

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR WEAVER)

The regular Session of the 89th General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by the Reverend Gary Rhodes, Elliott Avenue Baptist Church, Springfield. Dr. Rhodes.

THE REVEREND GARY RHODES:

(Prayer by the Reverend Gary Rhodes)

PRESIDING OFFICER: (SENATOR WEAVER)

All rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR WEAVER)

The Senate will stand at recess until the hour of 5.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Senate is back in Session. Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Madam President, I move that reading and approval of the Journal of Tuesday, April 18th; Wednesday, April 19th; and Thursday, April 20th, in the year 1995, be postponed, pending arrival of printed Journals.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

being no objection, it is so ordered. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Bills 252, 865, 1089, 1093, 1200, 1320, 1587, 1633, 1662, 1693, 1319, 1709, 1748, 1791, 1797, 1878, 1891, 1931, 2080, 2123, 330, 1802, 2204, 2236, 2278, 2321, 2330, 2334, 2351, 2452, 603, 661, 1363, 1502, 1653, 1684, 1868, 2066 and 2070.

All passed the House, April 20th, 1995.

We have a like Message on House Bills 1209, 1490, 1608, 1711, 1882, 1910, 2240 and 1106.

All passed the House, April 21st, 1995.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

House Bills 1st Reading, if any. House Bills 1st Reading, if any.

SECRETARY HARRY:

House Bill 252.

(Secretary reads title of bill)

Offered by Senator DeAngelis.

House Bill 473, by Senator Hendon.

(Secretary reads title of bill)

House Bill 653, by Senator Hendon.

(Secretary reads title of bill)

House Bill 661, Senator Klemm.

(Secretary reads title of bill)

House Bill 965 is presented by Senator Klemm.

(Secretary reads title of bill)

House Bill 974, by Senator Klemm.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senator Mahar offers House Bill 1089.

(Secretary reads title of bill)

House Bill 1106, offered by Senators Weaver and Philip.

(Secretary reads title of bill)

House Bill 1200 is presented by Senator Walsh.

(Secretary reads title of bill)

House Bill 1320, by Senators Walsh and Viverito.

(Secretary reads title of bill)

House Bill 1653, by Senator Hawkinson.

(Secretary reads title of bill)

Senator Donahue offers House Bill 1698.

(Secretary reads title of bill)

House Bill 1709, by Senator Parker.

(Secretary reads title of bill)

House Bill 1711, offered by Senator Cronin.

(Secretary reads title of bill)

House Bill 1791, by Senator Hasara.

(Secretary reads title of bill)

House Bill 1797, Senator Rauschenberger.

(Secretary reads title of bill)

Senator Fitzgerald offers House Bill 1802.

(Secretary reads title of bill)

House Bill 1868, Senator Hasara.

(Secretary reads title of bill)

House Bill 1891, presented by Senator Sieben.

(Secretary reads title of bill)

Senator Walsh presents House Bill 2066.

(Secretary reads title of bill)

House Bill 2070, by Senator Walsh.

(Secretary reads title of bill)

And House Bill 2351, by Senator Rauschenberger.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Committee Reports, Mr....

SECRETARY HARRY:

Senator Raica, Chair of the Committee on Public Health and Welfare, reports that Senate Bill 1195 was incorrectly reported on April 20th, 1995 from the Committee on Public Health and Welfare as Do Pass, as Amended. A motion of Do Pass, as Amended was defeated and the bill correctly remains in the Committee.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Journal will so reflect. On page 2 of today's Calendar is the Order of Senate Bills 2nd Reading. The Members are advised to move their bills. Time is getting shorter all the time. Mr. Secretary, 2nd Reading. Senate Bill 46. Fiscal note requested. Senate Bill 57, same thing. Senate Bill 81. Senator Petka. Senate Bill 100. Senator Dudycz. Senate Bill 100. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 100.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SECRETARY HARRY:

Amendment No. 4, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz, to explain your amendment.

SENATOR DUDY CZ:

Thank you, Madam President. Amendment No. 4 amends the Chicago Firefighter Article of the Pension Code to allow --

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

resumption of certain widows' annuities that have been suspended upon remarriage. It requires an application and specifies that the resumption is not retroactive. And for certain annuitants born before January 1, 1945, provides for a three-percent automatic annual increase in retirement annuities, removes the thirty-percent maximum, and makes the automatic annual increase begin to accrue at age fifty-five, rather than at sixty. It provides for an increase in the minimum widow's annuity to seven hundred dollars per month beginning with January 1, 1996. And authorizes the City to substitute funds obtained from borrowings and other sources for a portion of its authorized tax levy for pension purposes. And it amends the State Mandates Act to require implementation without reimbursements. It also permits the repurchase of previously refunded service credit at four-percent compounded interest until the year 2000. This was the controversial portion that -- that, we believe, has resolved most of the objection to this bill. This window had previously closed in 1992. It allows paramedics to establish service credit in the Firemen's Fund for time served under the Municipal Fund, providing for a calculation of interest depending upon when the application is made, prior to or after the effective date of this amendatory Act. And finally, it -- it adds language permitting paramedics to purchase time from 1970 to 1983 when they were employees of the City of Chicago, but not members of any pension system.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR JONES:

Senator Dudycz, in this amendment you -- you stated that those

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

persons who will be buying the service back in will go from the date of service until 1989. Am I correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz. Senator Dudycz.

SENATOR DUDYCZ:

Senator Jones, are you -- you talking about the paramedics allowing to purchase time? Yeah. That -- that's from 1970 to 1983 when they were employees of the City and not members of any pension system. This is what I understand was worked out between the City and the -- the local union -- the firefighters' union and the paramedics' group.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jones.

SENATOR JONES:

Well, when they were with the City, did they pay into a pension fund there?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz. Senator Dudycz.

SENATOR DUDYCZ:

Staff tells me that earlier, when they first began, they were a member of no system, then they went into the municipal system, and finally they are currently in the firefighters' system.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jones.

SENATOR JONES:

Well, in response to the amendment, I see you have a cutoff date of 1989. Now, any other persons who are buying back -- buying time into a system will pay from that time until the date of payment. Now, when you cut it off at 1989, I know we, as legislators, teachers, everyone else -- so those persons should pay the interest or compound interest up until the -- the date that they pay it. Not cut it off at 1989. Could you tell me the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

fiscal impact of the -- the liability to the pension system?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

Well, first of all, Senator Jones, this pertains only to the paramedics and not to the rest of the firefighters. And as far as the -- I guess Senator -- Senator Raica would be able to explain to you how that came about. He's not here this afternoon. And I would suggest that on the 3rd Reading, he will go into detail. As far as the fiscal impact, the cost has not been determined.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jones.

SENATOR JONES:

Well, wouldn't it be advisable then, since everyone is not here, to take it out of the record, and perhaps we can deal with this issue when we have more Members available? Because I don't think persons -- I don't think Members on this side of the aisle, nor your side of the aisle, want to be voting for giving persons that big break - a windfall - of maybe fifteen million dollars, an unfunded liability to that system. Now, if you change the date until -- till the time of payment, which would be maybe 1995. But when you -- you're giving a special break to individuals and I don't think the Members on your side of the aisle want to give that kind of break, nor do Members on this side of the aisle want to do that. So I would suggest very strongly that until we have the Membership here, because I'll be -- want a roll call on this -- on this vote - that we wait until those persons are here.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

Well, Senator -- Senator Jones, as far as the amendment is concerned, you know that the amendment is deleting the -- the bill

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

-- the amendment becomes the bill. We're just moving the process along. If you desire, I can always take it out of the record, and then we can debate this tomorrow on 2nd. But I -- I would -- was hoping to -- I was hoping to move the process along so we can debate the bill -- the amendment, which actually becomes the bill fully, in the 3rd Reading, but if -- out of respect for you, Mr. Minority Leader, I will take it out of the record.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Taken out of the record. Next item. Senate Bill 126. Senator Fawell. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 126.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 133. Senator Peterson. Senate Bill 134. Senator Peterson. Senate Bill 135. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 135.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. With the leave of the House, I'd like to go back to Senate Bill 46 since there was a fiscal note filed. And -- Senator Mahar? And leave been given? Thank you. Mr. Secretary, read the bill. 46.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SECRETARY HARRY:

Senate Bill 46.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. That's the only one. Senate Bill 137. Senator Raica. Senate Bill 143. Senator Hendon. Senate Bill 181. Thomas Dunn. Thomas Dunn. Senate Bill -- Senate Bill 190. Senator Smith. Senator Smith. Senator Smith. Senate Bill 190. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 190.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 247. Senator Dudycz. Senator Dudycz. Senate Bill 260. Senator Raica. Senator Mahar. Senate Bill 276. Mr. Secretary, will you read the bill, please.

SECRETARY HARRY:

Senate Bill 276.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar, to explain the amendment.

SENATOR MAHAR:

Thank you, Madam President, Members of the Senate. This is the alternative fuels bill. We visited this about three years ago, and it has changed dramatically in scope since then. Now, we have a -- as opposed to a forty-million-dollar program over three years, we have a twenty-million-dollar program. There is no bonding whatsoever in this bill. There is no reference to -- to road funds. The money will come from a twenty-dollar annual fee attributed to fleet vehicles, as required by federal law. There are -- we figure two hundred and fifty thousand vehicles are affected. The EPA will collect the annual fees. The program will continue to provide rebates to -- to vehicle operators, whether they are converting or whether they are buying new vehicles. There is still a twenty percent of the twenty million raised will go into research for ethanol. Only the dollars generated will be spent. And I would ask for the adoption of Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, are there any further amendments -- Floor amendments? The -- Senator Mahar moves to adopt this amendment to Senate Bill 276. Those in favor, say Aye. Those opposed, say No. The Ayes have it, in the opinion of the Chair. The amendment is adopted. Are there any further amendments?

SECRETARY HARRY:

No further amendments reported.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 287. Senator Hasara. Senate Bill 304. Senator Barkhausen. Senate Bill 317. Senator Cronin. Senate Bill 323. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 323.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 324. Senator Madigan. Senator Madigan. Senate Bill 324. Mr. Secretary, would you read the bill.

SECRETARY HARRY:

Senate Bill 324.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 331. Senator Hasara. Senator Hasara, Senate Bill 331? Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 331.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 336. Senate Bill 337. Senate Bill 346. Senator Madigan. Mr. Secretary, read the bill. 346.

SECRETARY HARRY:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senate Bill 346.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 349. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 349.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 354. Senator Barkhausen. 355, 56, 57. Senate Bill 358. Senator Fawell. Senator Fawell, Senate Bill 358? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 358.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any Floor amendment?

SECRETARY HARRY:

No further amendments reported.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 359. Senator Fawell. Senate Bill 377. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 377.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Before -- before I call on Senator Watson, could we have a little more attention? Senator Watson. Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 393. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 393.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 397. Senator Philip. Senate Bill 399. Senator Barkhausen. Senate Bill 401. Senator DeAngelis. Senator Philip. Senator Philip, did you want to proceed on 397? All right. 422. Senate Bill 422. Senator Madigan. Mr. Secretary, read the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SECRETARY HARRY:

Senate Bill 422.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 423. Senator Madigan. 423. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 423.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 427. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 427.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Hawkinson, for what purpose do you arise, sir?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SENATOR HAWKINSON:

Thank you, Madam President. For purpose of tabling a Floor amendment. Like to ask leave to table Floor Amendment No. 3 to Senator DeAngelis' Senate Bill 368.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Could you hold that, Senator Hawkinson? I'll call on you later. Okay. Senator Burzynski. Senator Cronin. Senator Fawell, Senate Bill 443? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 443.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. And, Ladies and Gentlemen of the Senate, it would be appreciated very much by the Chair if you could hold your conversations to such a low level that I can't hear you. Right now I can hear all of you. Senate Bill 450. Senator Philip. Senate Bill 450. Senator Philip. Would -- read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 450.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 460. Senator Mahar. Mr. Secretary, read the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SECRETARY HARRY:

Senate Bill 460.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 523. Senator Maitland. Senator Maitland, 523? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 523.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 525. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 525.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 534. Senator Madigan. Senator Madigan. Senate Bill 534. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 534.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Have been -- any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 539. Senator Fawell. Senator Fawell, Senate Bill 539? No. Senate Bill 541. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 541.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Have there been any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. I would appreciate your indulgence of your attention. Thank you. Senate Bill 552. Senator DeAngelis. Mr.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 552.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Have there been any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 553. Senator Fawell. Senate Bill 554. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 554.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 562. Senator Donahue. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 562.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Have there been any Floor -- Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 563. Senator DeAngelis. Senator DeAngelis. Mr. Secretary, read 563, please.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SECRETARY HARRY:

Senate Bill 563.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 564. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 564.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 565. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 565.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 568. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 568.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 585. Senator Philip. Senate Bill 585. Senator Philip. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 585.

(Secretary reads title of bill)

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 588. Senator Dunn. Senator Dunn.
Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 588.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 596. Senator Hasara. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 596.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No -- no further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 596. Senator Hasara. Senate Bill
611. Senator Donahue. Senator Donahue. 611. Mr. Secretary,
would you read the bill.

SECRETARY HARRY:

Senate Bill 611.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 630. Senator Rauschenberger.
Senator Rauschenberger. Senator -- Senate Bill 643. Senate --
Senator Philip. Mr. Secretary, read the bill.

SECRETARY HARRY:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senate Bill 643.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. If we could have a little attention. Particularly the din of the voices happens to be -- come on my right over here. I wouldn't tell you who it was, but anyway. Senate Bill 656. Senator Maitland. Senator Maitland. 656. Senate Bill 660. Senator del Valle. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 660.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Have there been any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Thomas Dunn. Senate Bill 664. Senate Bill 674. Senator Karpiel. Senate Bill 690. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 690.

(Secretary reads title of bill)

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 694. Senator Rauschenberger. Senator Rauschenberger, Senate Bill 694? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 694.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 710. Senator Watson. This is 710, sir. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 710.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. 709, there's a fiscal note. I'm sorry, would you -- Senator Watson, did you wish... 725. Senator -- Senator Lauzen. Senator Lauzen, 725? I'm sorry. There's a fiscal note on 716. 726. Senator Lauzen. Senate Bill 729. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 729.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 736. Senator Madigan. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 736.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We'd like to finish, so you can all hear the bills. And may I suggest that the arguments be taken off the Floor? I don't want to pound my gavel, because I'm going to drive the Secretary crazy with the gavel. So, please, let's give him a little courtesy. Thank you. Senate Bill 738. Senator Madigan. Senate -- Mr. Secretary.

SECRETARY HARRY:

Senate Bill 738.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Berman. Senate Bill 53 -- 753. Would you please read the bill, Mr. Secretary?

SECRETARY HARRY:

Senate Bill 753.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 760. Senator Lauzen. Senator Lauzen, 760? Senate Bill 768. Senator Petka. Senate Bill 782. Senator Hawkinson. Senator Hawkinson. Senate Bill 798. Senator Lauzen. Senate Bill 816. Senator Raica. Senate Bill 818. Senator Dillard. Senator Mahar. Senate Bill 823. Senator Mahar, 823. 823. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 823.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Mahar. Senate Bill 824. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 824.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 825. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 825.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 826. Senator Philip. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 826.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 842. Mr. Cronin. 829. Senate Bill 829. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 829.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 842. He's not here. Senate Bill 847. Senator Smith. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 847.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 850. Senator Raica. Senate Bill 859. I'm sorry. Senate Bill 857. Senator Dillard. Senate Bill 859. Senator Maitland. Senator Maitland. Senate Bill 897. Senator Thomas Dunn. 897. Senator Thomas Dunn. Senator -- Senate Bill 964. Senator Garcia. Would you read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 964.

(Secretary reads title of bill)

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 975. Senator Barkhausen. Senate Bill 977. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 977.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 978. Senator Madigan. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 978.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there any Floor amendments...

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...approved for consideration? 3rd Reading. I'm sorry. Committee Reports.

SECRETARY HARRY:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: referred to the Committee on Commerce and Industry - Senate Amendment 3 to Senate Bill 354; to the Committee on Education - Senate Amendment 1 to Senate Bill 1115; to the Committee on Insurance, Pensions and Licensed Activities - Amendment 1 to Senate Bill 346; to the Committee on Revenue - Senate Amendment 1 to Senate Bill 133, Amendment 3 to Senate Bill 169, Amendment 1 to Senate Bill 204, Amendments 2 and 3 to Senate Bill 368, and Amendment 1 to Senate Bill 843; referred to the Committee on Transportation - Senate Amendment 3 to Senate Bill 539; and Be Approved for Consideration - Senate Amendment 2 to Senate Bill 1060.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further committee reports at this time? Senate Bill 996. Senator Hendon. Senate Bill 1022. Senator Peterson. Senate Bill 1027. Senator Maitland. Senate Bill 1060. Senator Butler. Read the bill, Mr. Secretary. 1060.

SECRETARY HARRY:

Senate Bill 1060.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Butler.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Butler, to explain your amendment.

SENATOR BUTLER:

Thank you very much. The amendment simply corrects a -- a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

typographical error that appeared in the original bill. It does not change the intent of the bill in any way.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, Senator Butler moves the adoption of this Amendment No. 2 to Senate Bill 1060. 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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1081. Senator -- Senator Madigan. Senate -- Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1081.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1082. Senator Madigan. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1082.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1083. Take it out of the record.
Senate Bill 1093. Senator -- Senator DeAngelis. 1093. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1093.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1094. Senator Fitzgerald. Please
read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1094.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and
Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Have there been any Floor amendments approved for
consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1097. Senator Severns. Senate Bill
1113. Senator Rea. Senate Bill 1115. Senator Rea. Senate Bill
1123. Senator DeAngelis. Senator DeAngelis, 1123. You want it
on? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1123.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

2nd Reading of the bill. The Committee on -- or, no committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1186. Senator Philip. Read the bill, Mr. Secretary. 1186.

SECRETARY HARRY:

Senate Bill 1186.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 1206. Senator Barkhausen. We're going to go into 3rd Reading. On page 10.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, Mr. President, could you -- we'd like to inquire as to what the schedule is going to be for the remainder of the evening.

PRESIDING OFFICER: (SENATOR DUDYCZ)

We will be beginning right now on the top of page 19 on the Order of Senate Bills 3rd Reading. We will be going through 3rds till approximately 8 o'clock where we will conclude our business for the day. If you turn your Calendars to the top of page 19, we will begin where -- where we left off last week. We will begin -- to the Order of Senate Bills 3rd Reading, Senate Bill 1080. Senator Fawell. Will Senator O'Malley, Woodyard, Dillard, Severns and Petka come to the Floor? We will be going to the Order of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senate Bills 3rd Reading, Senate Bill 1080. Senator Fawell, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Fawell seeks leave of the Body to return Senate Bill 1080 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of -- of 2nd Reading is Senate Bill 1080. Madam Secretary, are there any Floor amendments approved for consideration? Chair has been informed that Amendment No. 2 has already been adopted. So on the Order of Senate Bills 3rd Reading, Senate Bill 1080. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This creates the Domestic Relations Legal Funding Act, which applies only to DuPage County. Permits the County Board, by ordinance, to authorize the establishment of a domestic relations legal fund. The County Board shall establish a fee between a dollar and eight dollars to be collected by the clerk of the court on all civil case filings; exempts the proceedings commenced by, or on behalf of, a unit of local government. It adds -- the amendment adds the dissolution of marriage, legal separation and declaration of invalidacy <sic> of marriage to the cases to which a filing fee shall be assessed. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator Fawell, how much is this fee going to be? Isn't it -- is it going to be uniform throughout the State of Illinois?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

This is only for the County of DuPage. It is a pilot project that the DuPage Bar Association asked me to put in.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Fawell, to close.

SENATOR FAWELL:

I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1080 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, 1 voting Present, and Senate Bill 1080, having received the required constitutional majority, is declared passed. Senate Bill 1084. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1084.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. Senate Bill 1084 amends the Condominium Property Act to permit creation of condominium units subject to the provisions of the Act on

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

leased property when primarily two conditions are met: first, when the lessor is one of certain tax-exempt organizations under 501(c)3 of the Internal Revenue Code; and secondly, when expiration or termination of the lease would terminate with the condominium. General background information: nearly forty states, as well as the Uniform Condominium Act and the Uniform Common Interest Ownership Act, currently allow creation of leasehold condominiums. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1084 pass. Those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, no -- none voting Present. And Senate Bill 1084, having received the required constitutional majority, is declared passed. Senate Bill 1085. Senator Woodyard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1085.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This bill had its genesis, I guess, about six months ago when a -- one of my constituents that operates a welding supply firm in Danville and Champaign approached me from the standpoint that we presently have on our books a licensing system for people who fill fire extinguishers, and that's part of their business. Anyway, he said there is no enforcement on this bill. We simply pay a license

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

fee. The Indiana people come over and -- and they're not licensed in Illinois, and they fill the fire extinguishers. And his intent was let's repeal this thing. I tended to agree with him. Why not repeal this thing? During the committee testimony, there were no opponents registered, but I will tell you that the Fire Marshal's Office at this point in time, in my opinion, is probably opposed to this bill; although, they do admit there is no enforcement, there is no way of tracking people who don't have licenses or anything -- or permits. So this bill would -- would eliminate that licensure possibility, rather than having it sunset three years from now. That's what the bill does. I would appreciate favorable vote, or try to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Viverito.

SENATOR VIVERITO:

Mr. President, will he yield to a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Viverito.

SENATOR VIVERITO:

On this particular bill of not having them be licensed, don't you think that that might be a hindrance and a dangerous situation with fire extinguishers with people that don't know how to test these particular equipment? There's a lot of fire equipment. There's a lot of chemical expertise that's necessary, and I wonder about this bill. I think it's detrimental in many ways.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Well, I can only tell you this: It's happening now. There is no enforcement. I can -- we have people that are documented that are -- are contracted with small fire districts. You've got them in the City of Chicago. You know, take a look at the fire

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

extinguishers in many of the buildings and hotels up there, and they're not recharged by licensed people who recharge those fire extinguishers. It's happening now with no enforcement. In my district, which has a hundred and fifty miles of Indiana border, the Indiana guys are coming across and contracting with -- with firms that do that. So I don't know how else I can respond to you, but I -- I don't even think the Fire Marshal has any idea how many of these fire extinguishers are being charged by people who aren't licensed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito.

SENATOR VIVERITO:

I have to say that a particular -- I have an interest in this, because an individual who owns and operates this type of business came down here a few years ago to testify, to guarantee that we would have the proper licensing and making certain that when those extinguishers are not duly equipped to go off, that they -- that they make certain that the equipment is up to par. I really think with nursing homes and schools and all the other particular places that are extremely necessary to have a good quality fire department -- fire equipment, this would be a very, very dangerous bill. I wish you'd reconsider it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Woodyard, could you tell me when this law was initially passed and what were the circumstances that encouraged the State Legislature to pass an Act licensing fire equipment?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

I don't know.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, then, it -- I'm sure that there was some reason behind it, Senator Woodyard. It just doesn't seem to me to -- if it's going to be repealed on December 31st of 1999 anyway, what's -- I don't know what the rush is here to -- to speed it up. Maybe in those three years we could figure out the reason why it was enacted in the first place. There must have been some good reason.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would concur a little bit with Senator Welch, and just ask the sponsor -- I concur -- if from Indiana you're having some problems with those people coming across the border, why are we not then licensing out-of-state fire distributors also? Because, you know, I'm in very strong belief that if it's good enough for us, it's good enough for those people from Indiana. So if we're going to allow them to be licensed, we should license them also.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Well, I -- I guess that's a question, and I think Senator Welch maybe also had a question that I'm not sure I can answer, but all I can tell you, I didn't have a big problem with the licensure of these -- of these people who deal with fire

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

extinguishers and so on. The problem being, if you're not going to enforce the licensure, why are we having it? If you want to enforce it, I don't think that's a big problem, but you better be prepared to come up with some appropriations to put thirty or forty people out there in the Fire Marshal's Office to do this, because it is totally unfair to have Illinois businesspeople at a disadvantage, not only from -- from their colleagues in the State of Illinois, but from out of state as well. And that's all I'm trying to do is just -- and as far as money, nah, it's not a big amount of money. You buy a license for a hundred dollars and you can get one and I can get one to fill fire extinguishers. There's no -- no criteria to do that. The employees are permitted at fifty dollars an employee. But it just seems one more of those kind of unreasonable, bureaucratic licensures that -- that we have in the State today that is totally unenforceable.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Senator, I couldn't agree with you more and some of your comments. However, here's a case where the professionals came to us and said we want to be licensed, which so many of the people throughout the State have been doing as of late. I don't know if they're afraid of the competition, if -- whatever the case may be. But when they come to us, just as nurses do and everyone else does, and want to be licensed, why should we be the ones to tell them, no, you should not be licensed? And I think that, in effect, because you may have had a couple and I may have a couple also, being on the border, I still think we have to look at it from the overall well-being of the entire industry. And I think that we could have perhaps went, as you indicated, with a little appropriations to ensure that safety is a factor that we're all -- all really value as being important. So I ask for a No vote.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I just want to stand up in support of this bill. I'd like to point out to people who served on Appropriations how difficult it is for the Department of -- of Professional Regulation to deal with the broad breadth of -- of professions they're trying to regulate. It would help them, I think, a great deal if we would move some of the less important ones off the table and let them get reorganized so they can deal with the really important professional regulation. And I just think the sponsor has a good bill and -- and wanted to stand in support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Woodyard, to close.

SENATOR WOODYARD:

Well, thank you very much, Mr. President. And...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon...

SENATOR WOODYARD:

...if I thought...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Woodyard.

SENATOR WOODYARD:

I'm sorry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs, I didn't see your light.

SENATOR JACOBS:

...but -- but I think a statement was made that this comes under Professional Regulations. It's my understanding it comes under the Fire Marshal's Office, and just wanted to -- to rectify that before the good Senator closed. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senator Woodyard, to close.

SENATOR WOODYARD:

Yes. Again, as I indicated, if I had any feeling, or had been approached by anybody, that I thought I would be creating a -- a health hazard or some kind of situation like that, I certainly would not be supporting this. But it -- it seems to me that that is not the case. And -- and I simply ask for your support and -- and help on passing this bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1085 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 27 Nays, and none voting Present. And Senate Bill 1085, having not received the required constitutional majority, is declared failed. Senator Woodyard seeks Postponed Consideration. Leave is granted. Senate Bill 1089. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1089.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Code of Criminal Procedure with respect to speedy jury trial demands and jury waivers -- or speedy trial demands and jury waivers. It recommences a speedy trial time period for defendants who have committed new crimes on bail or subsequent violations after their original speedy trial act demands, and requires written notification to the State's attorney

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

in a new speedy trial demand before the new period begins to run. And the second thing this bill does - and it's good for witnesses who show up at trial - it makes withdrawal of initial jury waivers contingent upon not inconveniencing witnesses who have appeared for trial only to find the waiver withdrawal has set the trial over to another day and another docket. This bill comes from Mayor Daley's office in Chicago. I believe it's a good bill with respect to the Criminal Code in the State of Illinois. And importantly, it also preserves the rights of witnesses who take time out from their schedules to show up and testify at trial. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Never mind.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1089 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, 1 voting Present. And Senate Bill 1089, having received the required constitutional majority, is declared passed. Senate Bill 1095. Senator Severns. Senate Bill 1096. Senate Bill 1100. Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1100.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senate Bill 1100 is entitled the Parental Consent to Abortion Act. This piece of legislation is almost verbatim modeled after an Act which passed in the State of Pennsylvania, which was challenged all the way to the United States Supreme Court and was held constitutional by the United State's Supreme Court. What this Act does is basically prohibit the performing of an abortion upon a minor -- an unemancipated minor unless there is consent of at least one parent. Additionally, there are what we call judicial bypass safeguards, which are placed in the legislation: if, in certain circumstances, the problem of consent would be difficult to obtain because of the fact that the -- the father of -- of the child may be the father of the unborn; there is a medical emergency exception which is placed in the legislation which basically provides that if in the medical judgment of a physician that the -- there is a medical emergency which requires -- because of a complicated pregnancy, which requires an immediate abortion, that that is an exception to the consent; additionally, the Act provides a so-called bypass procedure, which permits a court to basically find that the -- minor -- unemancipated minor is such of maturity that consent is not necessary. I recognize that this is an issue which has been debated in the past on the Senate Floor, but I would simply remind both sides of the aisle that even the President of the United States, in answering a question on the campaign trail dealing with this issue, stated that abortion should be safe, and, yes, but abortion should be scarce. I do believe that this type of legislation, which has already met constitutional muster in our highest court of the land, is something which is necessary and desirable in this State. Mr. Chairman and Members of the Senate, I will answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Will sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Are there -- is any provision in this bill, because I don't have it in front of me, as to whether the girl of -- if she has some good reasons, if there has been incest? Just recently we heard of a gentleman in Pennsylvania who committed incest with his daughter and buried her two babies that he had with her. Now, is there any provision in this bill that provides that this -- the girl can get an abortion if she has some extraneous circumstances, like incest?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Senator, the answer to your question is yes. There is a judicial bypass, which permits a minor to appear through a friend of the court, to completely retain their anonymity, and this court proceeding -- basically the minor can have a court-appointed counsel and can appear on -- on her behalf at no cost to the minor. And the court can then make inquiry as to whether or not the consent provisions of this Act should apply.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Shaw.

SENATOR SHAW:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Shaw.

SENATOR SHAW:

Senator, I couldn't help but notice you said that -- you quoting the President on this bill. Does that mean that you support him?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

If you ask whether or not I voted for the gentleman, the answer is I did not, sir.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

No. That wasn't what I -- that wasn't the question. I notice you quoted him. Does that mean that you support him in his position on that issue?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

I -- I support the President's statement that because this is a procedure which terminates life, that it should be used sparingly or scarcely. Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, I always get a little put out at, lack of a better word, 'cause sometimes when we look at these bills it almost appears that we come down to pro-abortion and pro-life, and that's not the issue. There are many of us here, many of us with the Catholic faith, many of us with a lot of different areas of concern that also are not for abortion, but many of us do feel that there is a necessity for choice. I guess my question would be -- is, we have already passed a parental consent bill -- I mean, excuse me, a parental notification bill, which I thought is one that probably could have tossed a coin and went either way with, 'cause it had some further safeguards, but now we're into parental consent.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

What happens if a daughter, of a person, who is pregnant, and perhaps by the father, goes to the mother, not to the father - because she can't go to the father because he may be the father of that child - and the mother says no? What happens to that child? What recourse does that child have at that point? Under your bill, is there any recourse at that point?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Senator, for asking that question. And the answer is yes. And the answer becomes, again, from the judicial bypass proceeding, which is available. The minor, under those circumstances, can have a guardian ad litem appointed by the court with counsel and basically make a case to the court, in a judicial bypass proceeding, to determine that the consent provisions of this legislation simply do not apply.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

What happens to a young lady who may be homeless, who has run away, has no parent which to turn to, and isn't aware of the judicial review and the judicial bypass? Does she go into the back alley, or does she -- is she informed by someone that this judicial review is available to her?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Well, Senator, under those circumstances, that's -- one of the reasons for this bill, because under those circumstances, a doctor would be required to tell her that he cannot perform this abortion until he receives either consent or has -- has permission from the court. And at that time, the provisions that I've just referred

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

to will kick in.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

I also don't have the bill in from of me, Senator. I don't think a lot of us were prepared to go into the 3rd Readings in depth tonight, but what -- in your bill, what is the age of a minor?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Senator, the age of the minor is -- unemancipated minor is under the age of eighteen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Then also what -- what happens with the patient/doctor client -- or the client/doctor relationship if she goes to her doctor and says, "I want this abortion"? Where -- what happens to that patient -- or, that client/doctor relationship under that point?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Senator, it's the -- basically the same situation as any minor coming into the hospital looking towards a medical procedure, which -- what you are talking about here. A minor -- a doctor simply cannot begin performing medical procedures without certain permission from parents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

What happens then if, in fact, that doctor would do an

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

abortion 'cause he felt that it was medically necessary to save that child's life at that particular portion <sic>? What happens at that point? What is the liability of the doctor and what happens to that young person's rights? Are we saying that young people do not have rights? Is that what we're saying by this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Senator, under these factual circumstances you just proposed, under Section 30 of the bill, the requirements of consent are -- are simply waived when in the medical judgment of the physician, based upon the case before him, that a medical emergency exists, and because -- because of that the -- the consent requirement is waived.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Just in closing, I guess I -- it's not my place to close, but finally let me just say that again what we are saying is that the young person, under this provision, has no rights. You know, it's a little bit different than going in to have a toe amputated and maybe at that time the parent has to be there to sign for that action. But it seems to me that whenever you have an abortion or you have a pregnancy that may be father-induced as an example, that you -- you're put through all these hoops and for some reason we just say "No" to our young people, that you have no choices, but yet we expect them to have the responsibility of life, and for their future life. And I think that with this bill, especially with the fact that parental notification is already passed, I think that this bill becomes redundant and almost to the point - lack of a better term - overkill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. Chairman, Members of the Senate. I wanted to speak to the bill. Some people ask, what is the difference between this bill when we're talking about consent and when we just passed a bill through here on notification. The difference with consent is that we are actually taking the choice and a decision away from the woman that is pregnant. We are not notifying the parents. There is a difference, and there is an important difference in there. And I think we should understand that when we look at how we're going to vote on this bill. In addition to that, there are criminal penalties connected with this bill. My understanding is that this would be the only procedure, if this bill is passed, where a doctor would receive a criminal penalty of a thousand dollars in fine or up to a year in jail for performing something that the patient has asked him to perform, and sometimes has pleaded with him to perform. And I think the criminal penalties are something that we need to certainly be very careful of and take a look at before anybody would vote Yes on this bill. The intent here is -- in my belief, is not to notify the parents. We have a bill that we passed out to notify parents. The intent here is to intimidate the doctors, to make them scared so that they will not perform the abortions and to take that decision away from the woman. And I would urge a No vote on this bill.

END OF TAPE

TAPE 2

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'm very pleased to join Senator Parker in strong opposition to this bill. Let me add, in addition to the very eloquent points that she raised, that there are young women who may become pregnant that, for whatever reason there exists, if this bill is law, they will not go to a doctor knowing that their parents are going to be asked for their consent, and you're going to recreate the -- the back-alley abortions, the hanger abortions that we -- that existed for many, many years. That does a great disservice to our young people. There are situations -- and the overwhelming majority of children who do become pregnant already tell their parents of this situation. So we're talking about maybe thirty percent of women who become pregnant, who don't -- for whatever reason, don't share that fact with their parents. This bill is going to invite them to jeopardize not only the -- their health, but their lives, by finding an alternative to going to a doctor, and the doctors are facing criminal prosecution under this bill. It does a disservice to the doctors. It does a disservice to the majority of families. It does a disservice to young women that get pregnant. I urge a No vote also.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. I join wholeheartedly with Senator Parker and with Senator Berman in their explanation of this particular bill. You must also understand that there are young girls today in our societies that do not know -- if I might use the vernacular of the street, they don't even know where their parents last "lit" and have no one to

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

advise them or to go to, et cetera. And then to put a -- a doctor in danger, I think that is wrong. I encourage all of my colleagues to join us in voting No for this piece of legislation. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Petka, to close.

SENATOR PETKA:

Well, thank you very much, Mr. President and Members of the Senate. Once again, the usual buzz words that have been associated with the abortion issue have been trotted out in this debate: back-alley abortions, hanger abortions, and the like. May I submit to you, what we are suggesting in this legislation is really no different than what is found in Illinois law in -- in at least fifty different Statutes, and that basically is the right of a parent to exercise control over a minor. To use the term "women" in this legislation is a misnomer. We are talking about minor women. This does not apply to those who have been emancipated. Only minors. Let me just remind you of a few things. Under Illinois law, if you wanted to join the Illinois State Guard, you would need to have consent of one -- at least one parent. If you were a minor and the victim of a sexual assault, you could not even take the sexual assault collection kit and submit it to a crime lab without having parental consent. You cannot go on bus trips without having parental consent. You can't get medication in the school without parental consent. You can't buy cigarettes; you can't have your body tattooed. And yet, a medical procedure which can have serious and disastrous consequences, we are saying that the parents should be just simply cut out. When we talk about the right, in this instance, of a parent to have at least some knowledge of this medical procedure, we are talking about a right that has been placed in the Statute by this General Assembly at least fifty times over. That's all

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

we're talking about here. In terms of the criminal penalty that has been alluded to, we are talking about a misdemeanor. In the State of Pennsylvania, the penalty that is ascribed to this procedure is the loss of a medical license. Mr. Chairman, for the reasons that I have cited, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1100 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 20 Nays and 2 voting Present. And Senate Bill 1100, having not received the required constitutional majority, is declared failed. Senator Petka requests Postponed Consideration. Hearing no objection, leave is granted. The Chair will remind the Membership that we have been in the Order of Senate Bills 3rd Reading for approximately forty minutes now and we have completed five bills. In the middle of page 19, Senate Bills 3rd Reading, we have Senate Bill 1106. Senator Weaver. Senate Bill 1107. Senator Weaver. Senate Bill 1111. Senator Rea. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill -- pardon me, 1111.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. Senate Bill 1111 provides that under -- well, actually, it changes the number of -- of voters that would need to sign a petition for -- to bring a backdoor referendum to a vote. Current law on river conservancy districts. This only affects the river conservancy districts that are involved in a number of projects - actually, very diversified

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

projects now - financed by bonds that are subject to backdoor referendum provisions. Generally, the -- ten percent or more of the registered voters of the district must file a petition within thirty days of publication requesting a referendum, and this reduces the number down to five percent. It came out of committee with a attendance roll call. I know of no opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 1111 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 1 Nay, 2 voting Present. And Senate Bill 1111, having received the required constitutional majority, is declared passed. Senate Bill 1124. Senator Philip. Senate Bill 1129. Senator Dillard. Senate Bill 1139. Senator Shadid. Senate Bill 1140. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1140.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the -- this bill was amended by Committee Amendment 1, and that is the bill. Represents a work product of several adoption attorneys who made a good-faith effort to clean up some of the problems that were inadvertently created when the Baby Richard Bill was blasted through the Legislature last year. It clears up a number of technical errors. It clarifies that if the biological mother executes an affidavit of identification before the birth of a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

child, the affidavit does not change the time period for taking a consentor surrender. Irrevocable consents or surrenders cannot be taken until seventy-two hours after the child's birth. And requires the DCFS to prepare a notice to registrants that further legal action is necessary to retain their parental rights. I'll be glad to answer any questions. If not, I'd like to have a favorable vote. It was passed unanimously by the Judiciary Committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1140 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. And Senate Bill 1140, having received the required constitutional majority, is declared passed. Senate Bill 1142. Senator Dunn. Senator Thomas Dunn. I beg your pardon. Senator Ralph Dunn. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1142.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President, Members of the Senate. Senator Molaro is also a cosponsor with me. We both had the same idea. A lot of people who are -- were eligible for the grandfather clause under nail technicians weren't notified, didn't know about it, and the deadline for the grandfather -- to be grandfathered in expired on January the 1st, 1995. This would extend the grandfathering date to the end of 1995, to December the 31st. I'll be glad to

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

answer any questions and urge its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1142 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. And Senate Bill 1142, having received the required constitutional majority, is declared passed. Senate Bill 1143. Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1143.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Currently under law, we license the boiler and pressure installers, but we do not license the people that repair those. This bill simply expands the authority to inspect the people who are licensed, the people who do the repair work of the boilers. And it also has a fee increase to cover that cost. Urge your support. If not, I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1143 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, none voting Present. And Senate Bill 1143, having received the required constitutional majority, is declared passed. The top of page 20,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

we have Senate Bills 3rd Reading. Senate Bill 1149. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 1149 allows the Comptroller and Treasurer to conduct on-site visits with State agencies to analyze collection and deposit patterns, methods and resources. This will help save the State money because of quicker transferring of funds, which will mean the State won't lose as much interest on the money. It also allows for these analyses to be forwarded to the Auditor General. This is a cash management-improvement bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 1149 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, none voting Present. And Senate Bill 1149, having received the required constitutional majority, is declared passed. Senate Bill 1150. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1150.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SENATOR LAUZEN:

Senate Bill 150 <sic> does several things along the same vein. It permits the Treasurer to execute agreements between it and financial institutions relating to interest collection. It deletes a provision of Statutes which says the Treasurer is responsible or must collect monies received by the State in the form of check drafts or similar instruments. Codifies the types of banking services the Treasurer will pay out of Bank Service Trust funds. And finally, permits the Treasurer to waive the monthly transfer of funds into the Bank Service Trust Fund from GRF if the fund has enough money in it to pay the obligations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1150 pass. Those in favor will vote Aye. Opposed... Senator Welch.

SENATOR WELCH:

Yeah. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

This -- the analysis that I have says that the Treasurer can enter into an agreement specifying the rate of interest. How do they do it now? They -- they just deposit the money and wait for the interest to come back? How does that work?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Right now, by law, the State cannot allow interest to accumulate in an account, so it must sweep it monthly. Because of this, financial institutions give the State a lower rate of interest. What Senate Bill 1150 does, it gives the State the ability to collect interest specified in deposit agreements,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

whether that be monthly, quarterly or at maturity. The benefits, naturally, would include more interest earned, decreased administrative costs of monthly interest collection and more flexibility.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

So, then, we would have money sitting out there for several months, and it would not be available to the State to pay bills. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

No. What this will do is it will give the Treasurer's department and office more flexibility in negotiating these agreements to maximize the amount of interest that would be derived by the State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Lauzen, to close.

SENATOR LAUZEN:

I would just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1150 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, 1 voting Present. And Senate Bill 1150, having received the required constitutional majority, is declared passed. Senate Bill 1152. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1152.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

This bill relates to disclosure requirements for people leasing or entering into leases with the State of Illinois. There was some concern on some people's part that -- that perhaps the bill wasn't written to be specifically prospective. The committee amendment that was adopted -- the Floor amendment that was adopted clarified that to make it clear it was prospective only in nature. It's a pretty self-explanatory bill. I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1152 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 1152, having received the required constitutional majority, is declared passed. Senate Bill 1154. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1154.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a pilot program of two years' duration for the County of DuPage. It is an automatic railroad grade crossing enforcement system, a system operated by the law

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

enforcement agency that photographically records a driver's response at a railroad crossing. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1154 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 5 Nays, none voting Present. And Senate Bill 1154, having received the required constitutional majority, is declared passed. Senate Bill 1187. Senator Dillard. Senate Bill 1188. Senator Dillard. Senate Bill 1193. Senator Rea. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1193.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. Senate Bill 1193 requires the -- actually, requires the bond required of the conservancy district trustees to be held in a bank or trust company that is qualified to do business in the State of Illinois and located in the district. It deletes the provision allowing a smaller number of trustees to adjourn meetings of the board of trustees. Came out of committee on a attendance roll call. Would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1193 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

record, Madam Secretary. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 1193, having received the required constitutional majority, is declared passed. Senate Bill 1194. Senator Rea. Senate Bill -- Senate Bill 1200. Senator O'Malley. Senate Bill 1202. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. Chairman, Members of the Senate. This legislation simply would provide protection for purchasers of rebuilt vehicles by requiring that they be made aware that the vehicle is rebuilt prior to completion of the sale. Currently law does not require this disclosure, which allows many consumers to fall prey to unscrupulous sellers of vehicles which have been seriously damaged or rebuilt. I would be glad to answer any questions, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Watson.

SENATOR WATSON:

How does this impact antique cars?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

How does it impact antique cars? I tell you the truth; I hadn't thought of that question. I would not think it would impact antique cars. What it is -- if a -- if a car is stolen and it needs to be rebuilt -- I really don't know how it would affect antique cars. I don't think it would. It's really, I think, designed if the car is stolen and it is damaged and it needs to be rebuilt, then it is taken to the dealer, and you have to get a new warranty and you have to disclose to the purchaser that the car has been rebuilt on their title that they are getting.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Senator Watson, I believe that those titles that have the antique cars have got "antique" stamped on them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This is a very good bill, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Parker, to close.

SENATOR PARKER:

Thank you, and I would urge a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1202 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that -- on that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 1202, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to the Order of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senate Bill 3rd Readings, 1200. Senate Bill 1200. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1200.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. Senate Bill 1200 amends the State Property Control Act and the Illinois Library System by authorizing a State agency to transfer surplus books, serial publications or other library materials to another State agency, to a public library, or to a library system or member of the system. Requires the State Librarian to review geographic boundaries of library systems at least once every ten years and make appropriate adjustments. Removes procedure -- procedures for the governing board of a public library to apply for transfer from one library system into another, and requires each regional multi-type library system to establish a regional library service planning authority. This is an initiative of the Secretary of State's Office, with the State Librarian and the Illinois Library Association. If there are any questions, I'd be pleased to answer them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any -- is there any discussion? If not, the question is, shall Senate Bill 1200 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 1200, having received the required constitutional majority, is declared passed. On the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Order of Senate Bills 3rd Reading, Senate Bill 1203. Senator Barkhausen. Senate Bill 1204. Senator Hasara, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Hasara seeks leave of the Body to return Senate Bill 1204 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1204. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Hasara.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Senate Amendment -- Floor Amendment 3 is a technical amendment which just clears up some technical language in the bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1205. Senator Barkhausen. Senate Bill 1211. Senator Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1211.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SENATOR WALSH:

Thank you, Mr. President. Senate Bill 1211 prohibits a unit of local government from enacting or enforcing an ordinance or resolution that would have the effect of controlling the amount of rent charged for leasing private property. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 1211 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. And Senate Bill 1211, having received the required constitutional majority, is declared passed. On the top of page 21, House Bills 3rd Reading -- pardon me. Pardon me. We will now go to the middle of page 10, the beginning of the Calendar of House Bills 3rd Reading -- Senate Bills 3rd Reading, I beg your pardon. Senate Bill 3. Senator Hawkinson. Madam Secretary, read your bill.

ACTING SECRETARY HAWKER:

Senate Bill 3.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill is still a shell bill. It's a vehicle for truth in sentencing. We'll be working with Senator Dunn on the minority side, and with the House, the Governor, the Attorney General and the State's Attorneys' Association. We don't have an agreement yet, but we'd like to have this bill positioned in the House, and I'd like a favorable

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 3 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. And Senate Bill 3, having received the required constitutional majority, is -- is declared passed. Senate Bill 14. Senator Fitzgerald. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 14.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the Senate. Senate Bill 14 would allow municipalities to prosecute their violation of municipal ordinances either in the county in which the office of the clerk of the municipality is located or in any county in which at least thirty-five percent of the territory within the municipality's corporate limits is located. This bill is for those municipalities which lie in -- in one or -- in two counties, and it is an initiative sought by the Village of Barrington and Buffalo Grove. It passed unanimously out of the Judiciary Committee, and there is no opposition that I know of.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 14 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 14, having received the required constitutional majority, is declared passed. Senate Bill 21. Senator Butler. Senate Bill 78. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 78.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senate Bill 78 would allow a township to enter into a lease with a not-for-profit corporation for up to ninety-nine years. It was requested by a township in my Senate district. We've been through it quite exhaustively through the committee process. There were some questions last time I brought the bill and took it out of the record, concerning exemption from the competitive bid process. I did -- made a reference check on that and brought some information to the questioner, and I'll share that with the Body. Essentially in the -- in the Statutes currently, we have an exemption from the competitive bidding process as long as the lease is between governmental bodies. This only expands that to include any other governmental body or a not-for-profit corporation that's -- that's contracted to construct or fund the construction of a structure or improvement upon the real estate owned by the township and has contracted to allow the township to use the building. So it -- it's a -- it's a very narrow exemption that -- that seems to make sense. I'll be happy to answer questions, and I would request a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senate Bill 78 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, none voting Present. And Senate Bill 78, having received the required constitutional majority, is declared passed. Senate Bill 124. Senator Dillard. Senate Bill 130. Senator del Valle. Senate Bill 141. Senator Woodyard. On the top of page 11, Senate Bills 3rd Reading, Senate Bill 161. Senator Cullerton. Senate Bill 169. Senator Syverson. Senate Bill 177. Senator Welch. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 177.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is pretty well self-explanatory. It makes Pearl Harbor Day a yearly State commemorative date. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 177 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 177, having received the required constitutional majority, is declared passed. Senate Bill 182. Senator Rauschenberger. Senate Bill 192. Senator Hasara. Senate Bill 204. Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 204.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 204 is the same as Senate Bill 590, which we had in this Body last year. It's a bill that would give a definition to real and personal property. There are some people who are concerned, mainly the nuclear assessors, that this bill will take something away from them. This bill is prospective. I had attempted to introduce an amendment to that wording. Somehow they disagreed or opposed it. I think their major intent was to destroy the legislation. So I'll go forward, and when the bill hits the House, if there is an amendment that is acceptable to both of us, we'll put it on there, but at this particular point, we've reached an impasse. I think it's very, very unfair that as a taxpayer, particularly those that are real high-risk who have made investments in machinery, equipment and plant, not know - not know - how they're going to be assessed. In fact, one of the driving forces to keep industry out of Illinois or having to give inducements in every situation in which we do have manufacturing firms is based on the idea that they do not know, they do not know, they do not know how they're going to get assessed. So I would urge that we -- well, I'll be happy to answer any questions, but if not, I would urge that we accept...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, much as I have the greatest admiration for the sponsor of this bill, I live in a city where we do have a nuclear plant, and when they tell you that they can't decide which is real estate and which is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

personal property, we all know - all they have to do is ask their lawyers - that what's rooted in the ground is real estate. The other stuff is personal property. And there's nothing to prevent the companies that have these big towers, for example, in my town from removing them and calling them personal property. Now, I know it sounds far-fetched, but we have fought this bill before. It would be devastating on towns that do have a nuclear plant and depend on their tax base, and it would be a -- really a disaster for my town to have property reassessed as personal property, which is rooted in the ground. And when you're told by some of these company executives, "Well, we can't tell how to tax -- to have our property taxed", our assessors know what to do. And I feel that this would create a great hardship on the villages and towns that have a nuclear plant, and I rise to speak against this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Question of -- question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator DeAngelis, in those areas where the school districts have issued bonds depending upon revenue from these nuclear plants, how are they going to pay those bonds off in the future if the revenue from the plant declines because of a change in assessment in future years?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Welch, I don't know how to say it any better, or know -- I don't know how to say it even again: This bill is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

prospective. Okay? So those people who have bonds in place have no concern.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Senator DeAngelis, what would stop a -- a company from changing some small item on one of their power plant facilities - upgrading it, for instance - and then claiming the whole plant has been changed over to a new structure?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

I guess nothing. But, Senator Welch, you know, if you assessed it properly, you have no concern. You know, I -- this has been most disturbing to me, because the people that are opposed to this bill are concerned they may have done something wrong and they might get caught. I even put in the bill, if you've done something wrong, you don't have to worry about getting caught 'cause we're going to forgive you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, I'm sure the -- the opponents appreciate your amnesty extension here, Senator DeAngelis. That's nice of you. But what you said in your opening statement isn't exactly correct, because there are more groups than nuclear power plant assessors that oppose this. It's opposed by County Assessors, the Community College Association, Statewide School Management Alliance, Township Officials of Illinois, the Illinois Library Association, FAIRCOM, Illinois Association of Fire Protection Districts, IML, LaSalle County Board, Byron Chamber of Commerce and Byron taxing districts. There is really not that much confusion. What happens

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

in a lot of cases in my area, Senator, is this: When an assessment is made on a power plant, the power plant appeals it to court, hoping to negotiate the amount -- the value assessed downward and settle out before the case is -- is finally dispositioned by the judge. That's where the confusion comes in. I think that the assessment is very clear. What we have here is an attempt by the Taxpayer Federation to do something they did several years ago: They are worshipping at the altar of statewide tax uniformity. They did that on the sales tax. It was a good idea because we had a lot of different sales taxes throughout the State. Now it's about seven years later. They haven't really had any major legislation, so they came up with this thing. I think that it's a mistake to try to go ahead and pass a bill that just ends up with some type of uniformity, even if it is prospective, as you say, because it's going to create a total imbalance in those districts that rely upon the court cases that have decided how you assess property. Those areas with the nuclear plants currently have been assessed, but it doesn't just apply to nuclear plant areas. It applies to all farms. It applies to all large businesses. This is a far-reaching piece of legislation. And the taxes will be made up by the counties from the residential homeowners. So everyone here who votes for this is going to be looking at a tax increase in the future. In my two counties that I have, one county board said they would raise taxes four million dollars, in LaSalle County. In Grundy County, they said they'd raise it fifteen million dollars. Every county is going to have a loss of revenue, and it will be made up by the residential homeowners. So don't think this is a free throw, folks. Don't think that these powerful lobbies that are in support of this bill are going to have a bill here that helps them and doesn't hurt somebody else. It does, and you're going to be answering for it on election day. So I would urge you to vote No now, while there

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

is still time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, Senator DeAngelis, to close.

SENATOR DeANGELIS:

Senator Welch, God love you, but you didn't read the bill, pal. You really didn't read the bill. This bill clearly states: How would this bill -- bill affect current disputes - the things that you're talking about? Not at all, not at all, not at all. For the bill makes it clear the legislation would have no affect, no affect, no affect, no affect, on reclassifications done before 1979, nor on any litigation in process. You know, I -- I cannot believe that we -- we believe here that if a taxpayer takes the risk of building a facility, he has to play Russian roulette or find a wired lawyer to get the proper assessment. My friend, I got to tell you, that's grossly unfair. I -- you know, several years ago, and now let me say -- let me correct that, 'cause I don't want to offend any lawyers in this General Assembly. I'm talking about Cook County mainly. Okay? I got to tell you, seven years ago, Inland Steel came and did a site selection process to build a new steel plant, and they have three facilities in Cook County, and I led the charge to get them there and they -- we -- their tax department said, "No way, Jose, because we don't know how we're going to get assessed." I said, "I will tell you - I will tell you - that we will get an answer from the Assessor of Cook County." So I brought them into that office. And do you know on that five-hundred-million-dollar facility what the assessor said? "We don't know till you build the plant." Now that meant that the person could have been assessed at a hundred million, two hundred million, three hundred million, four hundred million or five hundred million, but he wasn't going to be told unless they built the plant. I got to tell you, that is grossly

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

unfair, and I got to -- it is just not the way that public policy ought to be conducted on taxation. We have enough problems drawing people into Illinois. But to have that kind of system, where you don't know -- and, Senator Welch, if you'd have been in committee, you'd have found out that there was several assessors who said that they changed their mind about assessing power plants when they looked over at the next county. That does -- that means they did not have a uniform policy at all on that particular assessment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 204 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 15 Nays and 2 voting Present. And Senate Bill 204, having received the required constitutional majority, is declared passed. Senate Bill 240. Senator -- Senator Welch, for what purpose do you rise?

SENATOR WELCH:

I wanted to ask for a verification of the vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

That request is in order. Will all the Members be in their seats. Senator Welch has requested a verification. The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Bowles, Burzynski, Butler, Collins, Cronin, DeAngelis, Dillard, Donahue, Dudycz, Ralph Dunn, Fawell, Fitzgerald, Hasara, Hawkinson, Karpel, Klemm, Lauzen, Madigan, Mahar, Maitland, O'Malley, Peterson, Rauschenberger, Severns, Sieben, Syverson, Viverito, Walsh, Watson, Weaver, Woodyard and Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Does Senator Welch question the presence of any Member voting in the affirmative?

SENATOR WELCH:

Senator Burzynski?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski is in the Chamber.

SENATOR WELCH:

Senator Watson?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson's in the back of the Chamber.

SENATOR WELCH:

Senator Maitland? Oh, there he is.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland is near his chair.

SENATOR WELCH:

Let's see. Who's left? Senator Weaver?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver is in his seat.

SENATOR WELCH:

Senator Walsh?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh is in his seat.

SENATOR WELCH:

All right. Nothing further.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On a verified roll call, the Ayes are 32, the Nays are 15, and those voting Present are 2. Having received the required constitutional majority, Senate Bill 204 is declared passed. Senate Bill 240. Senator Woodyard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 240.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This bill was suggested by the Horsemen's Council of Illinois and creates the Equine Activity Liability Act. And basically what it does, it requires that all participants who engage in these equine activities -- and when we first started looking at this kind of premise, I know I was thinking dealing more with county fairs and -- and these small horse shows, but it does require that participants who engage in those equine activities have to assume the inherent risks involved with horses. We did try to correct some of the concerns expressed in Judiciary Committee, and I think that we have primarily addressed most of those concerns. There are thirty other states that presently have almost this identical kind of -- of Act. This particular bill is -- is based upon what was passed in Colorado, and with that, I'll try to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, for purposes of legislative intent. I know we went over this in -- in committee, but the question that I had raised at one of the earlier meetings was the situation where someone goes to a riding stable or so forth. And the question is whether

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

a particular horse has been involved in prior accidents or is unruly, unbeknownst to the rider; that that kind of a question would be decided on a negligence standard. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Senator Hawkinson, thank you for bringing that up, but that is exactly correct. It would -- we are not tampering with that portion of it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 240 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 3 Nays, none voting Present. And Senate Bill 240, having received the required constitutional majority, is declared passed. Senate Bill 253. Senator Maitland. Senate Bill 256. Senator Butler. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 256.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much. Ladies and Gentlemen, this is a bill on behalf of the one thousand one hundred and sixty-two non-home rule municipalities in the State of Illinois. It is a bill that has been massaged and re-massaged about fifteen times. We are now -- we have four elements to this bill. First of all, it increases the maximum allowed fines for ordinance violations from five hundred to seven hundred and fifty. This hasn't been changed in

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

many, many years. It also changes the annual report requirements so that they list only those payments which exceed twenty-five hundred. It also provides the ability to have agreements with developers concerning sales tax rebates. And finally, it allows for fines and suspensions for liquor license violations. I would urge passage of the bill, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just -- I don't know if it's a question. I don't think it's a question, but I know this is a bill that a lot of municipalities do want. There's a portion of this bill, though, that I -- I think is onerous and actually almost comes to double jeopardy. It's not going to keep me from voting for the bill, but I would suggest to the sponsor that maybe we work on it a little bit whenever it gets over to the House and try to rectify the situation on the liquor licenses to where you can both fine and revoke. That appears to me to be a little harsh. It should be either fine or suspension, or fine or revocation, but to do both, I think, is a little bit redundant in its own -- it's -- in its own right and would suggest that maybe we look at that when it gets over to the House, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Shaw.

SENATOR SHAW:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Shaw.

SENATOR SHAW:

What -- what fees are we increasing here? Are we increasing any fees here, in this...

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

I'm sorry. I don't understand the question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Is there any fee increase in this bill, under this legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Senator, there is an increase in the fine - in fines - not in fees.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Okay. Would -- well -- now I heard one of the other Members say that the municipalities wanted this. And this affect what municipalities?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

It affects the one thousand one hundred and sixty-two non-home rule communities, if that was your question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

In the -- in the analysis here, it said the increased municipal ordinance violation penalty is from five hundred to seven hundred dollars. They agree with that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senator Butler.

SENATOR BUTLER:

It moves from five hundred to seven fifty, yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

I just have a few of these municipalities, non-home rule units, in my district, and nobody ever mentioned this to me. What are we doing with the liquor license? Is this the liquor license portion here that we are talking about here, from five hundred to seven fifty, or is this another Section?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

No, that pertains to ordinance violations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

What are we doing with the liquor license portion then?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Senator, I -- some of that you're -- you're asking questions about was in the original bill and have been deleted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Okay. But, certainly, maybe we should -- maybe I should take a look at the bill, but for now, maybe -- they tell me it's still in there, but -- some of this is still in there, dealing with the -- four -- I understand, four provisions of the original bill is still in there, in this legislation here. Is that right?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

That's right, Senator. Four were removed and four remain.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Is there anywhere in your bill -- any language that precludes the -- any appeal to the State Liquor Commission of any violation of a municipal ordinance on liquor, or State ordinance?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Senator, all of the liquor provisions have been removed. So -- or, the ones you're referring to, I'm sorry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Klemm.

SENATOR KLEMM:

Thank -- thank you, Mr. President. When this bill was first introduced and came to the Local Government and Elections Committee, it had a number of provisions, and I think many of us received notices about some of them. And I want to commend Senator Butler for having worked with the Municipal League and others that had concerns, brought it down to these four important points that I think are agreed to, and I really think that this needs our support. All the controversial issues have been taken out. I think it's a bill that we -- we can all support and move this legislation along. So, thank you, Senator Butler.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Karpziel.

SENATOR KARPIEL:

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Karpziel.

SENATOR KARPIEL:

Senator Butler, now when a non-home rule community has a problem with a -- someone that has a liquor license - they're selling to underage or -- or whatever - what are -- what is their recourse to that at the present time?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

You mean on the part of the license holder?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

On the part of the municipality.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Well, at the moment, I believe the municipality can either fine or revoke, or rescind.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

They can fine them?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Butler.

SENATOR BUTLER:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

...what are they adding to it with this bill?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Say again, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

What are you adding to that -- to it with this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

In terms of the fine, we are now allowing them to fine and suspend. Before it was either-or.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

Before it was fine or -- or revoke. Is that what you're -- was that it? And now we're allowing suspensions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

I'm sorry. It was always fine or suspend. I'm -- I apologize.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

I -- I apologize for rising for the second time, but I think there's some clarifications that need to be made, because in answer to your question, Senator Karpziel, currently a mayor can -- can suspend, can fine, or revoke. This says -- under this provision now that they're changing it to, says that they can not only revoke, but they can fine too, or they can fine and revoke,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

or fine and suspend. And then there's another portion here which I think is a little onerous, which states in the law whenever the local liquor commissioner brings charges against a licensee for a violation of this Act, and the licensee is found in violation, the local liquor control commissioner may recover from the licensee attorney's fees and other costs with bringing the action. The problem with that is, is as in the case of all fees established by municipalities and, in particular, liquor license fees, those liquor license fees are predicated upon the cost of enforcement. That's how you establish your -- your fee. And that, therefore -- again, they're going to be paying twice, because that's considered early on that somewhere along the line there will be remediation of taverns in one respect or another, and therefore, that causes me some concern. And again, Senator, I think the point is, is I would just like to see that continue to be worked on whenever that gets to the House 'cause I think that does carry some -- some situations to where we're giving double jeopardy, and that does bother me.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, Senator Butler, to close.

SENATOR BUTLER:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 256 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 1 Nay, none voting Present. Senate Bill 256, having received the required constitutional majority, is declared passed. Senate Bill 265. Senator del Valle. Oh, pardon me. Senator Garcia. Senate Bill 265. Senate Bill 270. Senator Geo-Karis. Madam Secretary,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 270.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill creates the Family Mediation Act. It simply says, if a judicial circuit elects to -- to establish mediation services for issues of custody or visitation, must do so as this Act requires. It's a "may" bill, and this was a recommendation that came out of the Illinois Supreme Court Study Committee on Mediation of Child Custody, Support and Visitation <sic> Dispute and -- in 1992, but the Supreme Court had not taken any action on these recommendations, and this implements that recommendation. And I invite any questions. We've -- we've defined what mediation is, in order to concur with the -- the judges of DuPage County, and we are also mentioning that conciliation is different than mediation. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 270 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, 1 voting Present. Senate Bill 270, having received the required constitutional majority, is declared passed. Senate Bill 312. Senator Bowles. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 312.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 312 increases penalties from misdemeanors to various classes of felonies for criminal trespass and entry to a cemetery, criminal damage to cemetery property, criminal damage to gravestones, digging up graves, desecration and destruction of human remains. The penalty enhancements do not apply to those who are engaged in the scientific study or in the collection of artifacts. The Department of Corrections has indicated that the impact - fiscal impact - would be minimal. It came from the Judiciary Committee unanimously, and I would ask for a positive vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 312 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. And Senate Bill 312, having received the required constitutional majority, is declared passed. Senate Bill 320. Senator Butler. Senate Bill 332. Senator Molaro. Senate Bill 334 -- 344. Senator Jones. Senate Bill 361. Senator Fawell. ...Bill 368. Senator DeAngelis. Senate Bill 395. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 395.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a -- really a clean-up bill requested by the Secretary of State. Last year a law was enacted which required the new school bus drivers to be fingerprinted for State and criminal -- federal criminal background checks. Right now, it has to be done with fingerprints. Now we can use the new technology to -- for electronic taking and transmission of fingerprints.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 395 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 395, having received the required constitutional majority, is declared passed. The top of page 12, we have Senate Bills on the Order of 3rd Reading. Senate Bill 398. Senator Madigan. Madam -- Senate Bill 398. Madam Secretary, read the bill. Senator Madigan, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Madigan seeks leave of the Body to return Senate Bill 398 to the Order of 2nd Reading for the purpose of an -- of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 398. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Thank you, Mr. President. Senate Floor Amendment 2 to Senate Bill 398 is technical and has one substantive change: It changes the time period to seek a refund from thirty days to thirty business days. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, all those in favor, vote Aye. Signify opposed, Nay. Amendment is adopted. 3rd Reading. On page 12, Senate Bill 412. Senator Dudycz. Madam Secretary, please read the -- read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 412.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. Senate Bill 412, as amended, authorizes the Cook County Forest Preserve District to convey by quit claim deed property to Acme Metals, Incorporated, in exchange for property conveyed to the Forest Preserve District. The two parcels that are being exchanged are described roughly equal in size. In fact, the Forest Preserve parcel is more attractive, with twenty-three acres, and the ACME parcel is twenty-six acres. The property owned by the Forest Preserve District is appraised at approximately three <sic> thousand dollars, and the property owned by Acme is appraised at three hundred and twenty-five thousand. The reason for the exchange is that Acme Metals is expanding. They would give up a larger, more attractive parcel with river frontage and near residential property for a parcel which would be situated between two major steel manufacturing facilities with limited public access, and the Forest Preserve cannot convey its property without legislative action.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Shaw.

SENATOR SHAW:

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

PRESIDING OFFICER: (SENATOR WATSON)

Yes. The sponsor indicates he will yield, Senator Shaw.

SENATOR SHAW:

Where is this property located, Senator?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCYZ:

This property is located, I believe, in Senator DeAngelis' district, who brought it to the committee and it was his amendment. I beg your pardon. I have just been told by Senator DeAngelis that this is in your district, Senator Shaw.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Dudycz, to close. Asks for a favorable vote. The question is, shall Senate Bill 412 pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yes, no voting No, no voting Present. Senate Bill 412, having received the required constitutional majority, is declared passed. Senate Bill 415. Senator Dudycz. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 415.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCYZ:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Thank you, Mr. President. Senate Bill 415 is the bill that contains clean-up language agreed to between -- oops! Take it out of the record.

PRESIDING OFFICER: (SENATOR WATSON)

Out of the record. Senate Bill 431. Senator Sieben. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 431.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 431 creates the Gambling Referendum Act. It allows the people of our State the right to vote at the '96 general election on this simple question: "Should the General Assembly expand legalized gambling in the State of Illinois by either increasing the number of riverboat casinos or by authorizing additional forms of gambling such as land-based casinos, video lottery terminals, or slot machines?" I think we all realize that right now, in the State of Illinois, we have lottery terminals virtually in every community of any size. We also have racetracks and off-track betting parlors geographically situated across our State. And now we have casinos operating within easy drive of just about everybody in the State of Illinois. So let's give the people of the State of Illinois the right to vote on this question in the November '96 election on whether we should expand gambling further in the State. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As my good friend Todd Sieben knows, this is something that is not truly an onerous bill, but I have a few concerns with it, mainly which I expressed some of those when we did this last year. First of all, we -- we are going to have a tainted vote. We already have nine counties in this State that have riverboat gaming, representing probably two million people in this State. The votes of those people, in my estimation, are already tainted one way or another. Whether that's good or bad, that's something that yet remains to be seen. I don't think we're truly going to get a true picture because the question is not specific. Just, do we want more riverboats? - or do we want more gambling in Illinois? - yes or no? - I think is always tempered by whose backyard it may be coming into. I think also to make this vote for 1996 - and I know that's as early as you can get it on - I think almost makes it a -- a moot point. By that time, I think we're going to know very clearly whether we have any expansion, if there is to be any expansion, of gaming in the State, or whether we are not. We are going to be talking here very shortly, I know, about the Governor's Task Force on Horse Race Gaming. That is going to call - as I read the task force - for some expansion of gaming in the State of Illinois. All of these things are going to happen before there is truly a vote of the people, and I think that then we just have something that we're just going through just for the intercourse of going through it. I think also that what we have -- we would be much better put, in my estimation, if we really looked at this referendum issue on a local basis. I think we have discussed that before. If there is to be gaming in an area, then maybe we should even look at a binding referendum at that point. But I think to have an advisory referendum, because they are costly - they do cost the county clerks a lot of consternation -

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

and I don't know if it's going to truly give us a clear picture. I don't have any overwhelming feelings one way or another whether it's the right way or the wrong way. I just wanted to point out some of those issues that I think may be pertinent to this legislation. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, much as I have great respect for the sponsor of this bill, I feel that the decision to whether or not have gambling or riverboats should be to the -- left to the local townships. The sponsor already has a riverboat in Galena in his area. My area, the eastern end of my counties - Waukegan and Lake Michigan - desperately needs a riverboat, for example. My western area - the Chain O' Lakes - desperately needs a riverboat, and the people there want it. When Antioch had the -- the option of asking for a riverboat, I told the people there, let the people of Antioch Township vote one way or the other, and I'll honor their vote. They voted against it, and I honored their vote. So, I can tell you right now, I think it's a matter of local issue. I think the local townships should decide it, not the whole State. I'm not depriving my people in the townships that may be involved from voting up or down on this situation, but I think it's far better to do that than have the whole county -- the whole State vote, because needs are different in different areas of the State. And I feel that this is not a wise decision, and I speak against a statewide referendum.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. I, too, have some concerns with Senate Bill 431. And, Senator, I would -- I would agree with --

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

with you on this bill, like with the increased forms of gambling. If we were talking about possibly going to video games, pull tabs or sports betting, I think we should ask the entire State what they feel about that. Riverboats, to me, was a decision that was made by a Legislature many years ago, and I think for us now to ask everyone in the entire State what they think about increasing riverboats, to bringing them to Cook County or the City of Chicago, is not fair to those areas, when we didn't ask suburban Cook County and we didn't ask the City of Chicago what they felt about riverboats down in -- in Elgin, in East St. Louis, in Peoria, and in other towns that have them. So it just doesn't seem fair to me now to have a statewide referendum on increasing the number of riverboats. Again, I would agree with you if we were talking about increased -- or different forms of gambling, but -- but not with -- not with the -- with the riverboats. And again, as somebody else pointed out, if -- if we had a local referendum, the municipality that was going to be getting the riverboat had a vote as to whether or not they wanted it, I could -- I could possibly agree with -- with the -- with the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR SIEBEN:

Thank you very much, Mr. President. I think the question here is pretty clear: Are we, as a legislative Body, willing to give the people of this State a right to vote on the question of expansion of gambling in the State of Illinois? And I would ask for everyone to cast a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 431 pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 voting

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Yes, no -- 8 voting No, 4 voting Present. Senate Bill 431, having received the required constitutional majority, is declared passed. Senate Bill 432. Senator DeAngelis? Out of the record. Senate Bill 441. Senate Committee on Local Government and Elections. Senator Klemm. Out of the record. Senate Bill 448. Senator Woodyard? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Senate Bill 448 is actually the result of -- of something that started nearly three and a half years ago. The bill was -- is proposed by the Illinois Chemical Fertilizer Dealers' Association, and it's an attempt to at least start a program that is a volunteer program that eventually we hope will lead to remediation or cleanup and monitoring of those chemical fertilizer plants that may be contaminating some of the soils around the plant. I think you've probably heard also that there are several plans out there, but this happens to be the plan that the Chemical Fertilizer Dealers themselves came up with. I think you're going to see further legislation in this Session dealing with Brownfield. There's a Pennsylvania plan. There's a Minnesota plan. There is a Greenfield plan. But as of right now, this bill is at least the start-up of being able to do this in a voluntary manner. And it does establish a board within the Department of Agriculture to set up this program. I will mention to you that it will need one further amendment when it gets over to the House, and -- to take care of a few concerns that the Illinois Farm Bureau had, but by

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

and large, other than that, I don't know of any opponents to this bill at all. And I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says he'll yield, Senator Welch.

SENATOR WELCH:

Senator Woodyard, is there a -- is there funding necessary for this, and if so, where does it come from?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Yes. The start-up, it seems to us, will take about a hundred and twenty thousand dollars. There is presently in existence that fund that the fertilizer dealers paid into, and I want to think it has like six hundred thousand dollars in it, presently residing in Department of Agriculture. There's never been any money spent out of that fund, so we don't -- we're not -- at this point in time, we're not asking for additional fees or anything else. Now, at some point in time, I'm satisfied that fund is not going to pay for a lot of remediation. But -- but for the start-up, it will take care of that.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Woodyard, to close. The question is, shall Senate Bill 448 pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yes, no voting No, no voting Present. Senate Bill 448, having received the required constitutional majority, is declared

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

passed. Senate Bill 459. Senator Maitland? Out of the record. Senate Bill 465. Senator Maitland. Out of the record. Senate Bill 472. Senator Peterson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 472.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 472 is a bill that will help get property assessed and on the rolls faster. We have an amendment that was put on at the request of the Cook County Assessor's Office. Came out of committee without any opposition, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 472 pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yes, no voting No, no voting Present. Senate Bill 472, having received the required constitutional majority, is declared passed. Senate Bill 478. Senator Karpel? Out of the record. Senate Bill 501. Senator Weaver? Out of the record. Senate Bill 502. Senator Weaver. Out of the record. Senate Bill 503. Out of the record. And 504. All right. And 505, Senator? Out of the record. 506. Senator Tom Dunn. Out of the record. Senate Bill 511. Senator Petka? Madam Secretary, please -- take it out of the record. Senate Bill 524. Senator Maitland? Out of the record. Senator Tom Walsh, on Senate Bill -- out of the record. Senator Collins,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

on 538? Out of the record. Senate Bill 540, by Maitland? Out of the record. Senate Bill 543. Senator Woodyard? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 543.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This bill is an initiative proposed by the Illinois Drainage District Association, and it's -- that is a brand new association. And it really is somewhat of a clarification or codification of what we think those drainage districts can already do. It would allow them to use a small portion of their levy. It's not increasing their levy or their tax rate, but it would allow them to use a portion of that for Association membership and -- and so on. The -- the attorneys for the drainage districts are somewhat divided as to whether they really can use that. We anticipate that it would be no more than something like three cents an acre. And that's what the bill does. And -- and I would solicit your -- your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 543 pass. All those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 voting Yes, 2 voting No, 1 voting Present. Senate Bill -- pardon me, Senate Bill 543, having received the required constitutional majority, is declared passed. Senate Bill 559. Senator Fawell. Madam

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Secretary, please read the bill.

END OF TAPE

TAPE 3

ACTING SECRETARY HAWKER:

...(microphone cutoff)...Bill 559.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is really just a cleanup and clarifying language for several sections of the Vehicle Code, requested by the State Police and the county engineers. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 559 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 559, having received the required constitutional majority, is declared passed. Senate Bill 573. Senator Maitland. Out of the record. Senate Bill 579. Senator Philip. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate -- Senate Bill 579.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 579 creates the Business Development Corporation Working Group within DCCA to study the economical feasibility of creating a publicly-held, for-profit corporation in Illinois to invest in the State's business development program. It's compiled of twenty members: the Director of DCCA, the Director of DFI, the Secretary of State, the State Treasurer, two Members from the House, two Members from the Senate and twelve appointed by the Governor. Be happy to answer any questions. Would hope we would see at least thirty votes up there.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 579 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, no voting No, no voting Present. Senate Bill 579, having received the required constitutional majority, is declared passed. Senate Bill 580. Madam Secretary, will you please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 580.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This bill represents an attempt to prevent criminals who have become inmates from profiting from

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

their crimes. We have all been witness to the spectacle of John Wayne Gacy and Richard Speck making money off of their -- what they call artwork and other acts, and this bill is an attempt to recoup that money on behalf of the victims, setting up an escrow fund, and setting up a provision where they may attempt to recover damages against these individuals. Happy to answer any questions if there are any.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 580 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 580, having received the required constitutional majority, is declared passed. Senate Bill 584. Senator Woodyard. Senate Bill 586. Senator Klemm. Out of the record. Senate Bill 597. Senator Bowles. Out of the record. Senate Bill 599. Senator Hawkinson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 599.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill was brought to my attention by two State's attorneys in Bureau County and Henry County, along Interstate 80, where they've had a tremendous problem with trafficking and illegal drugs, and particularly with cannabis. And they've been frustrated, because for the higher amount of cannabis, they have not been able to get significant

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

penalties, and this revises the penalty schedule for those great amounts of cannabis, over two thousand grams, and it raises the penalties for trafficking and delivery in cannabis in an attempt to aid our law enforcement officials in -- in trying to fight the battle, particularly along our interstate highways. And I'd be happy to answer questions about the details of the penalties in comparison with the current. And otherwise ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 599 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, no voting No, no voting Present. Senate Bill 599, having received the required constitutional majority, is declared passed. Senate Bill 600. Senator Hawkinson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 600.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This -- this bill attempts to correct a current inconsistency in the law by adding, as elements to aggravated criminal sexual abuse, that the defendant either threatened or endangered the life of the victim or any other person or committed the offense during the course of another felony. These are already aggravating factors that were added some time ago to aggravated criminal sexual assault. It is a proposal of the Illinois Coalition Against Sexual Assault. I'd be

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

happy to try and answer questions. Otherwise ask for your favorable approval of Senate Bill 600.

SENATOR WATSON:

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 600 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 600, having received the required constitutional majority, is declared passed. Senate Bill 602. Senator Dudycz. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 602.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Senate Bill 602 amends the Police Training Act authorizing the Law Enforcement Training Standards Board to serve as a conduit for the 1994 federal crime bill monies, which were designated for criminal justice area, police scholarships and for the training officers newly hired under this bill. It was suggested by Law Enforcement Training Standards Board. It's an administration bill. I know of no opposition. I would seek your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor will yield, Senator Welch.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

SENATOR WELCH:

Senator Dudycz, is this a -- a bill to spend money from block grants from the federal government? Is that -- is that what you said?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCYZ:

Senator Welch, this bill -- the -- the power in the bill is tied up to the fate of the law enforcement monies, which are part of the federal package that was in the crime bill of last year, and it -- it all depends upon whether any or all of the monies come to the states, whether there is final funding from the package coming to the State of Illinois. The Law Enforcement Training Standards Board wishes to be prepared and ready to -- to begin implementing the -- the portions of the -- the bill that apply to the State of Illinois if and when the -- the President vetoes the federal -- the, or I guess, in case he -- his veto overcomes the -- the action by the Congress and we do get the money.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

So what you're saying is that this is a bill to utilize money coming from the federal government under the President's crime control bill, but the current Congress has passed a law which would not allow us to hire these police officers. And this bill basically is utilized and will go into effect only if it -- if we are able to hire police officers.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes. I'd like to pose a question to Senator Dudycz, if I

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

might.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz will yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Dudycz, the proponents, obviously, is the Illinois -- are the Illinois Enforcement Training and Standards Board. Is this an administration bill? I mean, is this where the Governor wants this Act, if, in fact -- or these block grants from the Police Corps Act administered through this board, and that's why that's -- this bill is here?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCYZ:

Senator Demuzio, the -- the intent of the bill is to designate the Law Enforcement Training Standards Board to be the conduit for any monies that should arrive to the State of Illinois from any action that the federal government should deem appropriate.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Senator Dudycz, that's exactly the same thing I said. If you read the transcript back. What I'm asking you: Is this an administration bill? Is this where Governor Edgar wants the block grants for the Police Corps Act to be administered, rather than the State Police or any of the other agencies under his domain?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCYZ:

I'm not quite sure I understand your question. But, as far as the Police Corps is concerned, Senator Demuzio, this is a -- this bill was requested by the administration, specifically the Law Enforcement Training Standards Board, so they would be prepared to

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

be able to implement the -- the crime package should it ever come down to the State of Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I guess that's my -- my -- you're telling me now that Governor Edgar has designated the Training Board to be the conduit by which all block grant monies under this Act that you named - police whatever - is going to be administered by the Training Board? I just -- you know, I -- I wonder why the State Police -- doesn't the Governor feel that they're qualified enough to administer such a program? And -- and why do we go to the Training Board? Just seems to me that we're a little hasty in this, but, I mean, if that's where the Governor wants it to go, fine, if that's what you're representing to me.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor will yield, Senator Jones.

SENATOR JONES:

Senator Dudycz, without this bill, under the proposed Act of block grants, where would the dollars go? Would the dollars go directly to local municipalities?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Can't answer that, Senator. Hello.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

I didn't -- I didn't hear his answer.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Staff -- staff tells me that there is no other conduit for the monies currently in place to -- there is nothing out there that would be able to have a transitional conduit of the monies designated. There's nothing out there that says it will go to the -- to the municipalities or to the State Police or to the Training Board. What this bill does, it says that if the monies ever do come, the Training Board will be the conduit for the programs and the implementation of them.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

Well, when you say there's nobody out there, I'm quite sure there are other units of government - local government entities - that would be able to apply for these dollars direct and receive the dollars. But if this bill were to become law, then many of our units of government who would want to qualify under this Act would lose dollars, because I'm quite sure that the Governor would rake off about ten percent for administrative costs and so forth. So what I'm saying, Senator Dudycz, local units of government would be able to apply under the current Act, but you would -- this bill would restrict local units of government from applying directly to receive the block grants, thereby -- for -- rather than getting -- they would get a hundred percent of the dollars that would be awarded, but under this bill, I'm quite sure that they would get less - anywhere from ninety percent or less than what the local unit of government would automatically get under the current Act. So I think it's a bad bill in that essence, because our local communities who want law enforcement will lose

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

dollars because, you know, I'm -- you will be taking out a certain amount for administrative costs. And I think the direct approach will be the best approach and let the small units of government apply directly to the federal government to get those dollars.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR DUDYCZ:

Well, thank you, Mr. President. I -- to answer Senator Jones last comment, I guess, I don't know whether anyone is going lose money out of this or gain money out of this. This is a -- nobody's asked to be placed in here. I mean, the -- the Law Enforcement Training Board came to me and they said, just in case, hypothetically, if there is a bill that finally makes it through the Congress and does get through -- from Washington to Illinois, they would like to be the conduit for those monies. And I would -- I know of no opposition, up until this point, and I would hope that everybody will support it.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 602 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 voting Yes, 18 voting No, 1 voting Present. Senate Bill 602, having received the required constitutional majority, is declared passed. Senator Weaver, do you wish your bill, Senate Bill 613, returned to 2nd Reading for the purposes of amendment? Senator Weaver seeks leave of the Body to return Senate Bill 613 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 613. Madam Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. Floor Amendment No. 1 takes care of the problem between the dentist and the dental hygienist. It puts the bill in its pristine form.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? All those in favor, say Aye. Opposed, No. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Maitland, on Senate Bill 616. Out of the record. Senator Butler, on Senate Bill 620. Out of the record. Senator Butler, on 623. Out of the record. Senate Bill 625. Senator O'Malley. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 625.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Senate Bill 625 authorizes the State Superintendent to create a high school teacher licensure program where persons with a bachelor's degree, five years working experience, and successful passage of the certification test, shall be allowed to teach in grades six through twelve. The State Superintendent, under this program, will develop the licensure

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

program in consultation with the Teacher Certification Board. The license would be valid for an initial three-year period and renewable for five-year periods thereafter. Renewal would be subject to provisions in existing law that require evidence of professional growth. Districts employing persons with high school teaching license must provide such mentoring, training, and staff development as the district determines is necessary for satisfactory performance in the classroom. I'd be pleased to answer any questions there may be.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam <sic> President, Ladies and Gentlemen of the Senate. I'm sorry. I apologize for that. Didn't it -- are we -- we doing something that we've already done before here? I -- it seems to me that we passed another piece of legislation earlier that allowed for the same criteria, that if you have a bachelor's degree and five years of -- of experience that you can teach. Where does this bill -- where's this bill different than that provision that we passed before in one of the other bills?

PRESIDING OFFICER: (SENATOR WATSON)

Were you asking the sponsor to yield, Senator Jacobs? Senator O'Malley says he'll yield, Senator Jacobs. Senator O'Malley.

SENATOR O'MALLEY:

Senator Jacobs, thank you for asking that question. The provisions in this bill are identical to the licensure provision set forth in the Charter School bill that we voted on earlier this year.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

Yes. I would rise in opposition to this bill. This bill

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

reminds me of one that Senator Savickas used to introduce every year. And what that bill did, it said, anybody who served in the State Legislature for more than four years was entitled to become a lawyer. They -- they -- they could get a law degree. That -- it had a lot of support as you can tell, and this -- this just lets us be English teachers and other types of teachers, but it's probably not a good idea.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Seeing none, Senator O'Malley may close.

SENATOR O'MALLEY:

Thanks for the support, Senator Welch, and I'd...

PRESIDING OFFICER: (SENATOR WATSON)

Turn them on, Gentlemen. All right.

SENATOR O'MALLEY:

...appreciate affirmative roll call. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

...we got a couple more. Let's -- let's back up here. The lights were not on, but, I will acknowledge the fact that the minority spokesman for Education has not had an opportunity to speak. Senator Berman.

SENATOR BERMAN:

Thank you very much, Mr. President - Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor says he'll yield, Senator Berman.

SENATOR BERMAN:

As I read our analysis, if I have a bachelor's degree in -- if I hold a bachelor's degree in anything, and I have five years of working experience, what else do I need in order to get certified, under this bill?

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Senator O'Malley.

SENATOR O'MALLEY:

Senator Berman, you need to successfully pass the certification test for the subject -- the -- in the subject matter area that you intend to teach in, as administered by the State Board.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator -- Senator Berman.

SENATOR BERMAN:

What does that mean? In other words, it -- when you say certification in a particular area, will that be -- here were talking about grades six through twelve, is that the certification test or is it some particular area of -- of knowledge?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Berman, it's my understanding that what the State Superintendent intends by this -- by this legislation is that the certification would be in the subject matter that that person would be authorized to test. For instance, if it was a biology course, that they would have to be proficient in the area of -- of -- of biology as certified as -- as other teachers who teach biology would.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you. It appears to me that the problem with this bill is that you're taking a person who may be -- have some expertise in a particular area, but that is, I would suggest to you, substantially different than being -- have expertise or background in being a teacher. I may be, as I'm sure many of my clients would acknowledge, an expert in law, but I'm not necessarily a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

good teacher of law, and that is -- appears to me to be the difference between what this bill would authorize and what we presently require of our teachers. Teachers require a substantial background in training in how to teach - much broader than just a particular area of expertise that they are going to lecture in. Right now, if -- if a teacher wants me to lecture on politics, they'll invite me in, I'll talk about politics, but it's the teacher that knows how to teach. I may know how to lecture on politics, but I don't know how to teach politics. That's the difference, I think, that this represents and what could be a substantial diminution -- decrease in the quality of expertise that we presently have in our teaching staff and our teachers. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I'd like to ask the sponsor a question, if I might.

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor says he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator O'Malley, down in our way there are a number of high schools who have, what they call, escrow programs, whereby the high school teacher was teaching the class, but the class, in fact, could be escrowed and qualified for credit hours at the local community college. Would this cause a problem for those who are teaching high school classes or those who want to have the escrowed hours count toward a -- a degree program? Wouldn't -- wouldn't this cause some what of a problem? We have a number of those in our -- in our area.

PRESIDING OFFICER: (SENATOR WATSON)

Senator -- Senator O'Malley.

SENATOR O'MALLEY:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

I -- I listened to your question, Senator Demuzio, and -- and I asked our staff if they were aware of it either. I'm not aware of any such problem that would be created by that.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

The reason I ask that is because it would seem to me that the reason that they are, in fact, allowed the opportunity to escrow and -- and to apply toward a degree program is because there is a certified teacher teaching the course, as qualifications is met by the State Board of Education. And it would seem to me that in some instances it may be unfair to have students taking courses from those individuals who are licensed but not certified, and therefore the courses wouldn't count.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR O'MALLEY:

Well again, thank you, Mr. President. Into -- in -- well, I'm going to try and respond to you in my closing remarks, anyway. This -- this process is to create a licensure or alternative certification process, so that the teachers who would be involved under this program would be certified by the State, and -- and therefore I don't think that the concern that's raised by the previous speaker would be one that we should be concerned about. As to Senator Berman's comments, and I appreciate them very much, he is pointing out something I think, that we all have to realize, that when -- under this program, what we're attempting to do is bring some practical experience into the classroom. And he's absolutely right that perhaps some of these people, when they come in, are not going to be the professional teachers, if you will; that's they will not have that pedagogical experience that is so important and something that we really admire in teachers.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

However, the legislation requires that there be monitoring of what's going on in the classroom by that particular teacher, and proof of professional development, as is required of all other teachers. So I think this is a step in the right direction. I would encourage my fellow Members of this Body to support it. I would request an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 625 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Okay, we'll take the record. 21 -- on that question, there are 21 voting Yes, 29 voting No, and no voting Present. Senate Bill 625, having not received the required constitutional majority, is declared failed. Senate Bill 626. Senator Mahar, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Mahar seeks leave of the Body to return Senate Bill 626 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 626. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This is a clarifying amendment that was referred to the Floor directly by Rules. I would move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator O'Malley, on Senate Bill 628. Out of the record. Senator Parker, on Senate Bill 636. Out of the record. Senator Hasara, on Senate Bill 640. Senator Hasara, do you wish to have your bill returned to 2nd Reading for the purpose of an amendment? Senator Hasara seeks leave of the Body to return Senate Bill 640 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 640, and, Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Hasara.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Floor Amendment No. 2 simply adds the authority of guardians of children, as well of guardians of adults, at the request of the Guardianship and Advocacy Commission. There was no controversy on the amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? All those in favor, say Aye. Opposed, No. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. For all practical purposes we are about to end our business, but we have a message from our President. Senator Philip.

SENATOR PHILIP:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

April 24, 1995

Thank you, Mr. President, Ladies and Gentlemen of -- of the Senate. I'd just like to give the announcement of what we anticipate on doing tomorrow. And tomorrow we'll go in at 11 a.m. sharp. And, if you remember, I announced last week that the committees that are meeting on Tuesday and Wednesday at 2 p.m. will be scheduled for 5 p.m., on both days. That is not reflected in the Calendar. That'll give us about six hours on the Floor for Tuesday and Wednesday. So I just wanted to make sure everybody understood that. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Yes. Thank you. Senator DeAngelis, for what purpose do you rise?

SENATOR DeANGELIS:

Thank you, Mr. President. I ask leave to withdraw the motion to reconsider the vote on Senate Bill 958.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. Is there any further business to come before the Senate? If not, Senator Weaver moves the Senate stands adjourned until 11 a.m., Tuesday, April 25th.

APRIL 24, 1995

HB-0252	FIRST READING	PAGE	2
HB-0473	FIRST READING	PAGE	2
HB-0653	FIRST READING	PAGE	2
HB-0661	FIRST READING	PAGE	2
HB-0965	FIRST READING	PAGE	2
HB-0974	FIRST READING	PAGE	2
HB-1089	FIRST READING	PAGE	3
HB-1106	FIRST READING	PAGE	3
HB-1200	FIRST READING	PAGE	3
HB-1320	FIRST READING	PAGE	3
HB-1653	FIRST READING	PAGE	3
HB-1698	FIRST READING	PAGE	3
HB-1709	FIRST READING	PAGE	3
HB-1711	FIRST READING	PAGE	3
HB-1791	FIRST READING	PAGE	3
HB-1797	FIRST READING	PAGE	3
HB-1802	FIRST READING	PAGE	3
HB-1868	FIRST READING	PAGE	3
HB-1891	FIRST READING	PAGE	3
HB-2066	FIRST READING	PAGE	3
HB-2070	FIRST READING	PAGE	3
HB-2351	FIRST READING	PAGE	3
SB-0003	THIRD READING	PAGE	63
SB-0014	THIRD READING	PAGE	64
SB-0046	SECOND READING	PAGE	8
SB-0078	THIRD READING	PAGE	65
SB-0100	SECOND READING	PAGE	4
SB-0100	OUT OF RECORD	PAGE	8
SB-0126	SECOND READING	PAGE	8
SB-0135	SECOND READING	PAGE	8
SB-0177	THIRD READING	PAGE	66
SB-0190	SECOND READING	PAGE	9
SB-0204	THIRD READING	PAGE	66
SB-0240	THIRD READING	PAGE	73
SB-0256	THIRD READING	PAGE	75
SB-0270	THIRD READING	PAGE	82
SB-0276	SECOND READING	PAGE	9
SB-0312	THIRD READING	PAGE	83
SB-0323	SECOND READING	PAGE	11
SB-0324	SECOND READING	PAGE	11
SB-0331	SECOND READING	PAGE	11
SB-0346	SECOND READING	PAGE	11
SB-0349	SECOND READING	PAGE	12
SB-0358	SECOND READING	PAGE	12
SB-0377	SECOND READING	PAGE	13
SB-0393	SECOND READING	PAGE	13
SB-0395	THIRD READING	PAGE	84
SB-0398	RECALLED	PAGE	85
SB-0412	THIRD READING	PAGE	86
SB-0415	THIRD READING	PAGE	87
SB-0415	OUT OF RECORD	PAGE	88
SB-0422	SECOND READING	PAGE	13
SB-0423	SECOND READING	PAGE	14
SB-0427	SECOND READING	PAGE	14
SB-0431	THIRD READING	PAGE	88
SB-0443	SECOND READING	PAGE	15
SB-0448	THIRD READING	PAGE	92
SB-0450	SECOND READING	PAGE	15
SB-0460	SECOND READING	PAGE	15
SB-0472	THIRD READING	PAGE	94
SB-0523	SECOND READING	PAGE	16
SB-0525	SECOND READING	PAGE	16
SB-0534	SECOND READING	PAGE	17
SB-0541	SECOND READING	PAGE	17

APRIL 24, 1995

SB-0543	THIRD READING	PAGE	95
SB-0552	SECOND READING	PAGE	17
SB-0554	SECOND READING	PAGE	18
SB-0559	THIRD READING	PAGE	95
SB-0562	SECOND READING	PAGE	18
SB-0563	SECOND READING	PAGE	18
SB-0564	SECOND READING	PAGE	19
SB-0565	SECOND READING	PAGE	19
SB-0568	SECOND READING	PAGE	19
SB-0579	THIRD READING	PAGE	96
SB-0580	THIRD READING	PAGE	97
SB-0585	SECOND READING	PAGE	19
SB-0588	SECOND READING	PAGE	20
SB-0596	SECOND READING	PAGE	20
SB-0599	THIRD READING	PAGE	98
SB-0600	THIRD READING	PAGE	99
SB-0602	THIRD READING	PAGE	100
SB-0611	SECOND READING	PAGE	20
SB-0613	RECALLED	PAGE	105
SB-0625	THIRD READING	PAGE	106
SB-0626	RECALLED	PAGE	112
SB-0640	RECALLED	PAGE	113
SB-0643	SECOND READING	PAGE	20
SB-0660	SECOND READING	PAGE	21
SB-0690	SECOND READING	PAGE	21
SB-0694	SECOND READING	PAGE	22
SB-0710	SECOND READING	PAGE	22
SB-0729	SECOND READING	PAGE	22
SB-0736	SECOND READING	PAGE	23
SB-0738	SECOND READING	PAGE	23
SB-0753	SECOND READING	PAGE	23
SB-0823	SECOND READING	PAGE	24
SB-0824	SECOND READING	PAGE	24
SB-0825	SECOND READING	PAGE	24
SB-0826	SECOND READING	PAGE	24
SB-0829	SECOND READING	PAGE	25
SB-0847	SECOND READING	PAGE	25
SB-0958	MOTION	PAGE	114
SB-0964	SECOND READING	PAGE	25
SB-0977	SECOND READING	PAGE	26
SB-0978	SECOND READING	PAGE	26
SB-1060	SECOND READING	PAGE	27
SB-1080	THIRD READING	PAGE	31
SB-1081	SECOND READING	PAGE	28
SB-1082	SECOND READING	PAGE	28
SB-1084	THIRD READING	PAGE	32
SB-1085	THIRD READING	PAGE	33
SB-1089	THIRD READING	PAGE	39
SB-1093	SECOND READING	PAGE	29
SB-1094	SECOND READING	PAGE	29
SB-1100	THIRD READING	PAGE	40
SB-1111	THIRD READING	PAGE	50
SB-1123	SECOND READING	PAGE	29
SB-1140	THIRD READING	PAGE	51
SB-1142	THIRD READING	PAGE	52
SB-1143	THIRD READING	PAGE	53
SB-1149	THIRD READING	PAGE	54
SB-1150	THIRD READING	PAGE	54
SB-1152	THIRD READING	PAGE	56
SB-1154	THIRD READING	PAGE	57
SB-1186	SECOND READING	PAGE	30
SB-1193	THIRD READING	PAGE	58
SB-1200	THIRD READING	PAGE	60
SB-1202	THIRD READING	PAGE	59

APRIL 24, 1995

SB-1204 RECALLED	PAGE	62
SB-1211 THIRD READING	PAGE	62

SUBJECT MATTER

SENATE TO ORDER-SENATOR WEAVER	PAGE	1
PRAYER-THE REVEREND GARY RHODES	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
SENATE STANDS IN RECESS	PAGE	1
SENATE RECONVENES	PAGE	1
JOURNALS-POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	2
COMMITTEE REPORTS	PAGE	4
COMMITTEE REPORTS	PAGE	26
ADJOURNMENT	PAGE	114