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted

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Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Mr. Secretary, please read Senate Bill 812, by Senator Bowles.

SECRETARY HARRY:

Senate Bill 812.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 816. Senator Raica? Senator Raica? Out of the record. Senate Bill 820. Senator O'Malley? Senator O'Malley, on 820. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 820.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 823. Senator Mahar? Senator Mahar. Out of the record, Mr. Secretary. Senate Bill 824. Senator Mahar? Out of the record. Senate Bill 829. Senator O'Malley. I beg your pardon. There's a fiscal note on that, Senator O'Malley. Senate Bill 833. Senator Farley? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 833.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 838. Senator Hawkinson. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 838.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 850. Senator Raica? Out of the record. Senate Bill 854. Senator Molaro? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 854.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments that have been approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

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3rd Reading. Senate Bill 857. Senator Dillard. Senator Dillard on the Floor? Out of the record. Senate Bill 868. Senator Hawkinson. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 868.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading, please. Senate Bill 891. Senator Petka? Senator Petka. Ed Petka. Senate Bill 891. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 891.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 893. Senator Hawkinson? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 893.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 895. Senator Hawkinson? Please read the bill, Mr. Secretary.

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Senate Bill 895.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 896. Senator Hawkinson. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 896.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 897, Senator Tom Dunn. Senator Tom Dunn? Out of the record. Senate Bill 931. Senator Klemm? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 931.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 949. Senator Klemm. Please read

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the bill.

SECRETARY HARRY:

Senate Bill 949.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator O'Malley, on Senate Bill 954. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 954.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 971. Senator O'Malley? Senator O'Malley, on 971? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 971.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Thirty-one -- 3rd Reading. Senator Hendon, on Senate Bill 996. Senator Hendon. Out of the record. Senate Bill 998. Senator Berman. Art Berman, on 998. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 998.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1025. Senator Fawell? Senator Fawell. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1025.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

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No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1028. Senator O'Malley. Please read the bill.

SECRETARY HARRY:

Senate Bill 1028.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Palmer? Please read the bill, Mr. Secretary. Senate Bill 1034.

SECRETARY HARRY:

Senate Bill 1034.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1038. Senator Hawkinson. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1038.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Please read the bill, Senate Bill 1039, Senator Fawell, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1039.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Please read Senate Bill 1067. Senator Klemm.

SECRETARY HARRY:

Senate Bill 1067.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1080. Senator Fawell? Senator Fawell, do you wish to call Senate Bill 1080? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1080.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell, on Amendment No. 2.

SENATOR FAWELL:

Senate Amendment No. 2 adds dissolution of marriage, legal separation and declaration of invalidity of -- of the marriage to the cases to which the filing fees shall be assessed.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? All those in favor, please say Yes. Opposed, Nay. The Ayes have it, and the amendment is adopted. 3rd Reading. With leave of the Body, I'd like to take the opportunity to -- to introduce a group here in the gallery that happens to be from my district. It's the All Saints Academy from Breese, Illinois, located in Clinton County, the home of our former State Treasurer, Jim Donnewald, and I'd like for our guests in the gallery to please -- please rise. And certainly, welcome to the Senate. Senate Bill 1089. Senator Dillard. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1089.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1115. Senator Rea? Senator Rea. Out of the record. With leave of the Body, Senator Demuzio would like to handle Senate Bill 1139 for Senator Shadid. Leave being granted, Senator Demuzio, on Senate Bill 1139. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1139.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1140. Senator Geo-Karis. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1140.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

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

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No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1152. Senator Rauschenberger.
Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1152.

(Secretary reads title of bill)

No committee amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill... Have there been any Floor
amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger, on Amendment No. 1.

SENATOR RAUSCHENBERGER:

Amendment -- Amendment No. 1 to Senate Bill 1152 is a
technical clarification that makes it clear in the bill that the
bill is prospective.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? All those in favor,
say Aye. Opposed, Nay. The Ayes have it, and the amendment is
adopted. 3rd Reading. Senate Bill 1187. Senator Dillard? Please
read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1187.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1197. Senator Raica? Please read
the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1197.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1200. Senator O'Malley? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1200.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 1206. Senator Barkhausen. Out of the record. Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point, Senator.

SENATOR FAWELL:

I have a Page here who is celebrating her big thirteenth birthday, by the name of Anne Mahoney. She is Senator Dillard's custodian, but she is my Page, and we would like to wish her a happy birthday.

PRESIDING OFFICER: (SENATOR WATSON)

Will Ann stand up? Happy birthday, and many more returns.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Committee Reports.

ACTING SECRETARY HAWKER:

Senator -- Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Senate Amendment No. 1 <sic> (2) to Senate Bill 355, Senate Amendment No. 1 to Senate Bill 739, and Senate Amendment No. 1 to Senate Bill 805 - referred to the Commerce and

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Industry Committee; Senate Resolutions 42 and 50 - referred to Executive Committee; Senate Amendment No. 2 to Senate Bill 80, and Senate Amendment No. 2 to Senate Bill 947, and Senate Amendment No. 2 to Senate Bill 1066 - referred to the Local Government and Elections Committee; House Bill 496 - referred to the State Government Operations Committee; Senate Amendments 1 and 2 to Senate Bill 539 - referred to the Transportation Committee; and Senate Amendment No. 1 to Senate Bill 613, Senate Amendment No. 2 to Senate Bill 816, Senate Amendment No. 2 to Senate Bill 979, Senate Amendment No. 2 to Senate Bill 983, and Senate Amendment No. 2 to Senate Bill 1129 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Page 13 of today's Calendar is the Order of Senate Bills 3rd Reading, and we will start -- and it's the intention of the Chair to proceed where we concluded yesterday. Senate Bill 958. Senator Watson. Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 958.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. This particular piece of legislation comes to us from the Illinois Lumber and -- Material Dealers' Association. Many of their members were here yesterday, and I -- visited with some of the Members of the Senate. It deals with mechanics' liens and there's one sentence we're adding to the current Statutes. It says for all purposes of this Act, the value of the land at the time of making of -- of the contract shall be presumed to be enhanced by an amount equal to the value of the improvement -- improvements erected on the premises, and the proof

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of the price fixed by -- by the contract for materials or labor furnished as improvements to the premises shall be the prima facia evidence of the value of those improvements. Well, what happens currently when a contractor has a lien -- or files a lien on -- on work that's been done on -- on a particular job, it goes before the court, and the court, in most cases, comes in and requires an appraisal to be done before establishment of the costs can be determined. This simply allows for invoices and labor statements and this type of thing to be utilized as the means by which to determine those costs. It could save small contractors in the business of this community a considerable amount of money, and I would certainly appreciate your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Madam Secretary, take the roll. The question is, shall Senate Bill 958 pass. Those in favor will vote Aye. Those opposed will vote Nay. The -- is open -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that bill, there are 37 Ayes, 14 voting No, 3 voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 960? Senator Fitzgerald? Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 960.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fitzgerald. I wonder if we could have your undivided attention. Since we'll be gone in about another hour, maybe we can finish a lot more work.

SENATOR FITZGERALD:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 960 amends the Mortgage Foreclosure Article of the Code of Civil Procedure. It excludes an occupant of mortgage premises from the definitions of nonrecord claimant and unknown owner for the purposes of establishing a right to possession, terminating an occupant's possessory interest, and enforcing an order of possession against an occupant. This is an agreed bill with the Legal Assistance Foundation of Chicago and the Mortgage Bankers, trying to correct some abuses that have occurred in mortgage foreclosures. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Before we have further discussion, I want to announce that we will be in Session on Monday at 4 p.m., April 24th. The Senate will be in Session. I repeat: Monday, April 24, 1995, at 4 p.m. Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, ma'am.

SENATOR PALMER:

I was off the Floor when Senate Bill 958 was voted on. I'd like to say that had I been on the Floor, my vote would have been No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Your comments will be noted. Any further discussion? Hearing -- Senator Karpziel.

SENATOR KARPIEL:

Well, thank you, Madam President. What a coincidence. Had I been on the Floor when Senate Bill 958 was voted on, my vote would have been No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your comments, Senator Karpziel, will be noted. Senator Welch.

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SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR WELCH:

Senator Fitzgerald, on a mortgage foreclosure, if the person in possession - let's say it's -- it's a renter - is not an unknown owner or nonrecord claimant, how do they get notice of the proceedings? Has there got to be a summons served on him?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fitzgerald.

SENATOR FITZGERALD:

Well, what this bill would require the foreclosing party to do is to serve the renter personally, and what they're finding is that in Chicago, a lot of big mortgage mills that do these foreclosures are just not serving them personally and just saying that they're caught in the net of unknown owners and nonrecord claimants, which was not the intent of the Mortgage Foreclosure Act. So this is to protect such parties.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Senator Fitzgerald, to close.

SENATOR FITZGERALD:

I'd just appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 960 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Madam Clerk, take the -- Madam Secretary, take the record. On that bill, there are 57 voting Yes, none voting No, 2 not voting, none voting Present. And this bill, having received the required constitutional majority, is hereby declared

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passed. Senator DeLeo, for what purpose do you rise? Senator DeLeo.

SENATOR DeLEO:

Thank you, Madam President. I'd just like the record to reflect if I was on the Floor, I -- Senate Bill 958. I would like to have been recorded as a No on 958.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your comments will be duly noted, Senator DeLeo. Senator Smith, for what purpose do you rise?

SENATOR SMITH:

I -- Madam Chairman, I'd like to be registered on 958, Senate Bill, as voting No. Please.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your comments, Senator Smith, will be duly noted. Thank you. Senator Bowles.

SENATOR BOWLES:

Thank you, Madam Chairman. I, too, would like to be shown as voting No on 958.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Bowles, your comments will be duly noted. Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. I, like my other Members on this side of the aisle, would like to be recorded a -- or like to have been recorded as No on 958.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your comments will duly -- be duly noted on Senate Bill 958, Mr. Trotter. Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

Just a point of inquiry. You can't -- is it correct that you -- once you vote, you vote. You can say that the record will reflect that I intended to vote some particular way. Isn't that

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right?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

That's the intention.

SENATOR CRONIN:

Okay.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You are correct. Senator Walsh, for what purpose do you rise?

SENATOR WALSH:

Thank you, Madam Speaker. I just wanted the record to reflect that on the last bill -- Madam President, that if I were on the floor, I would have voted Yes on Senate Bill 960.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your comments will be duly noted. Senate Bill 967. Senator Weaver? Madam Secretary, will you read Senate Bill 967.

ACTING SECRETARY HAWKER:

Senate Bill 967.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Hold on just a minute, Senator Weaver.

SENATOR WEAVER:

Senate -- Senate Bill 967 amends the Hotel Operators' Occupational Tax Act regarding the deposits into the Local Tourism Fund. At present, there's eight million dollars deposited annually into the -- this fund, and through this legislation, it would increase that to eleven million dollars, plus ten percent growth in each fiscal year thereafter. This -- this fund grows every year. We're just trying to keep up the steam on it. If

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anybody has any questions, I'll try to answer them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR DONAHUE:

Senator Weaver, does this change and take the tax and put it anywhere else, or spend it any differently?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

No, it -- it follows the same formula, but increases the total amount that may be distributed to local tourism councils. The -- are you familiar with the formula? All right.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Madam President. I -- I couldn't hear what the Senator was saying because I had some -- of the same concern. I think Senator Donahue asked -- asked the question. The noise level is pretty high in here, and I'm not so sure about what we're talking about doing here with -- with the tax. And, Senator, are we taking the taxes, diverting it from something that's being used for now and putting it into this fund, or are you increasing it in any way and adding the additional monies to this fund?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

Senator Collins, under the current law, hotels impose a State

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rate of five percent of ninety-four percent of the gross receipts. Now, sixty percent of this goes to the General Revenue Fund, and forty percent goes into the Build Illinois Fund. Hotels impose an additional one percent on this same base, all of which goes into Build Illinois. Of the sixty percent, eight million is deposited annually to the Local Tourism Fund. This would increase that to eleven million dollars. So we're following, basically, the same formula, but there's more money generated, as I understand it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Collins.

SENATOR COLLINS:

The question was: Are you increasing the tax?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate -- further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I have a concern. It -- it appears to me that this increase to the Local Tourism Fund comes out of the General Revenue Fund. Is that correct, Senator Weaver?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

This is all subject to appropriation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator DeLeo.

SENATOR DeLEO:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

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SENATOR DeLEO:

Senator Weaver, isn't this -- isn't it true this will help local villages? Let's take the Village of Oak Brook or Oakbrook Terrace, that they can take fifty percent of this money from their tourism and put it into their local improvements. Isn't this a benefit to local towns and villages?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

This has nothing to do with how a local community spends their money. This just goes into the pot, and it's appropriated for distribution throughout the State.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeLeo.

SENATOR DeLEO:

Thank you, Madam President. This would not help local villages and towns with loss of... This -- according to our analysis, it says that this has -- the local tourism and convention bureaus have requested this distribution change to prevent declining revenues. I spoke with one of the local mayors here yesterday, and he asked for my support on this bill, saying this would help -- help them in their declining revenues. And if that is the fact, I would like to vote for this.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

Well, Senator, this just would increase by three million dollars that which is spread out statewide for local tourism councils.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

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Just two questions for the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR LAUZEN:

Number one, do I understand correctly, Senator, that this -- the increase that the local tourism board is going to be able to spend will come out of the General Revenue Fund of the State of Illinois?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

Well, that's true, but there's more money coming in every year. It's just kind of trying to maintain the same ratio and increase that as the fund brings in more money every year.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. And then, currently, who makes the decision on how these funds are spent, and how will that -- who makes the decision be affected by this bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

Well, the General Assembly makes that determination of how much is appropriated. Then when it goes to the local tourism council, they make the decision of how it's spent.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Senator Weaver, to close. Senator Weaver, to close.

SENATOR WEAVER:

I think there's probably some -- did you have a question, Senator Karpziel?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel, did you have a question? Senator Karpziel, before Senator Weaver closes.

SENATOR KARPIEL:

I was just a -- curious as to who determines how the Local Tourism Fund is -- is distributed to the local tourism councils.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver. Did you hear her question, sir?

SENATOR WEAVER:

Well, Senator Karpziel, I think that the determination how the money is spent is determined by the local tourism council after the... It's done by a formula.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel

SENATOR KARPIEL:

Formula is not changing.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR KARPIEL:

Okay. So, in -- in fact, all we're doing is allowing us to spend eleven million, instead of the eight million, based on -- because of the sixty percent is -- there's a higher -- there's a bigger pot, so we're going to be able to take more out. With...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Have you finished, Senator Karpziel? Senator Dunn, further discussion. Thomas Dunn.

SENATOR T. DUNN:

Thank you, Madam President. I believe I have a conflict on this question, and I will abstain.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your conflict is noted. Any further discussion? Hearing none, Senator Weaver, to close.

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SENATOR WEAVER:

I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. And the question is, shall Senate Bill 967 pass. Those in favor, vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the roll. On that question, there are 40 voting Aye, 13 voting Nay, 4 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 972. Senator Donahue? Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 972.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Madam President. Senate Bill 972 came from a constituent of mine and is really quite very -- an important piece of legislation. If a parent has been convicted -- and that's the operative word here -- convicted of a sexual crime against a victim under eighteen years of age, the burden of proof will be on that person to get visitation rights. It's kind of informally done now already with -- with judges, but we'd just like to put it into law. And that's what it does. So I would ask for your support in Senate Bill 972.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Donahue, to close. On this question, the question shall be, will -- shall Senate Bill 972 pass. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all

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voted who wished? Have all voted who wished? Madam Secretary, take the roll. On that question, there are 57 voting Aye, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 974. Senator Molaro? Senator Molaro here? Senate Bill -- oh, that's recall? Senate Bill 979 will be -- Senator Madigan, do you wish this bill to return to 2nd Reading for purposes of recall? Senator Madigan seeks leave of the Body to return Senate Bill 979 to the Order of 2nd Reading for the purposes of an amendment, or... Senator Madigan. Senator -- on the Order of 2nd Reading is Senate Bill 979. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Madam President. Floor Amendment No. 2 to Senate Bill 979 is a technical amendment requested by Enrolling and Engrossing.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, all those in favor, say Aye. All opposed. The Ayes have it, in the opinion of the Chair, and the amendment is adopted. Any further Floor amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Next bill is Senate Bill 980. Senator Madigan? Madam Secretary, will you read Senate Bill 980.

ACTING SECRETARY HAWKER:

Senate Bill 980.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Madam President. Senate Bill 980, as amended -- first of all, the highlight to the bill is that it extends the physical therapy sunset from December 31st, 1995 to January 1st, 2006. Couple other housekeeping things in the bill that it corrects a reference to the wrong national accreditation committee and allows the Department to waive the English proficiency exam by rule. Spells out or more clearly defines the fee structure and inserts stiffer language concerning the unlicensed practice of physical therapy. I'd be glad to answer any questions of Senate Bill 90 <sic> (980). Absent any, I would ask for a favorable consideration of Senate Bill 980, as amended.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, on -- the question is, shall Senate Bill 980 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? On that question, take the roll, Madam Secretary. There are 56 votes Aye, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 983. Senator Molaro, do you wish to -- this bill returned to 2nd Reading? Senator Molaro. Senator Molaro, do you wish this bill recalled to 2nd Reading? Hold it. Okay. Senate Bill 985. Senator DeAngelis? Madam Secretary, will you please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 985.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. Senate Bill 985 simply allows a county who has acquired a delinquent tax parcel to be able to sell it to a taxing district. The proceeds then will be distributed to all the taxing districts that the parcel rests in.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 985 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the roll. And on that question, there are 57 voting Aye, none voting No, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 989. Senator Berman? Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 989.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. Senate Bill 989 addresses the question of the statute of limitations against attorneys for improper drafting of wills. What this bill does is to correct the previously changed language in House Bill 20 so that the statute of limitation would be two years after we know what the error or negligence was. I'd be glad to respond to any questions. It was approved by the Judiciary Committee, 11 to nothing.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Any further discussion? Any further discussion? Senator Berman, to close. Senator Barkhausen, will you be in your seat? Thank you. Senator Barkhausen.

SENATOR BARKHAUSEN:

I feel like a first grader, Madam President. I'm sorry. I didn't mean to declaim so loudly, but I did want a chance to speak on the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You were heard well.

SENATOR BARKHAUSEN:

I, frankly, maybe -- maybe missed the meeting of the Judiciary Committee where apparently this bill passed. I would -- I would simply point out to the Members, particularly on our side, that this is changing a provision in the recently enacted tort reform bill, and maybe some of you want to do it, but I don't -- I don't think that it's the right thing to do. This was a provision in House Bill 20 that was put on in -- in -- in the House -- it was added to the mix of issues that were talking about all along, and it has to do with -- Senator Berman may have said, with the question of whether -- whether and to what extent there's a statute of limitations for lawyers practicing the estate planning area, which I hasten to add I -- I do not do. I'm no longer practicing law. But -- but knowing something about estate planning and knowing something about the perils and pitfalls of that special profession, I would say that, you know, whether or not six years, as is now the law pursuant to Senate Bill 20 is the magical figure, is exactly the right figure, I do think that there are ought to be some fairly limited time frame during which someone who has a complaint to bring about legal malpractice in the estate planning area ought to have to -- to bring an action. Otherwise, as was pointed out in our Judiciary Committee where we had hearings on House Bill 20, otherwise, theoretically, it could

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be thirty or forty years that someone has either to -- to bring an action against the lawyer in question, if that lawyer is even still around and alive, or conceivably under the rules of vicarious liability that apply to partners and partnerships, conceivably could even bring an action against a partner of the ex or deceased lawyer. So, certainly for those who -- who supported House Bill 20 and even -- you know, even if you didn't, I -- I think, as a-- as a matter of fairness, we have enacted statutes of limitations of this kind for -- certainly for accountants and for -- for doctors, and it's not -- and otherwise -- and for lawyers. And it's, I think, a mistake to have a special and much longer statute of limitations applying only to lawyers dealing in this particular specialty. So I would urge your opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson, further discussion.

SENATOR HAWKINSON:

Thank you, Madam President. I rise in support of Senate Bill 989, and I supported House Bill 20, although with grave misgivings about this provision. This was not part of the mix of issues that was discussed in House Bill 20. This was added at the House level, really without discussion with the Senate, and -- and with all due respect to the -- the prior speaker, this situation is unique. We haven't -- there was no statute of limitations in legal malpractice -- or no statute of repose in legal malpractice until a few years ago. I believe Senator Cullerton, perhaps, had the bill that created the six-year statute of repose, but when we voted for that, we realized that the situations involving wills and probate were unique. Because if -- if anyone goes to an attorney and asks to have their will drawn and you expect that the expertise that they have will perhaps provide that a certain portion of the estate will not be taxable or that it will be distributed in a certain way, the person who has the will drawn is

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not going to discover that error, and they're not going to discover it in six years. Most people live far longer than six years after they have their wills drawn. An error -- or, an error of negligence that may cause a substantial portion of your estate to be taxed, when you thought it was not going to be taxed, or that perhaps goes to the wrong people, when you thought it was going to go somewhere else, is a mistake that is only going to be discovered when you pass away. This -- the current law, prior to House Bill 20, said that then when you discover that someone was negligent in drafting your will, so that it's -- it's now cost you a hundred thousand dollars in taxes, or the wrong person got it, or the wrong parcel went somewhere, that you now have two years to go after that person. Unfortunately, House Bill 20 contained a provision which repealed that and will now give immunity to attorneys who draw bad wills and make mistakes. We shouldn't do that. Attorneys carry insurance to cover those kinds of mistakes, and we ought to support Senate Bill 989.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President and Members of the Senate. I rise in reluctant opposition to this legislation. Unfortunately, this bill came out on the Agreed Bill List, and I did not adequately cover myself in committee. While we were debating amendments to House Bill 20 in the Judiciary Committee, a very folksy attorney from Farmer City, Illinois - and the gentleman's name escapes me right now, but he wrote the Section in the Illinois Institute of Continuing Legal Education on this particular subject matter - he pointed out a basic unfairness of having no statute of limitations. He stated that in his practice, if his father drafted a will in -- in 1960 that was mistyped by a secretary and signed, and as long as he himself stayed within the

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practice and the same partnership with his father and his grandson, or the -- the grandson of the person who drafted the will came into that law firm, that under those circumstances, the grandson would be liable for the misconduct or the negligence of the grandfather, and that could occur sixty years later. It just seems to me that what we're basically doing is attaching liability without true fault, which is -- which simply, in my opinion, violates our fundamental notions of what justice should be. And because of that, Madam President, I would respectfully urge a -- a No vote.

TAPE 2

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. Just briefly, I rise in support of the bill. This is the bill that I promised would be introduced when we debated Senate <sic> Bill 20. I was the sponsor in the House of the bill that set up the Statute of Limitations for attorneys, which was fair. It's a two-year Statute. I recognized at the time -- we, in the House and the Senate, recognized at the time that there's an exception for wills. You do someone's will. They -- you put it away in a -- in a -- a lockbox, and when the person dies, it's opened up. And the victims of legal malpractice, for the first time, discover that the secretary mistyped the will, as the previous speaker talked about. And guess what? The kids don't get the family farm. It's going to the anti-cruelty society, because they got the two wills mixed up when they typed it up. Well, it's true that the grandson might be liable. The grandson of the lawyer who

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negligently drafted it. That grandson is paying malpractice premiums and he's got a malpractice coverage. And so there should be a right of action, and there should be a claim on that insurance policy so that the person who was wronged, because of the negligence of the grandfathers secretary, has a place to go. That's what this is all about. This provision -- we are repealing a provision that was in the bill -- the tort reform bill. It was only put in there by somebody over in the House who was interested in helping out some lawyers. And it was wrong to put it in, and we are right to take it out by passing this bill. And my prediction is that it won't pass the House, because it was part of the deal. But I could be pleasantly surprised, and we'll see what the -- the Speaker does with this bill, but we ought to vote for it. If you don't vote for it, you're going to find out in the next three months, there's going to be some horrible story about somebody who was -- who was the victim of legal malpractice who did not get their inheritance, and because of the bill that we passed earlier, they will be out in the cold. This is a very important bill. Please vote Aye.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Senator Berman, to close.

SENATOR BERMAN:

Thank you, Madam President. If I recall some of the debate during House Bill 20, one of the principal arguments in support of House Bill 20 was responsibility. That was one reason why we changed, for example, joint and severable liability. Because if a defendant was thirty percent liable, they should be held responsible for their thirty percent, not for fifty percent or sixty percent because somebody else -- some other defendant -- had no money. This bill, Senate Bill 989, deals with professional responsibility. And what it says is if a lawyer is negligent, the

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lawyer should be held responsible, and the passage of time, when the person that is injured doesn't even know of the injury, should not be made the person to suffer. And that's why wills and the drafting of wills are unique. No one forces a lawyer to draft wills. It is voluntary. No one forces anyone to pay a fee for a will, unless you get a will for your fee. Nobody forces a lawyer to charge for a will, but the grandfather that Senator Petka talked about charged a fee for drafting that will. He was paid for what was supposed to be the proper execution and drafting of a will. It was negligent. That lawyer or law firm should be held responsible. You're hearing that from a lawyer. We should be held responsible for our negligence. That's all that Senate Bill 989 does. It holds lawyers responsible for their negligence for a two-year period of time after the people that are injured learn of the injury. That's all this bill does. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 989 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 51 Yeas, 3 voting Nay, 1 voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 991. Senator Rauschenberger. Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 991.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As amended -- as amended, Senate Bill 991 requires the

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Illinois Planning Council on Developmental Disabilities to continually review -- review ways to increase employment opportunities for persons with developmental disabilities. There's been some concern that the -- the Planning Council has been involved in activities that -- that, to some extent, take it fairly far afield from its federally mandated requirements, and this bill is kind of a reminder bill for the Planning Council.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing -- I mean, Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is -- this is a very good bill. That Illinois Planning Council came into the -- the Council on Mental Health and Developmentally Disabled and said this was an extremely important thing to do. We have a lot of -- of children out there who are reaching majority. They are looking for jobs. We have trained them in the schools. This council -- this Planning Council indeed is -- felt that -- and said that it was extremely important for us to do this. They have federal funds in order to do it, and I think this is an excellent bill and we all ought to be on board.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I'd request a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On this question, shall Senate Bill 991 pass, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 57 voting Yeas, none voting Nay, none voting

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Present, and this bill, having received the required constitutional majority, is hereby declared passed. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Just to inform the Members in regard to the schedule for next week, and in consultation with the Minority Leader, we will be coming in Monday at 4 p.m. We'll probably work two or three or four hours on 2nd and 3rd Readings. On Tuesday and Wednesday, because we have so many bills on the Calendar, we will probably not have those two o'clock committee hearings till probably 4, 5 or 6 p.m. It all depends on how -- how we move along. And on Thursday, we would hope to be out of here no later than 1:30.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you, Senator Philip. Anything further, sir? Next bill, Senate Bill 995. Madam Secretary, would you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 995.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Madam President, Senate Bill 995 defines the -- defines the term "paralegal" in the law, and allows the paralegals to collect their fees properly. Be...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 995 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? On that question, Madam Secretary, take the

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record. There are 57 voting Aye, none voting Nay, none voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1000. Senator Lauzen. Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1000.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Senate Bill 1000 is a modest attempt to begin to solve a problem. Currently, we have two sets of books -- financial statements that we send to New York bankers that are completed based on the GAP accounting or accrual accounting. We count an expense when we obligate ourselves, not just when we pay it. As of June 30th, 1994, those financial statements sent to New York bankers show a deficit of 1.6 billion; yet, the financial statements that we use for citizens of Illinois show a zero deficit for the budget purposes, because we use a different accounting rules. It's basically a modified cash system where you pick up expenses when you actually pay them. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Senator Lauzen, to close. The question is, shall Senate Bill 1000 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 52 voting Aye, 4 voting Nay, none voting Present, and this bill, having received the required constitutional majority, is hereby declared

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passed. Senate Bill 1005. Senator O'Malley. Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1005.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Members of the Senate. Senate Bill 1005 requires the State Superintendent to appoint a committee to review the IGAP tests. The IGAP review committee provided for must have a balanced membership of administrators, teachers, parents and concerned citizens. They are charged with the responsibility to review the -- the content and design of IGAP tests, the time and money expended at the local and State levels in preparing for and administering the tests. The committee is to make any recommendations to the State Superintendent and the General Assembly as it deems appropriate. Be pleased to answer any questions and would request a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam President. Senator O'Malley, I am surprised that we must command the State Superintendent of Schools to establish a committee to look at and analyze and review the Illinois Goal Assessment Program. Apparently, he's uncooperative and, therefore, he refuses to do so. And apparently, I guess you have asked him, and since he's objected, you've now come to the Legislature seeking to -- again, to command him to do something that he would ordinarily, seems to me, would have done on his own. Is that correct?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, thank you for your inquiry. I -- I have heard from many people, both parents and from school teachers, of a desire to take a look at the IGAP tests, and I, in fact, spoke with the State Superintendent about this, who had no objection to me bringing the legislation. He felt, I think, as I did, that -- that there wasn't this apparent conflict that you're bringing up or suggesting - and maybe I'm misinterpreting your comments - but I -- I don't feel any difficulty between either my office or his office in connection with this legislation. And I -- I hope I've been responsive to your inquiry.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR PALMER:

Senator O'Malley, if this passes and is implemented, is it the intention of this committee to examine IGAP as to its fairness or to its -- I noticed in my analysis - and I'm very aware of this - that IGAP is -- is used so often to rank schools, and I'm wondering if this committee is going to take a look at this test as to the fairness in even offering it to students and in using it in such a way that it -- it puts a tag on schools that they have to live with for some time, and...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley. Oh, I'm sorry.

SENATOR PALMER:

If I -- just one more thing. And at the conclusion of this

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study, are they going to make recommendations for change? What will be the outcome of such committee meetings?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Palmer, I -- I would hope that the committee will seriously get to the bottom of the question is -- of the following question: Are the tests doing what they are supposed to be doing? Are they truly measuring performance? And -- the answer to the second part of your question, I feel, would be -- would be the following: That we have given this committee wide latitude and I hope that they would use it and come back and make any recommendation that -- that they chose to. I have specifically requested the legislation require that they make the recommendations both to the State Superintendent and to the Legislature so that we get a full report.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Mr. O'Malley, to close. I'm sorry. Senator Karpiel, did you wish to be heard?

SENATOR KARPIEL:

Well, yes. I would like to just speak on the bill just for legislative intent, because as a cosponsor, I am hopeful that this committee also looks at the rules and the regulations of the State Board regarding the IGAP testing. That is one of my biggest concerns, because I hear a lot of complaints, from both the teachers and the administrators in the schools, in the actual performance of doing these IGAP tests, and the paperwork involved and the time involved. And I certainly hope -- and as I say, for legislative intent, I am hopeful that that will be looked at also.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussions? Senator

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O'Malley, to close.

SENATOR O'MALLEY:

I -- I just request a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On that question, the question is, shall Senate Bill 1005 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. Before I call the next bill, I note that we have one of our former colleagues here today. Senator LaPaille, who looks very much like Senator DeLeo. Welcome. The next bill, Senate Bill 1006. Madam Secretary, would you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1006.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Again, thank you, Madam President. Senate Bill 1006 raises the limit on fees school districts may charge to students for drivers ed courses. It would raise their authority from fifty dollars to two hundred dollars. Current law provides that school districts may charge a reasonable fee up to fifty dollars to high school students who take drivers ed. If a student is unable to pay, the district must waive the fee. Senate Bill 1006 changes the fee limit for high school students. I think it's important to note that the fee waiver language is not changed by this legislation.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Shaw. Senator Shaw.

SENATOR SHAW:

Yes. Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR SHAW:

I didn't quite hear you, Senator O'Malley, when you explained this. What are we doing here?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley, would you like to respond?

SENATOR O'MALLEY:

Senator Shaw, what this bill does is merely raise the -- the permissible amount of money that a -- that a school district may charge in connection with drivers ed fees.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Are we -- are we going from fifty dollars per student now to two hundred dollars?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Shaw, what we're doing is -- is raising the authority from fifty dollars to two hundred dollars. If any local school board wished to implement this -- this new power, they would have to do it on their own. It's strictly granting a permission or authority.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley. Senator Shaw.

SENATOR SHAW:

Is this -- is this -- if the school board chooses, can they go

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up -- use the whole two hundred dollars and this become a part of the overall budget?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

I think you're touching on an accounting issue, but if -- if the point is, would this somehow affect the budget, I'm sure it would for local school districts. And I would also make sure or reemphasize, because you had said you had not heard earlier, the other aspect that I wanted to emphasize in -- in presenting the bill, is that the provision in the law for students today that if they're unable to -- to pay, the district must waive the fee, that waiver language remains part of the legislation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

My -- my problem with the bill -- I'm trying to find out if they -- whether this might be considered a backdoor increase to raise money for the schools itself, in terms of the -- going from fifty to two hundred dollars. And that's what I -- is this money earmarked for any specific purpose here?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, thank you for clarifying what you were inquiring about. This came to me as a request from SCOPE - South Cook Organization for Public Education - and it, of course, is supported by other business management groups, and there was no opposition to the bill in committee. But I think what -- what -- what they were telling me is that basically right now in some cases, and it depends on the locale across the State, the -- that the actual cost is not covered by the fifty dollars of authority.

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So all this does is permit them to pick any number from -- from one dollar, or frankly from one penny, to two hundred dollars as the level that they want to -- to charge in connection with the course. It could well cost them more than they actually expend, but it would be a decision that would be made by the local school district.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Anything further, Senator Shaw?

SENATOR SHAW:

To the amendment: Certainly I think the sponsor's intentions are -- are well, but I can see school districts and boards using this money to fill some hole in some budget and taking the whole two hundred dollars. Now, certainly maybe fifty dollars is not enough, but I think at -- at some point this should be addressed in a better fashion. Yet, I don't know how you can address it, but -- but certainly I would -- I would think that we should take a look at it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senator O'Malley, do you know -- have any of the school districts given you what their per pupil loss is at this point, on driver education?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Maitland, no. I don't have those details. And in order -- I hope this will clarify, if I can make this remark, because it -- it came to me as -- as Senator Shaw was completing his remarks. That -- the amount that can -- can be charged cannot exceed the cost of the course. I mean, the upper limit is two

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hundred dollars or the cost of the course - the lesser of.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

And how do you determine the cost of the course?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

In -- in -- in the case where they might use an outside agency, it would be dependent -- I mean, it would be dictated by that marketplace. Otherwise, it's done through the normal accounting processes within the school district.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Do most of the schools in SCOPE and ED-RED -- do they use an outside service so there would be an absolute determination?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, I'm not qualified to answer that. I don't know the answer to that question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

I -- Senator, I've got a couple of concerns with this. Back in the old school problems commission days, I -- I chaired a committee, because schools had -- up to that time, had been given cars to use by dealers, and when both -- most of us were taking drivers education, that's the way it was. So all of a sudden their cost went up substantially and something had to be done. So as a result of the committee work, we offered to the -- the

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Legislature, and it was passed, a couple of revenue streams. Among them was the eight-dollar fee on the first-time drivers permit or whatever it was. And -- and that pretty much permitted school districts to break even. And that's why I ask you the question: Have we gotten that much out of sync now where it has become a cost -- a cost to the school districts? And then a greater concern I -- I guess I have at this point is -- is what kind of a means test do you use as to whether or not a student can or cannot pay the fee. That, I think, disturbs me a little bit, too. I'm wondering: Do you just go in and say, "I can't afford to pay the fee," and -- and it'll be waived, or is there a means test of some kind?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Maitland, I'm not familiar with the current process by which it's done, but this legislation doesn't change that. That remains the same as -- as is the law. This bill is neutral on that issue. I mean, if there's something wrong with the means test, maybe we should take a look at that, but it's not affected by this legislation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Anything further, Senator Maitland? Anything further, Senator Maitland? Anything further, sir? Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam Chairman, Members of the -- the Senate. Senator yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will.

SENATOR JACOBS:

What -- when was the last time we raised this fee? Do you

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know? From -- when was the fifty-dollar fee established?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, staff tells me it's been in existence for a while, and one of the other Senators thinks it's -- goes back to 1982.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

Well, I share with Senator Shaw that there may need to be an increase, but it seems to me that going from fifty to two hundred -- if there's any way at all that they can prove - any way, shape or form - that that's going to cost two hundred, they're going to make sure they go to the maximum. You indicated there was no opposition to this bill in -- in committee, and I think that's probably 'cause the citizens weren't there. And I just think we all should remember that when we go home and Johnny or Suzy goes to get their drivers training, instead of coming up with a fifty-dollar fee that they're going to have to come up with a two-hundred-dollar fee, I think we're going to raise a lot of eyebrows. And in closing, I'm not sure that it isn't proper for us to teach drivers ed at all cost. I think that it's an educational process, and I would urge a No vote on this legislation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Madam Chair, my questions have been answered. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Will the sponsor yield for a question?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR FAWELL:

Senator, is this a permissive bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, it -- it is indeed. And it -- and, you know, about the public being involved, my goal is to get the public involved on this particular issue really where they need to be, right at the local school board level, before any -- any enactment over and above the present authority is granted. But -- but at a local level.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

So for -- in other words, if somebody wanted to keep it at fifty dollars, there certainly is no law that says that they can't keep it at fifty dollars, or raise it to sixty dollars or seventy or whatever they feel that that particular community can afford. And -- and you still have the waiver in it. Is that right?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

That is correct, Senator Fawell. Not only is the waiver in place, but school districts are still able to charge nothing for this particular service if that's their decision. But the decision would be made, in any event, on a local basis.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

Well, to the bill: It just seems to me that this, again, is

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one of those local decisions. What we have done, in effect, is said to some of perhaps my communities who could well afford to pay perhaps a hundred dollars, maybe even two hundred dollars for this, we're saying you can't do that. You can only charge up to fifty, because we, in our great wisdom, down here in Springfield, has decided that such communities as -- as Glen Ellyn or Hinsdale or Lake Forest can only charge fifty dollars. It doesn't say they have to charge -- we're not saying they have to charge two hundred dollars; we're just saying that will be the absolute cap. I think this is a good bill. Again, it's putting the decision at the local level. Surely, if they charge too much, they're going to hear about it at the local level, and that's where they ought to hear about it. We shouldn't be doing the -- the school board's business for them and let them get off the hook.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Maitland, for a second time.

SENATOR MAITLAND:

Thank you very much, Madam President. And I apologize for rising a second time. I -- I'm -- my -- my concern about this bill continues to grow. I -- more than I thought it would, and I -- I question now, Senator, whether this might violate the -- the free education clause in the Constitution. I think perhaps this has been suggested to you, and -- and this -- according to a legal opinion that -- that I've just put my hands on, it, in fact, probably does. And -- I think we are -- I think we are -- Ladies and Gentlemen, I know this isn't getting much attention perhaps, but I believe we may be moving into an area -- and I know the sponsor is -- is -- is concerned and -- and this means, evidently, quite a bit to him, but I'm just wondering if this is something we ought not be doing without a little more thought. This is transgressing into some area where we perhaps ought not be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Any further discussion? Hearing none, Senator O'Malley, to close.

SENATOR O'MALLEY:

Madam President, under the circumstances, rather than call this for a vote, and especially because of Senator Maitland's remarks, I would like to get that clarified. So I'd like to take this bill out of the record today and we'll pursue it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

With leave of the Senate, it's taken out of the record. The Senate will pause for a moment. Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 51, offered by Senator Hendon.

Senate Resolution 52 and Senate Resolution 53, both offered by Senator Sieben.

They're all three congratulatory <sic>.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We'll resume our business to Senate Bill 1007. Senator O'Malley. Senator O'Malley. 1007? Out of the record. Senator Philip. 1015. Senator Watson. 1018. Senator Cronin. 1019. Senator Fawell. 1026. Senator -- Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1026.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is really a clean-up bill that was brought to me by my county clerk. Under the current law, the Secretary of State must prohibit the renewal, issue or reinstatement of drivers privileges if the person fails to pay any traffic fine or cost imposed for a violation of the Vehicle Code

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or a similar provision. This bill would include penalties in the fines and costs. The Secretary is notified by the court when a person fails to pay the fines and costs. It would also provide that the clerk, rather than the judge or court, be notified.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1026 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 58 voting Aye, none voting No, none voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. Senator Raica. Senate Bill 1032. Madam Secretary, -- take it out of the record. 1033. Out of the record. 1035. Senator O'Malley. 1033? 1033. Senator Raica. Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1033.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Raica.

SENATOR RAICA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. What 1033 does, it amends the Mobile Home Landlord and Tenant Rights Act by creating the Office of Mobile Home Park Ombudsman, to be appointed by the Governor. And the Ombudsman shall act as a liaison between the State and the mobile park owners and tenants. And I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Further discussion? Hearing none,

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the question is, shall Senate Bill 1033 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all -- all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Clerk -- take the record, Madam Secretary. On that question, there are 33 voting Aye, 5 voting Nay, 8 voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. Senator O'Malley, do you wish -- Mr. -- Senator O'Malley. Senate Bill 1037. Senator Madigan. Madam Clerk, would you please -- Madam Secretary, would you please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1037.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 1037 creates a category of a retired plumber's license, and the purpose of this legislation is that plumbers who retire can continue to pay a retired plumber's license, which would -- in case that they decide to go back to plumbing on an active basis and become a full-time licensed plumber, they would not have to go through the renewal process. It's kind of a -- a paid demit with the -- as far as a plumbing license. I know of no opposition to this. If a retired plumber -- you can't practice plumbing or do anything like that. If he would decide to start plumbing again, then he would have to bring his license up to date, and pay the active plumber's license fee. So I'd be glad to answer any questions, but basically it's a very simple bill, and...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing

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none, the question is, shall Senate Bill 1037 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 56 voting Aye, none voting No, none voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1048. Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1048.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. There have been some problems with emergency and involuntary administration of psychotropic medication which have been identified in the past two years, and Senate Bill 1048 deals with this subject. There was a task force that was started out, and on that task force was the Department of Mental Health, Chicago Reed, Human Rights Authority, Guardianship and Advocacy, Mandel Legal Clinic, Judge Staniec, the State's Attorney's office, Equip for Equality and -- and several others. The end result is Senate Bill 1048, which is an agreement among all the task force members involved in this problem. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1048 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On

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that question, there are 58 voting Aye, none voting No, none voting Present, and this bill, having received the required constitutional majority, is hereby declared passed. 1066. Senator Klemm, do you wish this bill returned -- no. The next one is 1078. Senator Dillard. Madam Secretary, will you read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1078.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 1078 is an initiative of Secretary of State George Ryan to address a problem, not only which has been in Illinois for a number of years, but this past summer in my area and in suburban Chicago, we had a major problem with deaths at railroad crossings. In fact, in one small period of time, in a two-week period, we had eleven deaths at railroad crossings in suburban Chicago. This bill amends the Illinois Vehicle Code to enhance the penalty for violating railroad grade crossing warning devices for drivers and pedestrians by establishing a mandatory fine of five hundred dollars or fifty hours of community service. And I believe it is there to heighten awareness of the public to seek a solution to a serious problem. And last year -- in 1993, the year before last in Illinois there were two hundred and seventy-two railroad collisions that resulted in fifty-one deaths, forty-six people last year and -- as I said in the onset, in a very short period of time this summer, on Metra tracks in the Chicago area, we had a serious problem. I'd be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR TROTTER:

Yes. Senator Dillard, according to what we have here, it said this is prima facie evidence that drivers who -- who pull out of here are automatically to be held liable even if there were no signs and no kind of barriers out there. Is that -- is that true?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Senator Trotter, the portion of the bill you're reading from deals with making what I call railroad crossbucks, where there are no electronic signals, prima facie evidence that -- that that is a -- or, that that becomes a yield sign to the public. There's a question out there that -- whether or not you have to put up an actual yellow yield sign that you and I are used to, or whether a crossbuck, which are those white signs, are yield signs, are good enough under the Illinois Vehicle Code to be considered a yield sign. And what we've done is simply clarify that a crossbuck sign has the same weight and force as one of those yellow yield signs that you and I are used to, and requires the motoring public to yield the right-of-way. The five-hundred-dollar fine, Senator Trotter, does not involve that part of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Trotter.

SENATOR TROTTER:

But it's not just the signs. There's no lights. There's just

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nothing here. So what's happening is that we're going to absolve the railroads from all responsibility if, in fact, there was an accident?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

No, sir. What this is, is it -- it is, I believe, a presumptive standard. It clearly can -- you know, can be overcome, but I've got to tell you, if you're driving across an unmarked crossing and you get hit by a train, I would like to see the plaintiff's trial lawyer that somehow shows that you didn't yield the right-of-way.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Anything further? Senator Walsh.

SENATOR WALSH:

Thank you, Madam President. Senator Dillard, I -- I support your bill. I think it's a good idea. I know that -- the problems we share along the Burlington line, and there've been many tragedies. What I'm wondering, however, is I -- I work in Franklin Park and there's a lot of railroad crossings there. Oftentimes, the -- the gates are broken and the -- the -- the gate is stuck on down, and you know, somehow you've got to get around it. Does -- does this bill address that at all?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

That's a good question, Senator Walsh, and I -- I do not have an answer right now, but I will -- I will work with you, if there is a problem that is not addressed, as this bill goes over to the House, but I just do not know the answer to that question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Berman.

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SENATOR BERMAN:

Thank you, Madam President. I'm -- I have serious problems with the provision on page 3, that is on lines 1 through 15. This -- that Section does not deal with the criminal penalty, which I am supportive of, but what it does is to put a presumption of -- of fault on a driver where a train and a driver collide. Now, why should we do that? I mean, let whoever is a -- whoever observes it or witnesses it, let them testify without any presumption one way or the other. You're putting the driver in a -- it's the driver's fault. And I will tell you, under this language, if I come to a crossbuck sign and I stop and I listen, and I look both ways and then I move forward, and the train comes from around the curve and hits me, it's my fault. Now that doesn't make sense, and that's what that paragraph does. I -- I can't support this bill in that kind of a manner. I -- I don't understand why you want to do this, unless it's a railroad bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

The reason I would do that, Senator Berman - and again, it is a presumption that I believe you could overcome under some circumstances - but I think common logic is when you come to an unmarked railroad crossing, you have to yield the right-of-way to a railroad train. And you're supposed to stop, look and listen like we were taught in the first or second grade, and if your car gets hit by a train, I believe that that burden should be on the driver to show that they were not at fault. And I believe that it is common sense that if you're hit by a train going over a railroad crossing, you certainly didn't yield.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Berman.

SENATOR BERMAN:

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Well, I would just suggest to you under the hypothetical that I gave you, that if I stopped and I'm alone and I then, you know, listen and don't see and I start to cross and the train hits me and kills me, where are my kids, where are my widows, the only person that's going to testify is the -- is the -- the -- the motorman in the train. I mean, you're -- you're presuming -- I mean, I don't want to -- I'll put my money on that train in any accident anyway. Right? You're not only putting money on the train, you're putting the law on -- in favor of the train. We -- and you know, we're discussing this right now, but if I go out on the street the day after this bill becomes law and ask somebody, "When you see those crossbucks," and they don't even know what that means, but if I say, "If you see these crossbucks at a station -- at a train crossing..." and we've got them in Springfield, and you expect everybody to stop, wait, listen, and if they -- and if they don't, or even if they do and there's a crash, they're at fault? Senator Dillard, I just think you're swinging the pendulum the wrong way.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We have twenty-three more bills. We can finish today if we can try real hard. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I have -- I am a cosponsor of this bill because of the fact that the Traffic Safety Committee for Railroad Crossings has been working on this bill in DuPage County for about seven or eight months. This is not some spur-of-the-moment type thing that's been dreamed up by either Senator Dillard or myself. Believe me, this has been studied to death. Frankly, when there is a yield sign and there is an accident, I believe if the person didn't yield, if there is a yield sign, that person is assumed guilty. I am not an attorney and I may be wrong, but it just seems to me in the first place, if you don't yield to a train,

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you're not going to be around to pay the five hundred dollars anyway. What we're trying to do is to stop, particularly, the kids who have been killed on the railroad tracks, including the two that were killed and -- and landed in Senator Dillard's yard and several of the kids in my district that have been killed, because they're in a big hurry and they don't want to wait for the train. and unfortunately, what they are doing is while the gates are still down, they see one train pass; the gates don't go up; they assume that the other -- there is no other train, and frankly, they assume wrong. Because what has happened is there is another train coming the other way. That's when these kids get killed. If they think they may have to pay a five-hundred-dollar fee or work for fifty hours, they might think twice about driving around those gates. This is a good bill. It should be passed. We ought to stop these kids from getting killed, and I don't know any other way to do it, except for the one that this particular committee has come up with. They have been working with the railroad people, the highway people, the schools, the educational component of the railroads, the -- the parents of the kids who have been killed. You know. I think, personally, it's a good bill, and we ought to all be voting for it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will.

SENATOR WOODYARD:

Senator Dillard, I only had two questions, and I think you may have answered one of those. It seems that we have a lot of -- of not only signals, but also the -- the bars that come down, and I -- I believe most of those are computer driven anymore, and we've

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got a lot of them that if we get a -- a half an inch of rain, they'll come down or the red lights will come on, and they may be on twenty-four to thirty-six hours at a crossing. Would this -- if somebody went around that thing under this law, would -- would they get fined also?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard. Senator Dillard.

SENATOR DILLARD:

Senator Woodyard, the same response I had to Senator Walsh: I do not know the answer to that question. And it's certainly not my intent, as the sponsor of this bill, to have a five-hundred-dollar fine if there is a malfunctioned crossing. You know, a lot would depend on whether a police officer would ticket you if you could prove that there was a malfunctioning crossing.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Woodyard.

SENATOR WOODYARD:

The second question: In the case that you mentioned that happened in your district where you had up to -- well, as many as eleven people that were killed by going around those crossbars, if this would of -- had been law, who would have paid the fine, if it killed them?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

I'm sorry, Madam President, can he repeat the question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Would you repeat the question, Senator Woodyard?

SENATOR WOODYARD:

In the case where the person gets killed when they drive around the crossbar, who pays the fine, you know, if they're dead?

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Does -- you get it out of the corpse, or how does that work?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

I believe, Senator Woodyard, that if the person was deceased, obviously they're not going to be fined, and in fact, I believe their death would probably be penalty enough.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR T. DUNN:

Senator Dillard, if -- if one of my constituents is driving his tractor and approaches the grade up to the track and the tractor stalls on the track, the train hits the tractor, where does the family farm wind up in this deal, since -- since he's...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard. I'm sorry.

SENATOR DILLARD:

Senator Dunn -- I believe, Senator Dunn, under that circumstance, there would not be a violation of this Act.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dunn.

SENATOR T. DUNN:

Why not?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

I believe you could overcome a prima facie case that would go to the jury to have a defense to this type of action and have a

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defensible action if it was a legitimate stall of that tractor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dunn.

SENATOR T. DUNN:

Question then. You're dead, Senator. There's not going to be any testimony. Senator Dillard? Senator Dillard? The tractor driver loses in the collision. You're dead.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Again, as I answered before, I believe that any police officer would certainly not fine, you know, an individual that is dead in some type of crossing accident. There's nobody to write a ticket to.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Dunn.

SENATOR T. DUNN:

To the bill, Madam President: Well, it's interesting that the presumption goes towards the railroad, as opposed to the individual, and I hope all the non-attorneys understand the significance of a presumption. It is a legal concept that says, "Mr. Operator of a vehicle, you are wrong until you prove you were right in crossing the railroad track." So if it's a dark night and it doesn't take into consideration the darkness of the night, you have to prove your righteousness in driving over that track. Now, this bill says that the train is basically always right. There's often times where the train is wrong.

There's times when the car is wrong. I think the smart thing to do would be to leave this up to the same jury that awards death penalties, and let the jury decide if the train is wrong, or if the operator of the vehicle is wrong.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Berman, for the second time.

SENATOR BERMAN:

Thank you, Madam President. I apologize for rising a second time, but I wanted to comment. Senator Fawell talked about these kids that run around the -- the -- the gates that are down or the bells that are ringing. What I'm talking about has nothing to do with that, and it has nothing to do with a fine. The paragraph that I am referring to, Ladies and Gentlemen, only deals where there are no -- where there -- I'm sorry, where there are no automatic, electric or mechanical signals, no crossing gates or no human flagman. All you've got are those crossbucks. That's -- that's what applies. And this doesn't deal with a fine or a penalty, Ladies and Gentlemen. We're talking about who's at fault in this accident, and let me read to you what the -- what the bill says. At those kinds of crossing where you only have the crossbucks, it says as follows on line 11 through 15 on page 3: "If a driver is involved in a collision at a railroad crossing or interferes with the movement of a train after driving past the railroad crossbuck sign, the collision or interference is prima facie evidence of the driver's failure to yield right-of-way." Now, Ladies and Gentlemen, there is no reason - none whatsoever - that I have heard today why we should put that presumption of negligence on the driver. If they -- if they didn't stop, if they went around something, fine. Give them a fine. Give them a ticket. This is a presumption that every accident at a crossbuck-only crossing is the fault of the driver. Your voters are entitled -- your driver voters are entitled to a better shake of the dice than what's in this bill. I urge a No vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Fawell, for the second time. Briefly.

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SENATOR FAWELL:

I -- I apologize for rising a second time. But, you know, the bottom line is we are talking about a train on tracks. When you drive a train you cannot swerve, you cannot move the train off the tracks to get around a car who happens to be in front of you. If you listened to the testimony, as I did, of some of these engineers who have been involved in these -- in these accidents, you would understand the trauma that is involved, you would understand how they do everything but stand on their own head trying to stop that train when they see somebody dart out in front of them, not yielding, as they should, trying to beat the train, and not making it. If there is a crossbuck, they are in the country, they should be able to be able to see on both sides. If you are -- if it is dark, then you should come up to those railroad tracks and stop. There have been accidents where people have gone up to the tracks and gotten caught underneath a train that is -- is on -- that are on those tracks. It is time to stop this needless deaths of, not only children, but people in general. The only way, obviously, we are going to be able to do it is to increase the fine. That's all this does, in reality. We've got to stop this -- this -- these deaths, and I -- I think we all ought to be voting Aye.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR DILLARD:

Thank you, Madam Chairman. This has taken longer than I thought, and I apologize to the Membership. Again, as I stated at the outset, we have a very deep problem in Illinois with increasing railroad deaths, eleven deaths in a very short period of time in suburban Chicago. And the change with respect to the crossbucks, the unmarked crossings, is a response and needed

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because of the ISTE Act from Congress requiring us to make it clear that these crossbuck signs are equal to a yield sign. This is a joint initiative of Secretary of State George Ryan and the Illinois Railroad Association. It's supported by the Municipal League, Metra and the traffic safety community. And I can really think of very few, if any, circumstances where one would cross a railroad track at an unmarked crossing and be struck by a train and have the train somehow at fault. But again, it -- it's rebuttable, and clearly if somebody's struck by a train after not following the yield sign, it's rebuttable. And I urge your favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 1078 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 35 voting Aye, 20 voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Committee Reports, Mr. Secretary.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Referred to the Committee on State Government Operations - Senate Resolutions 52 and 53.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Madam President. Senator DeAngelis has filed a motion with respect to Senate Bill 958.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The -- Mr. Secretary, the Chair requests that these motions be

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printed on the Calendar. So ordered. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 42, offered by Senator Dudycz.

(Secretary reads SJR No. 42)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz moves to suspend the rules for the purpose of the immediate consideration and adoption of this resolution, Senate Joint Resolution 42. Those in favor will say Aye. Those opposed will say No. The Ayes have it, in the opinion of the Chair. The rules are suspended. Senator Dudycz, to explain the resolution, and Senator Dudycz has moved for the adoption of Senate Joint Resolution 42. Those in favor will say Aye. Those opposed will say Nay. The opinion of the Chair, the Ayes have it, and the resolution is adopted. Any further business to come before this House? Resolutions for Consent Calendar. We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all of those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. All opposed. In the opinion of the Chair, the motion carries in favor of it, and the resolutions are adopted. Is there any further business to come before the Senate? If not, pursuant to the adjournment resolution, the Senate stands adjourned until Monday, 4 p.m., April 24, 1995. And I want to wish those of you who are going to have Greek Easter this weekend, Happy Easter. You're adjourned.

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