

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

23rd Legislative Day

March 14, 1997

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Pastor Rick Wenneborg, Chatham Christian Church, Chatham, Illinois. Pastor Wenneborg.

PASTOR RICK WENNEBORG:

(Prayer by Pastor Rick Wenneborg)

PRESIDENT PHILIP:

Please rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Tuesday, March 11th; Wednesday, March 12th; and Thursday, March 13th, in the year 1997, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journals, pending the arrival of the printed transcript. There being no objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Bills 73, 77, 85, 204, 206, 417, 707, 716 and 1074 Do Pass; and Senate Bills 76, 476, 663, 753, 1020 and 1039 Do Pass, as Amended.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Bills 242, 287, 297, 709 and 844.

All passed the House, March 13th, 1997.

Another Message.

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

House Joint Resolution 17.

PRESIDENT PHILIP:

Messages.

SECRETARY HARRY:

Communication from Senator Dunn:

Dear Mr. Secretary - Please be informed that I hereby resign my position as State Senator for the 43rd Senate District effective at the close of business on Friday, March 14th, 1997. It has been an honor serving in the Illinois State Senate.
Sincerely, Thomas A. Dunn, State Senator.

PRESIDENT PHILIP:

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 70, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 131, by Senator Rauschenberger.

(Secretary reads title of bill)

Senator Parker offers House Bill 236.

(Secretary reads title of bill)

And House Bill 844, presented by Senator Fawell.

(Secretary reads title of bill)

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1st Reading of the bills.

PRESIDENT PHILIP:

If I could have your attention, we're going to do 2nd Readings, then 3rd Readings. I'm assuming we're going to work until about 11:30, quarter till 12, and -- so everybody can go home for a nice, long weekend and watch all those Illinois teams win. So on top of page 2. Senate Bill 4. Senator Karpel. Take it out of the record. Senate Bill 5. Take it out of the record. Senate Bill 6. Take it out of the record. Senate Bill 7. Take it out of the record. Senate Bill 9. Take it out of the record. Senate Bill 30. Senator Parker. Senate Bill 30. Senator Parker. Take it out of the record. Senate Bill 46. Senator Peterson. Senator Peterson. Move the bill -- read the bill.

SECRETARY HARRY:

Senate Bill 46.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

2nd Reading -- 3rd Reading. Senate Bill 54. Senator Mahar. Senate Bill 54. Senator Mahar. Take it out of the record. Senate Bill 63. Senator Madigan. Senate Bill 63. Senator Madigan. Take it out of the record. Senate Bill 65. Senator Trotter. Senate Bill 65. Senator Trotter. Take it out of the record. Senate Bill 74. Senator Lauzen. Senate Bill 74. Senator Lauzen. Take it out of the record. Senate Bill 75. Senator Lauzen. Senate Bill 75. Senator Lauzen. Take it out of

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the record. Senate Bill 79. Senator Rauschenberger. Read the bill.

SECRETARY HARRY:

Senate Bill 79.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 81. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 81.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 140. Senator Radogno. Senate Bill -- Radogno. 140. Take it out of the record. Senate Bill 141. Senator Mahar. Senate Bill 141. Senator Mahar. Take it out of the record. Senate Bill 156. Senator Jacobs. Take it out of the record. Senate Bill 159. Senator Weaver. Senate Bill 159. Senator Weaver. Take it out of the record. Senate Bill 165. Senator Walsh. Senate Bill 165. Senator Walsh. Take it out of the record. Senate Bill 171. Senator Farley. Senate Bill 171. Senator Farley. Take it out of the record. Senate Bill 175. Senator Petka. Take it out of the record. Senate Bill 182. Senator Rauschenberger. Take it out of the record. Senate Bill 203. Senator Lauzen. Senate Bill 203. Senator Lauzen. Take it

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out of the record. Senate Bill 209. Senator Carroll. Senate Bill 209. Senator Carroll. Take it out of the record. Senate Bill 225. Senator Parker. Take it out of the record. Senate Bill 228. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 228.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. With leave of the Body, we'll go back to Senate Bill 159. Is leave granted? Leave is granted. Senate Bill 159. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 159.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 240. Senator Karpziel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 240.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 250. Senator Rea. Senate Bill 250.
Senator Rea. Take it out of the record. Senate Bill 265.
Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 265.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 287. Senator Luechtefeld. Take it
out of the record. Senate Bill 299. Senator Rauschenberger.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 299.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 304. Senator Sieben. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 304.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and

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Conservation adopted Amendment No. 1.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 305. Senator Sieben. Take it out of the record. Senate Bill -- take it out of the record. Senate Bill 307. Senator Viverito. Senate Bill 307. Senator Viverito. Take it out of the record, Mr. Secretary. Senate Bill 327. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 327.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendments 1 and 2.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 345. Senator Cronin. Take it out of the record. Senate Bill 350. Senator Jacobs. Take it out of the record. Senate Bill 351. Senator Carroll. Senate Bill 351. Senator Carroll. Take it out of the record. Senate Bill 356. Senator Parker. Take it out of the record.

PRESIDING OFFICER: (SENATOR KARPIEL)

We're still on the Order of Senate -- 2nd Reading. Senate Bill 366. Senator Parker. Out of the record. 372. Senator Burzynski. Out of the record. 374. Senator Lauzen? 374.

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Senator Lauzen. Out of the record. 378. Senator Mahar? Senator Mahar? Out of the record. 381. Senator Fawell. Out of the record. Senate Bill 404. Senator Smith? Out of the record. 406. Senator Rauschenberger. Out of the record. Senate Bill 418. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 418.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 428. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 428.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senator Hawkinson, on Senate Bill 431. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 431.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 435. Senator Butler. Senator Butler? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 435.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 436. Senator Butler. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 436.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 438. Senator Parker. Out of the record. Senate Bill 452. Senator Dudycz. Out of the record.

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Senate Bill 454. Senator Fawell. Out of the record. Senate Bill 459. Senator Luechtefeld. Out of the record. Senate Bill 475. Senator Radogno. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 475.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 483. Senator Walsh. Senator Walsh? Out of the record. Senate Bill 493. Senator Weaver. Out of the record. Senate Bill 495. Senator Geo-Karis. Out of the record. Senate Bill 521. Senator Jones. Out of the record. Senate Bill 522. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 522.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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SECRETARY HARRY:

Senate Bill 524.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 531. Senator Walsh. Out of the record. Senate Bill 543. Senator Dudycz? Out of the record. With leave, I'd like to go back to Senate Bill 545. Senate Bill 549. Senator Hawkinson. Out of the record. Senate Bill 561. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 561.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 580. Senator Farley. Senator Farley? Out of the record. Senate Bill 593. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 593.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 600. Senator Cullerton. Could we please have it quiet, and all Members who have not come to the Floor yet, we are proceeding on 2nd and 3rd Readings today. Senator Cullerton? Out of the record. Senate Bill 604. Senator Sieben. Out of the record. Senate Bill 605. Senator Madigan. Out of the record. Senate Bill 610. Senator Burzynski. Out of the record. Senate Bill 618. Senator Lauzen. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 618.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 645. Senator Clayborne. Out of the record. Senate Bill 657. Senator Lauzen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 657.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 658. Senator Lauzen. Out of the record. Senate Bill 659. Senator Madigan. Out of the record.

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Senate Bill 664. Senator Butler. Out of the record. Senate Bill 665. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 665.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 666. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 666.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 667. Senator Madigan. Out of the record. Senate Bill 672. Senator Hawkinson? Out of the record. Senate Bill 674. Senator Sieben. Out of the record. Senate Bill 677. Senator Jacobs. Out of the record. Senate Bill 678. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 678.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 679. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 679.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 680. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 680.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 685. Senator Walsh? Out of the record. Senate Bill 686. Senator Walsh. Out of the record. Senate Bill 689. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 689.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 691. Senator Butler. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 691.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 693. Senator Butler. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 693.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 700. Senator O'Malley. Senator O'Malley? Senate Bill 700? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 700.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 709. Senator Fitzgerald. Out of the record. Senate Bill 711. Senator Parker. Out of the record. Senate Bill 712. With leave, I'd like to go back to the -- this Senate Bill 712. Senate Bill 713. Senator Dudycz. Out of the record. With leave, I'd like to go back to Senate Bill 723. Senate Bill 737. Senator Fitzgerald. Out of the record. Senate Bill 740. Senator Fitzgerald. Out of the record. Senate Bill

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747. Senator Fitzgerald. Out of the record. Senate Bill 755.
Senator Obama. Out of the record. Senate Bill 762. Senator
Dudycz. Out of the record. Senate Bill 772. Senator Halvorson.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 772.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 773. Senator Halvorson. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 773.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 776. Senator Halvorson. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 776.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 777. Senator Carroll. Out of the record. Senate Bill 778. I'd like leave to go back to Senate Bill 778. Senate Bill 781. Senator Parker. Out of the record. Senate Bill 791. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 791.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 795. Senator Sieben. Out of the record. Senate Bill 796. Senator Dillard. Out of the record. Senate Bill 798. Senator Fawell. Out of the record. Senate Bill 799. Senator Donahue. Senator Donahue, on Senate Bill 799? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 799.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 800. Senator Fawell. Out of the record. Senate Bill 801. Senator Madigan. Out of the record. Senate Bill 814. Senator Mahar? Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 814.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 815. Senator Mahar. Read the bill, Mr... Oh, out of the record. Senate Bill 827. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 827.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 855. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 855.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 857. Senator Burzynski. Out of the

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record. Senate Bill 860. Senator Mahar. Out of the record. Senate Bill 861. Senator Mahar. Read the bill -- oh, out of the record. Senate Bill 866. Senator Weaver. Senator Weaver. The sponsor requests that Senate Bill 866 through 875 be held on 2nd Reading. That takes us to the middle of page 10, with Senate Bill 890. Senator Bowles. Out of the record. Senate Bill 895. Senator Molaro. Out of the record. Senate Bill 899. Senator Madigan. Out of the record. Senate Bill 902. Senator Burzynski. Out of the record. Senate Bill 908. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 908.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 910. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 910.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 912. Senator Berman. Out of the record. Senate Bill 920. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 920.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 922. Senator Shadid. Out of the record. Senate Bill 929. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 929.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 930. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 930.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 934. Senator Klemm. Senator Klemm. Out of the record. Senate Bill 937. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 937.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 939. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 939.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 944. Senator Petka. Out of the record. Senate Bill 945. Senator Petka. Out of the record. Senate Bill 950. Senator Fawell. Out of the record. Senate Bill 952. Senator Dillard. Out of the record. Senate Bill 959. Senator Klemm. Out of the record. Senate Bill 968. Senator Shaw. Out of the record. I've been advised it's getting unruly

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again. Senate Bill 996. Senator Cullerton. Out of the record.
Senate Bill 1001. Senator Rauschenberger. Read the bill, Mr.
Secretary.

SECRETARY HARRY:

Senate Bill 1001.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senator Shaw, on Senate Bill 1002. Out of the
record. Senate Bill 1005. Senator Maitland. Out of the record.
Senate Bill 1007. I ask leave to go back to Senate Bill 1007.
Senate Bill 1008. Senator Philip. Out of the record. Senate
Bill 1009. Senator Petka. Out of the record. Senate Bill 1010.
Senator Maitland. Out of the record. Senate Bill 1011. Senator
Maitland. Out of the record. Senate Bill 1012. Senator Weaver.
Out of the record. Senate Bill 1013. Senator Philip. Out of the
record. Senate Bill 1014. Senator Philip. Out of the record.
Senate Bill 1015. Senator Philip. Out of the record. Senate
Bill 1016. Senator Philip. Out of the record. Senate Bill 1017.
Senator Philip. Out of the record. Senate Bill 1018. Senator
Butler. Out of the record. Senate Bill 1019. I ask leave to go
back to Senate Bill 1019. Senate Bill 1032. Senator Dudycz. Out
of the record. Senate Bill 1041. Senator Parker? Senate Bill
1041. Out of the record. Senate Bill 1045. Senator Geo-Karis.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1045.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1048. Senator Jones. Senator Jones, on Senate Bill 1048? Out of the record. Senate Bill 1052. Senator Parker. Out of the record. Senate Bill 1053. Senator Parker. Out of the record. Senate Bill 1058. Senator Parker. Out of the record. Senate Bill 1059. Senator Parker. Please read that bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1059.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1072. Senator Berman. Out of the record. Senate Bill 1076. Senator Severns. Out of the record. Senate Bill 1084. Senator del Valle. Out of the record. Senate Bill 1094. Senator Severns. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1094.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1099. Senator Parker. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 1099.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1105. Senator Dudycz. Out of the record. Senate Bill 1109. Senator Klemm. Out of the record. Senate Bill 1120. Senator Bowles. Out of the record.

PRESIDING OFFICER: (SENATOR DONAHUE)

We had leave of the Body to go back to pick up a few 2nd Reading bills. On the Calendar is Senate Bill 452. Senator Dudycz. Do you wish... Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 452.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpriel, do you wish to move Senate Bill 545? Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 545.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpziel, Senate Bill 712? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 712.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpziel, on 723? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 723.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpziel, on Senate Bill 778. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 778.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senate -- Karpel, on Senate Bill 1007. Out of the record. Senator Karpel, on Senate Bill 1019. Read the bill, Madam -- Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1019.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Financial Institutions - Senate Amendment 1 to Senate Bill 690; to the Committee on Insurance and Pensions - Senate Amendment 1 to Senate Bill 63 and Amendment 1 to Senate Bill 194; to the Committee on Judiciary - Amendment 1 to Senate Bill 844, Amendment 1 to Senate Bill 912, and Amendment 2 to Senate Bill 952; to the Committee on Licensed Activities - Amendment 2 to Senate Bill 372, Amendment 2 to Senate Bill 1084; to the Committee on Local Government and Elections - Amendment 1 to Senate Bill 682; to the Committee on State Government Operations - Amendment 1 to Senate Bill 250 (Senate Amendment No.

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1 to Senate Bill 689) (Amendment within parentheses inadvertently not read into record, but submitted in writing); and Be Approved for Consideration - Senate Amendment 3 to Senate Bill 444, Senate Amendment 2 to Senate Bill 594, Senate Amendment 2 to Senate Bill 600, Senate Amendment 2 to Senate Bill 1103, and Senate Amendment 2 to Senate Bill 1108.

PRESIDING OFFICER: (SENATOR DONAHUE)

If you are in the hearing of my voice and you're not on the Senate Floor, we are going to go to the Order of House Bills 3rd Reading, then to the Order of Senate Bills 3rd Reading. So, come to the Floor. On the middle of page -- or, in the middle of page 22 is House Bills 3rd Reading is House Bill 281. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 281.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Madam President. I want to thank you and the Body for giving us the opportunity to expedite a bill that is on somewhat of a fast track, obviously, and it's House Bill 281. And if you read your Calendar, and it says on the Calendar that it authorizes the Southwestern Illinois Development Authority to designate certain territory in its jurisdiction as an enterprise zone. That's exactly what the bill does. This language was involved in a bill that was a conference committee report at the end of last season -- last Session, and, unfortunately, the -- there was some language in the bill the Governor objected to, and he had to veto the bill altogether. In his Veto Message though, he said that if this language was brought to him in an expedited

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manner, he would certainly review it and give it special consideration. And the reason we want this is an industrial park in -- right along route -- Interstate 255 and 270, located in Senator Bowles' district, is an industrial park and we have an opportunity there to create a considerable number of jobs for our area, and part of that is based on the fact that -- some of the -- the benefits of an enterprise zone. So if you would give us some special consideration, we would appreciate it, and I would thank you and hopefully receive a lot of green lights.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 281 pass. Those in favor will vote Aye. Opposed, 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 55 Ayes, no Nays, none voting Present. House Bill 281, having received the required constitutional majority, is declared passed. Top of page 13, Senate Bills 3rd Reading. I would caution the Members that this is Friday; our deadline is next Thursday. We will not be going through the Calendar unless we start moving these bills. We're only going to be able to go through the Calendar so many times, so don't wait. Sooner you call 'em, the better. All right. Senate Bill 1. Senator Philip. Out of the record. Senator Philip, on Senate Bill 2. Out of the record. Senator Bomke, on Senate Bill 3? Out of the record. Senator Luechtefeld, on Senate Bill 13. Out of the record. Senator Garcia, on Senate Bill 20. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 20.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Garcia.

SENATOR GARCIA:

Thank you, Madam President. Senate Bill 20, as amended, clarifies that the business entities formed as limited liability companies are eligible for the enterprise zone qualified investment credit and the training expense credit. Essentially this bill is to address a situation in my district where a company that is located there is seeking job tax credits. It'll create additional jobs and it fosters economic development in an enterprise zone.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 20 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 20, having received the required constitutional majority, is declared passed. Senator Peterson, on Senate Bill 21. Out of the record. Senator Hendon, on Senate Bill 25. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 25.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. This bill would create the Citizens Review Board for CHA police. It's been amended to accommodate the concerns of Senator Dudycz, who is now my cosponsor, and Senator Trotter, and I'd ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 25 pass. Those in favor will vote Aye. Opposed, 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. Senate Bill 25, having received the required constitutional majority, is declared passed. Senator Mahar, on Senate Bill 55. Out of the record. Senate Bill -- out of the record. Senator Watson, on Senate Bill 67. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 67.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. This is an effort to keep the process moving as far as possible revisions in the School Code. This is a vehicle, and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 67 pass. Those in favor will vote Aye. Opposed, 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 56 Ayes, no Nays, none voting Present. Senate Bill 67, having received the required constitutional majority, is declared passed. Senator Bowles, on Senate Bill 80? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 80.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

Thank you, Madam Chairman -- President. I'm sorry. This bill is intended to prohibit the reuse of any special medical devices, such as arthroscopic blades, and specific medical devices that are intended for single-time usage. The federal Drug Administration Office -- Food and Drug Administration Office found that there were instances where these devices were attempted to be sterilized and caused infection and health problems. And I -- I -- the Medical Society and the Illinois Hospital and Health Society are neutral on the bill, and I would be happy to answer any questions; otherwise, I would appreciate an affirmative vote on Senate Bill 80.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Madam President. I guess it's a question of the sponsor. I'm not sure exactly what would be...

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Watson.

SENATOR WATSON:

...what would be considered a one-time use medical device. Let's say someone has a -- a wrist problem. They come into a drugstore and buy one of those wrist braces, and they take it home and find out it doesn't fit or, for whatever reason, they don't -- they want to bring it back. Is this going to prohibit them?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

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The purposes of this -- this Section: "'single-use surgical device' means a cardiac catheter, angioplasty balloon catheter, arthroscopic knee surgery blade, and any other device marketed or sold as a disposable or single-use device".

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing none, the question is, shall Senate Bill 80 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 80, having received the required constitutional majority, is declared passed. Senator Butler, on Senate Bill 103? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

Thank you very much -- excuse me. Ladies and Gentlemen, Senate Bill 103 is an effort to simplify, in a small way, some of the problems attendant to a special assessment district. Essentially what this does is to permit a layering of improvements to be on one bill -- or, on one special assessment; that is, if you had a sewer and you had a water line and an overlying street, and even lighting improvements, they could all be combined into one special assessment. Now, there's some confusion over whether or not this applies to noncontiguous projects; that is, if you had a street at one end of town and another street on the other end of the town -- you could not do these. These have to be a single project, contiguous, so to speak. This is merely simplifying this. I'd be

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happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 103 pass. Those in favor will vote Aye. Opposed, 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 55 Ayes, no Nays, none voting Present. Senate Bill 103, having required -- having received the required constitutional majority, is declared passed. Senator Butler, on Senate Bill 106. Out of the record. Senator Dudycz. Senate -- Senate Bill 107. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 107.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Madam President. Senate Bill 107 changes various offenses relating to metal piercing bullets. It defines metal -- armor piercing bullets to mirror existing federal legislation, and it permits zinc-based and other metal alloys to be used to make firearm projectile. What -- what this legislation does is permits metal or metal alloys which are currently permitted by the U.S. Department of Treasury, and we're mirroring federal legislation. And I know of no opposition and I would seek your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 107 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 107, having received the required constitutional majority, is declared passed. Senator Hawkinson, on Senate Bill 120? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 120.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. This is an agreed judiciary bill. It's a juvenile shell. On or about April 1, we're expecting the legislative language from the committee that's been working for several years now on juvenile reform. We have an agreement with Chairman Dart in the House that we will pass over a shell on the subject to the House and the House will do likewise, and then hopefully we'll have the agreed language by the first of April. So I'd be happy to try and answer any questions, otherwise ask to keep the process moving by your affirmative vote on Senate Bill 120.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 120 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nay, none voting Present. Senate Bill 120, having received the required constitutional majority, is declared passed. Senator Hawkinson, on Senate Bill 123. Out of the record.

PRESIDING OFFICER: (SENATOR KARPIEL)

On top of page 14, on the Order of 3rd Reading, with leave we

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will come back to Senate Bill 128 for Senator Donahue. Senate Bill 129. Senator Dudycz. Out of the record. Senate Bill 130. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 130.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. Senate Bill 130 requires all local governments and school districts to identify, by line item in their annual budget, each contract they have with a lobbyist. It's a "sunshine" law designed to give both the press and local taxpayers the opportunity to observe if there's taxpayer money being used for contract lobbying of the General Assembly. I request a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

The sponsor will yield.

SENATOR JACOBS:

Senator, if you remember in Local Government, we also asked if maybe we could put a line in here that would include those lobbyists that are hired by the State to lobby us ourselves, and the feeling was that may not be a bad idea. Have you given that any more consideration?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

Yes, Senator Jacobs. We're amending the wrong part of the Statutes, although I support your idea and be happy to do that with you. I think anytime we make an effort to let taxpayers know how their taxes are spent specifically, it's a positive thing. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR RAUSCHENBERGER:

I request a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 130 -- Senate Bill 130 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 130, having received the required constitutional majority, is declared passed. Senate Bill 131. Senator Madigan. Out of the record. Senate Bill 132. Senator Madigan. 138, Senator Madigan. Out of the record. Senate Bill 151. Senator Mahar. Out of the record. Senate Bill 155. Senator Jacobs. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 155.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. For those of you who live in the collar counties, you might want to listen to this and if -- if

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you've got some requests that I may want to do with it, if you're not familiar with what we're trying to do here. Reportedly, in several of the collar counties, the counties are granting special use permits rather than rezoning property through the normal zoning process, and evidently this has resulted in some agricultural land coming in and getting a special use for industrial right next to -- to large residential properties with nice homes. I didn't realize when we took this through committee that it may have been as big of a thing, and that's why I'm asking you to pay a little more attention. After I received a phone call from the media up there that said, in effect, "This is a big deal for us." So if we haven't done what you want in this one, let us know and we'll try to hold it and do what you want. But what we did do in this piece of legislation - it was requested by the Municipal League - have allowed any municipality within a mile and a half of the area to be specified as a special use to object. Originally they wanted a -- a four-fifths majority -- or three-fourths vote of the county to require the -- the special use. The -- the group up there - I'm trying to think of the name of it - came back and -- Metro Counties Council came back and said, "We don't like the three-quarters..." -- I mean, "the two-thirds. Allow us to do it on a simple majority vote unless we decide we want to go to two-thirds." That's basically what this bill does. I'll be happy to try to answer any questions. If it doesn't resolve the issue of those areas that may be affected, please let me know and I'll withdraw it from the record. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion on this bill? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question? Senator, at the present time, for the county to grant it special use, it still -- does it still

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have to notify the adjoining municipality?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

There is -- there is very little language in the current -- in the current Statutes on special uses. They're -- they're pretty much a thing of their own, and -- and it's pretty much left to their own level. All I want to do is make sure that we're taking care of the needs of those -- those collar -- the people who live in those collar counties. I have the bill only because the Municipal League brought it to me, and we're trying to resolve an issue and... But right now, in answer to your question, there is no specific language that I'm aware of.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I just want to clarify it for myself, Senator Jacobs - you and I have been in the same spots before - now, what your bill, then, is saying, that the municipalities whose boundaries are within a mile and a half are to be given notice of any property that -- that the county wants to give a special use to. Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

That's absolutely correct, Senator.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And then, what -- what -- what vote percentage in the county will give that special use?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

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SENATOR JACOBS:

A simple majority at this time, Senator.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Is that what your bill says?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

My bill says a simple majority, unless - unless - the county board, in its own wisdom, would desire to go to two-thirds.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? Senator Philip.

SENATOR PHILIP:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

He'll yield.

SENATOR PHILIP:

Yeah. And I think I understand what you're trying to do, but I just want to make sure. It takes a simple majority on the county board to prevent it, unless the county board has an ordinance themselves that would set three-fifths or two-thirds or whatever it is. Is that correct? Well, that's wonderful. I think it's a good idea, and I'm going to probably vote Aye.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR JACOBS:

Thank you. I just wanted to bring this to the attention of those in the collar counties, 'cause I don't care what you do with it, but I'll accept an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

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All right. Senator -- Senator Jacobs asks Aye vote for Senate Bill 155. The question is, shall 155 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. All those -- have all those who voted who wish? Have all those voted who wish? Have all voted who wish? There are -- take the record, Mr. Secretary. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 155, having received the required constitutional majority, is declared passed. Senator Philip, on Senate Bill... With leave, we'll return to Senate Bill 128, Senator Donahue. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 128.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Madam President and Members of the Chamber. I appreciate the consideration here to be able to go back and pick this up. Senate Bill 128 prohibits the sale of drug paraphernalia sold as a replica, a decorative device or a display item, and it defines the exemption of the terms of these items that are entirely unworkable or unusable in all their parts and cannot be retrofitted for use. What we're trying to do, really, is to clarify the Statutes and to kind of close some loopholes that law enforcement and our prosecutors has brought to our attention. It's not intended in any way to affect a legitimate tobacco business. We're just trying to close some loopholes, and I would simply ask for your favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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SENATOR DONAHUE:

Roll it. Thanks.

PRESIDING OFFICER: (SENATOR KARPIEL)

Question is, shall Senate Bill 128 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all those who voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. There are 54 Members voting Aye, 2 voting Nay, none voting Present. And Senate Bill 128, having received the required constitutional majority, is declared passed. Now Senator Philip, on Senate Bill 164. Read -- read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 164.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 164 amends the State Mandates Act and the Senior Citizens Assessment Freeze Homestead Exemption. Isn't that a mouthful? And it adds the inflation factor, in other words, the CPI. As you're probably aware, now to qualify you have to be sixty-five years of age or older, you must be the owner of record and your household income can't be over thirty-five thousand dollars a year. Just say, hypothetically, the year before the CPI was two percent. Two percent of thirty-five thousand comes to about seven hundred dollars you would add to that exemption for that senior citizen. Be happy to answer any questions. It's a good roll call, a good vote for you, and you ought to vote for it.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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SENATOR PHILIP:

Yes, I'd like to see a lot of green votes up there.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 164 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that bill, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 164, having received the required constitutional majority, is declared passed. WAND requests permission to videotape. Is leave granted? Leave is granted. Senate Bill 172. Senator Cronin. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 172.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill amends the Sex Offender Registration Act, an Act that we implemented just recently. It just expands the application of the Act to include the offense of child abduction. We clarified some of the language in the bill in response to some very helpful suggestions from Judge Locallo, in Cook County Circuit Court. He's a judge that sits at 26th Street. In any event, I ask for your favorable consideration and I ask that you also take note of the fact that this requires child sex offenders to not only register in the county where they live but also the county that they work. Thank you for your favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Is there any discussion? If not, the question is, shall Senate Bill 172 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 172, having received the required constitutional majority, is declared passed. Senate Bill 194. Senator Madigan. Out of the record. Senate Bill 196. Senator Madigan. Out of the record. Senate Bill 198. Out of the record. Senate Bill 200. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 200.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. Senate Bill 200, which we -- is identical to the bill that we passed in 1996 with 50 Aye votes, changes the time of election for all offices that are currently elected at the consolidated nonpartisan election in November on odd-numbered years to the April consolidated election. This would affect the election of school district -- school districts, fire districts and community colleges. The only real opposition stated to the bill was that it -- it stretches from eight months to eleven months the longest period of time that any local government would have to wait for a referendum. The bill is supported by Cook County Clerk David Orr. It moves these elections from an election where the turnout runs between six and seven percent to an election where a turnout is between twelve and fifteen percent. I urge a favorable roll call.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger will...

SENATOR WELCH:

Senator Rauschenberger, do you have your Calendar in front of you? Yeah. Could you look at your bill, No. 200? There's an asterisk in front of the number 200. Could you tell me why there's an asterisk on this bill?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, I think the Secretary of the Senate is a little concerned that my bills haven't been getting as favorable consideration as possible, and I think they -- they added that to the bill to make sure that you took special notice.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Link.

SENATOR LINK:

Yes, Madam President. Just one question. I think, as a cosponsor of this bill, that it's a very solid, good government type of bill, and I think that we need to try to enhance the turnout in elections. And I think by what the Senator is doing, that this will help get the voter turnout, and I ask for a favorable vote on this.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall Senate Bill 200 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary.

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On this bill, there is 57 Ayes, none voting Nay, none voting Present. And Senate Bill 200, having received the required constitutional majority, is declared passed. Senate Bill 213. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 213.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President and Members of the Senate. Senate Bill 213, as amended, provides that an ordinance vacating a street or alley shall not become effective until the owners of all the property or -- or any particular parcel or parcels of property abutting upon the street or alley shall pay fair market value as compensation. It also provides that the owner shall acquire title upon making payment of -- of the compensation. And I'd be happy to answer any questions there are. If there are none, I'd request a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

Sponsor will yield.

SENATOR HAWKINSON:

Senator, we've had this conversation, but as I understand it, that this does affect the procedure where an alley or street that has been, say, not opened or unused, is vacated and half the street automatically goes to the abutting owner without any compensation now; that that kind of procedure is unaffected by

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your bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Hawkinson, that is correct.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any further discussion? If not, the question is, shall Senate Bill 213 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 54 voting Aye, none voting Nay, none voting Present. And Senate Bill 213, having received the required constitutional majority, is declared passed. Senate Bill 218. Senator del Valle. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senate Bill 218 amends the Unified Code of Corrections and requires a defendant who is placed on supervision, probation or conditional discharge for possession of substances prohibited by the Cannabis Control Act and the Illinois Controlled Substance Act after a previous conviction or disposition of supervision or probation, to undergo treatment at a substance abuse program, and this is determined after a determination of addiction by the judge. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Is there any discussion? If not, the question is, should -- shall Senate Bill 218 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this bill, there are 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 218, having received the required constitutional majority, is declared passed. Senate Bill 226. Senator Cronin. Read the bill, Madam Secretary.
ACTING SECRETARY HAWKER:

Senate Bill 226.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill amends the School Code and deletes language originally that limits the statewide technology network to public schools only. This is a bill that originated and was proposed by the Catholic Conference. They offered a kind of compelling metaphor, in explaining the information highway here in Illinois that we've all talked about, as this highway that has ramps for certain groups of people, for certain schools, but not ramps off this highway for other groups. And they felt that they were not being included and that it was unfair. The Catholic Conference has sat down with the State Board of Education. They have come up with an amendment. It's agreed to. It simply permits private, parochial, Catholic schools to gain access to the Internet. They are not asking for one dime, and it's agreed to and we ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Berman.

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SENATOR BERMAN:

Thank -- thank you, Madam -- President. For the record, I -- I wanted to read the specific language of the bill, as follows: "The State Board of Education shall provide non-public schools with ports" - P-O-R-T-S - "on the Board's statewide educational network, provided that this access does not diminish the services available to public schools and students. The Board shall charge for this access in an amount necessary to offset its cost. Access to the statewide network may be used only for secular educational purposes." I think that with that -- with those three sentences, I believe that we are fulfilling a need that exists in our nonpublic sector and we are not infringing on any of the constitutional protections, as far as separation of church and State, and I stand in support of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall Senate Bill 226 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. There -- on this question, there are 55 voting Aye, none voting Nay, none voting Present. And Senate Bill 226, having received the required constitutional majority, is declared passed. Senate Bill 230. Senator Lauzen. Senate Bill 237. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 237.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. Senate Bill 237 changes the

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Illinois Planning Council on Developmental Disabilities members to make them subject to advise and consent of the Senate as they're appointed to this Council. The Council is a federally funded council. There was some question raised by the federal liaison whether this would jeopardize federal funds. We've since found out that four other states -- we've since found out that four other states currently require advise and consent of the Senate. I made the commitment that if there's any problem, I'll ask the Governor to veto it, if there's any threat on the federal money. This simply puts us in the loop for conformation on members of the Planning Council. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. A question of the sponsor, if I might, for purposes of the record.

PRESIDING OFFICER: (SENATOR KARPIEL)

He'll yield.

SENATOR CARROLL:

Would you identify why you think it is important that the Illinois Council on Developmental Disabilities have advise and consent oversight, or is it that we are also looking for some budgetary oversight?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Carroll, it's my opinion that this particular agency over the last four or five years that I've participated on Appropriation is somewhat less than responsive. Because they're a federally funded agency, we have very little time in the appropriation process to -- to work with them. While federal law permits up to twenty percent of the federal money given to this

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Planning Council to be used for administrative costs, this agency in the last six years has always spent the maximum, and, in fact, some of the grant programs they run have been very controversial, not only among members of the Council, but among members in school districts throughout the State. So I just think our participation in the membership helps with our effectiveness in -- in guiding the Council and participating with them.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall Senate Bill 237 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 51 voting Aye, 3 voting Nay, none voting Present. And Senate Bill 237, having received the required constitutional majority, is declared passed. Senate Bill 239. Senator Rauschenberger. Senate Bill 248. Senator Fitzgerald. Senate Bill 255. Senator Rea. Senate Bill 256. Senator Rea. Senate Bill 278. Senator Collins. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 278.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Madam President and Members of the Senate. Senate Bill 278 is a bill to -- hopefully will curtail rent scams, and this is a case where a tenant has been ordered evictions by the courts and, of course, they play the game of having another person come to the door at the time the sheriff is there for the eviction and profess to be also a tenant living in that -- on that

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premise and that their name did not appear on the eviction order. In that case, because there had been a lawsuit filed -- brought against the sheriff's office in another state which was upheld in the court, the sheriff cannot carry out the court order of eviction. What this bill does, it does not change the -- the -- the current eviction laws; it just simply deals with those nonlegitimate tenants who are actually rent scammers. And there -- I know of no opposition to the bill, and I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 278 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 278, having received the required constitutional majority, is declared passed. Could we please have a little quiet? It's very loud up here and I think perhaps we're all anxious to get going home, but let's try to get through as much as we can. Senate Bill 285. Senator Luechtefeld. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 285.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Luechtefeld.

END OF TAPE

TAPE 2

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SENATOR LUECHTEFELD:

...you, Madam President and Members of the Senate. Senate Bill 285 amends the Illinois Highway Code to provide that the road district treasurer shall receive an annual salary deemed appropriate and to be affixed by the county board in road districts in counties not under township government. This bill applies only to those seventeen counties not under township organization which have road districts. Presently, there is a cap of one-thousand-dollar salary for these treasurers of these districts, and they're finding it very, very difficult to get people to run for these positions. In fact, in one county in my district, of the eight districts, they have only found one person so far to -- who would like to run. This would simply let the county board determine what that salary would be of those treasurers. If they wanted to keep it at one thousand, they could. If they wanted to raise it, they could do that. Would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 285 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 53 voting Aye, 2 voting Nay, 1 voting Present, and Senate Bill 285, having received the required constitutional majority, is declared passed. Senate Bill 303. Senator Fitzgerald. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 303.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

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SENATOR FITZGERALD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 303 amends the Jury Commission Act to require jurors who are over sixty-five years of age in counties over a million to be assigned to the courthouse nearest their residence. This was suggested in order to relieve the burden on elderly Cook County jurors. No one testified in opposition in committee and it passed out on an attendance roll call. I'd appreciate a favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Berman.

SENATOR BERMAN:

...of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

Sponsor will yield.

SENATOR BERMAN:

Has anyone raised the issue of whether this might pose a constitutional challenge to the makeup. You know, in certain parts of Cook County, in some parts you may have an all-white jury and in other parts you may have an all-black jury. When it's a county-wide juror selection, you have the whole arena. If you pass this bill, you're going to limit the drawing of the number of jurors. Does -- does that pose any concern? Has anyone raised that issue?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

Senator Berman, nobody raised that issue in committee. When I originally had the bill, it -- it required all jurors in Cook County to be sent to the courthouses nearest their home. My staffers tell me that there was some opposition in that case, but when I -- when I amended it to just apply to jurors over

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sixty-five would have to be called to the courthouse closest to their home, that is a distinction that doesn't deal by race or gender, but age, and it's to -- there's a good public policy rationale. As you know, any of us who serve in Cook County frequently get calls from senior citizens who say, "Gee, I'd like to go to jury service, say, in Skokie, but they're calling me to Markham. I'm enfeebled." And so thus far, no one's raised the issue. I did misspeak though, because one person did vote No in -- in the Judiciary Committee. I wanted to clarify that.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Senator Fitzgerald, we passed a bill, maybe twelve, fifteen years ago, that eliminated all the jury duty exemptions. We had -- we were up to about twenty-seven of them. And in that bill we gave the juror -- jury commissioners great discretion, broad discretion, in terms of being allowed -- being allowed to excuse people. It's just absolutely flat-out put right in -- in the Statute that they can excuse people for any reason and they have that authority. And I know I'm sure you have had people ask you to please call the jury commissioners to see if it's -- if it's possible for them to -- to get out of jury duty. Now, the problem we have in Cook County is that at Twenty-sixth and California, from last time I checked, is where they try all the felony criminal cases for -- at least for all of Chicago and possibly for the whole county. And so what you have here is a situation where a person who's sixty-five years old and lives in Inverness, they're never going to ever be called to go to Twenty-sixth Street. And it's a blanket exemption, if you will, because of their age. Not -- not because of anything else. Just because of their age. And it seems to me that you're going to have the problem of -- of racial disparities when you're -- you

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have your pool to pick -- to pick a jury. And that's something which does raise constitutional questions. I know you're trying to make the distinction that it's just based on age, but the problem we have in -- in Cook County, given the -- the housing -- where people live, it's -- it's somewhat segregated, and as a result, I think you're going to have some -- some problems. What I would say to the senior citizens in Inverness, "I'll get you out. I'll call the jury commissioner. If it's too far for you to go -- you know, put you back in the pool and put you back in the lottery and maybe you'll get -- maybe you'll get picked for -- for Skokie." But I think this particular bill, the way it's done in a blanket fashion, poses a problem, but probably a good bill for your district, but not a good bill for the State.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Welch.

SENATOR WELCH:

Yes. You know, this -- this looks like an idea that they use in California where your jurors are picked locally so that you have a situation, in a recent case with O. J. Simpson, where, depending on where they prosecuted the case, you had an all-white potential jury or an all-black potential jury. And it seems to me that that is something we don't want to do in the State of Illinois. I think that that's going in the wrong direction. This is a first step in that direction now. This is applying to over sixty-five-year-old individuals. But with the ability to excuse jurors for no reason at all from juries, you have a better chance of having a jury that is made up of totally one race to help or hinder a defendant. I don't think that's the way we want to go. So I think this is a good bill to vote No on. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

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Thank you, Madam President. And -- and I -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He will yield.

SENATOR O'MALLEY:

Senator, I don't have as many questions as I do have comments and -- and recommendations to the entire Body. I'm pleased to be a cosponsor of this legislation. I introduced the bill a couple of years ago when I first arrived here and worked with then Chief Judge Harry Comerford to develop a system that would allow more convenience for citizens to serve on jury duty. And with all due respect to, you know, Senator Cullerton, who I have a great deal of respect for, it's interesting to hear your explanation of all the excuses that can be made for people who may not want to serve. Well, that's not my experience in the district that I represent, and I'm sure it's not the experience in -- in Senator Fitzgerald's. The people that call me are willing to serve. They don't want to be excused from service, but on occasions it is absolutely extremely difficult for them, whether it be getting to Twenty-sixth and California or even to spend a day with all the travel that's involved to go to the Loop for those special jury pools that have currently been designed to be countywide, as opposed to be in the immediate vicinity of some of our district courthouses. I applaud you, Senator Fitzgerald, for bringing this legislation forward. I think it's important that we begin the process of continuing -- or -- or, continue the process of dealing with this issue and making it possible for citizens all over Cook County to participate in -- in jury service. And I would encourage that we get this over to the House where it can be worked on further in the Judiciary Committee, and I would suggest that you invite Judge O'Connell into the process, who is very interested in making sure that our outlying courthouses in

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suburban Cook County have really involved and convenient service for the citizens of suburban Cook.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I don't think there's anything wrong with this bill. Perhaps what can be done, if we pass it out of this Body, is to send it to the House with the recommendation that it should be optional to those senior citizens, perhaps, as to whether they want to go and travel from Chicago all the way to Arlington Heights where there's a courthouse or to Skokie where there's a courthouse. And I -- I think we should pass this bill, and the only suggestion I can make to you, Senator, is when it goes through the House, get -- give the jurors the option -- the senior citizens the option. Some of us senior citizens can handle that, but some of the others cannot. But we cannot judge by the spry and limber ones. There are a lot of people who would like to serve on juries, and who'd make good jurors, but it's not easy for them to go from Chicago -- downtown Chicago all the way to Arlington Heights or to Skokie, and vice versa. I support the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. Senator Fitzgerald, to the best of your knowledge, doesn't Cook County comprise almost half the population of the State?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator -- Senator Fitzgerald.

SENATOR FITZGERALD:

At least a third.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

About -- to the best of your knowledge, isn't about eighteen percent of the land mass in -- in Cook County?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

My point is that Cook County is not like other counties and that the burdens of asking people over the age of sixty-five sometimes to travel an hour and forty minutes inside the limits of Cook County are substantially different than other counties in the State. And it's clear from this bill that people under sixty-five would still be assigned wherever the court system wanted them to. I just want to point out to -- to my friends who don't live in Cook County, as I do, that Cook County does face special conditions because of the size of the county and the population there, and I would encourage support of Senator Fitzgerald's bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President. I have to disagree with Senator O'Malley. I -- I think this is very dangerous legislation. I understand that we want to make things convenient for people. That's applaudable. We should make things convenient. We try that in our everyday lives. However, the problem that you have if we start with sixty-five years of age and you don't travel around, the sad part about it in our society, especially around Chicago, there tends to be pockets of nationality, ethnic origins, racial

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dividing lines, and this is very dangerous. If you take around Twenty-sixth Street right now, there happens to be a Hispanic enclave, and it's a -- it's a vibrant community, and it's a terrific place to live, but right there it's -- you have a lot of Hispanic population. It's in -- I think it's in Senator Garcia's district. It may even be in part of mine. The problem that you have is that if you limit this, what you're going to have at Twenty-sixth Street on the juries are six -- and you'll do sixty-five years of age or older, the -- the only elderly people on juries are going to be almost all Hispanics. If you...

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me, Senator Molaro. Thank you.

SENATOR MOLARO:

You know, we have these -- we have these misdemeanor courts, let's say at Sixty-first and Racine, which is a black area. So now when you're being called for jury duty, what you're going to have is you're going to have -- you know, a lot of seniors there who could serve on these juries, you're going to have all black jurors. When you go to Arlington Heights, you're going to have all white jurors. This is what you're doing. So in other words, in parts of my district that are -- that are -- that's -- you know, my district happens to be forty, fifty, sixty percent black. Those black jurors are never going to have a chance to go serve on a jury in Arlington Heights. This is very dangerous stuff that we're talking about. You -- your bill even included everybody. Just make it close by. This is a county. It's diverse. We can get around. There's public transportation. The highway system is terrific. So someone has to jump on the el or the Metra. So there is a little inconvenience to go out and do your civic duty. I know it's tough for seniors to get around. Maybe we're better off exempting seniors from juries altogether. But to go out and say that you could only go -- go near your house is a very

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dangerous concept, because even though the convenience is there, our social awareness hasn't caught up. Sad to say in the City of Chicago and in Cook County you still have -- you still have geographic dividing lines when it comes to race and ethnic origins. And I just think it's a little scary that if the only people who are seniors, when you go to Twenty-sixth Street, are just going to be black and Hispanics, and when we go to Arlington Heights or somewhere else, all the elderly are going to be -- going to be white. I just think it's terrible. I -- I just don't want to have just twelve angry men or twelve -- I think -- I think it's something that we should look at, and I think it may sound right. Let's give senior citizens, and let's make things more accessible, but the opposite's going to happen.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Collins. He'll -- he'll yield. Senator Collins, is your mike not working?

SENATOR COLLINS:

Is it on? Yes. Okay. I -- I -- I can do with this one.

PRESIDING OFFICER: (SENATOR KARPIEL)

You're at Senator Shadid's mike.

SENATOR COLLINS:

Yes. Senator, what -- what happens -- let's just use the Arlington Heights scenario. What happens when someone, let's say, from the Hispanic or the African-American community commits a crime in the Arlington area and is tried in that particular area, and it end up with a all-white jury? Could that person -- do that person have a right -- now this could be vice versa...

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me, Senator Collins. It seems like the noise level is rising more and more. So let's listen to the debate.

SENATOR COLLINS:

So the question is, if it was reversed wherein someone white

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commit a crime, of course, in Chicago, who lived in Arlington Heights and was tried in -- at Twenty-sixth and California, and they had an all-minority jury, would that person have an opportunity, at that point, or a right to ask for a change of venue?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you. Senator Collins, I want to emphasize, you will still have diverse juries under this bill. If a Hispanic from the City is being tried in Rolling Meadows, Illinois, for a crime, there will still be Hispanics from the City, blacks from the City and whites from the City or county on the jury. This bill is limited to senior citizens only. Also, if, say, a white person from Rolling Meadows commits a crime in Chicago, there will be a diverse countywide jury. The only -- there is no race anywhere in this bill. The bill only applies to senior citizens over sixty-five who right now frequently get off juries and aren't on them at all because they have medical conditions, often, that prevent them from traveling far distances. So this would give the ability to a senior in your district to say, "I don't want to have to travel to Rolling Meadows or Maywood or Markham. You have to call me to the jury closest to your home."

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Collins.

SENATOR COLLINS:

...reality to that is you would have less opportunity to have a well-rounded juror {sic}. The other thing is, under existing laws, if a senior citizen or anyone who is called to jury duty and have a legitimate reason, be it physical or nonphysical, they can opt out and get out of serving on a jury. So I don't know why we need to tamper with this. This open the doors to possibilities of

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other things happening that is not the intent of this legislation. There are adequate provisions already in the law and also discretions of the jury -- of the judges and -- and the foremens to ensure that anyone who is incapacitated or unable to serve jury duty, they are excused from being on the jury. So we don't need this particular bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates that he'll -- he will.

SENATOR HENDON:

Senator Fitzgerald, currently the jury pool is selected from registered voters. Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

And drivers license.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

So someone from eighteen all the way up to sixty-four would not be affected by this. Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

So there is a large pool of people who can still serve on the

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juries who are not affected by this at all, and because of that, I don't see what the major concerns are. If you're over sixty-five, okay, it affects you. You may be -- that -- that senior citizen wants to serve on the jury, but they don't want to travel very far. But sixty-four, sixty-three, sixty-two, sixty-one, forties, thirties, all the way to eighteen, does not affect them, does not apply whatsoever. Therefore, you will not end up with a -- not having the diverse pool that you could end up with, because it's only sixty-five and over. So I don't see what the problem is. I think it is a good bill. It's kind to our senior citizens who still want to serve on a jury, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Yes. Would the Senator yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR VIVERITO:

As far as your intent, I think it's extremely honorable, but doesn't that create -- what -- how are you going to do it? The borders, like where they live, are they in this district or that district - isn't that going to make a lot of extra work?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

What I think Cook County would do is, there's five judicial districts, and, incidentally, Senator Cullerton was wrong. There are felony cases heard at all five judicial districts. I think Cook County would simply assign senior citizens to the courthouse in which judicial system they live -- or which judicial district they live in Cook County. And, yes, there would be -- the county would have to do the work to determine where they live. That

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would -- you're -- you're absolutely correct on that.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Viverito.

SENATOR VIVERITO:

The fact that I am correct, and I realize the danger in even trying to get judges {sic} a lot of times. It's extremely difficult, because we've been working in that field for many, many years. I think your intent is honorable, but I wish you would give it more consideration, because it does create, in the minds of some of us, a segregation, and that's rather dangerous. I know that's not your intent, but it does create it. And I don't think it's in our best interests or yours to do it, and I would urge a vote of No.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I guess I, too, have to rise in opposition - very simple reason: This is mandatory, not discretionary. It doesn't say that if a senior has a problem, that the judge or assigning person of the jury system has to take that into consideration and say if it's a problem, okay, they do not have to serve in this court, that court or another court. It mandates that they shall be assigned to a specific court. Now, in a case like mine, for example, with a district that happens to be City-suburban and therefore at the very edge of a city, it might be physically closer for a senior to go into the District Two, which is the Skokie courthouse, than to go down to Twenty-sixth and California or the Daley Center. Might even be a lot easier, but of course, then they would not be allowed to serve there, because by mandate they would have to serve, as -- as the Senator just indicated, at the one in the district they reside, which would be the municipal

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district in Chicago, which could be very difficult for them to get to. Secondly, there's a lot of people sixty-five, sixty-six, sixty-seven who have no problem serving anywhere. They're not always retired. They're not always feebled or disabled, and that they wouldn't care where they served if they were asked to serve. I think the better approach was to say that to those who have a problem, the court has to give that extra consideration, but to mandate that they can only serve in one area or another is truly counterproductive and is doing them a great disservice.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald, are you responding? No. If not, there's further discussion. Senator Obama.

SENATOR OBAMA:

Thank you, Madam Speaker {sic}. Will the sponsor yield? I let this -- I voted to have this bill come out of committee, because I think it was useful to have this kind of discussion on the bill, and I think that the Senator has good intent in this bill. I am not sure that there are constitutional infirmities per se to this bill, but I do think that the scenario that Senator Collins raises, there is a possibility where there was a trial in -- in a jurisdiction and the racial makeup of the jury was affected in some fashion, that this issue might at least be raised on appeal. Now, I -- I do not know how a judge or a jury might come out on this issue, but I do think that it's something that to the extent that the racial makeup of the jury is affected by this bill, it may have an impact subsequently in particular trials. And I think that actually Senator Carroll's recommendation, in terms of dealing with this issue and potential hardships that our seniors have to undertake, may be a -- elegant solution to the problem that -- that you're dealing with without some of the particular problems. So, although I did vote Yes to get this out of committee, I -- as currently constituted in light of the

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discussion, I think that it may -- I will probably vote in opposition of this bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. Is there further discussion? If not, Senator Fitzgerald, to close.

SENATOR FITZGERALD:

Thank you, Madam President. First, I'd like to address Senator Obama's concern. There's a U.S. Supreme Court case called Batson, which holds that for the jury system to be impermissible, there would have to be an affirmative attempt to exclude from a jury persons of a certain race or gender or what have you. This doesn't even come close to that. Juries would be diverse under this bill. A white person from the suburbs would be called to any number of other judicial districts in the county under this bill as long as they were under sixty-five. Minorities from any part of the county would be called all over the county. There would be diverse juries. There's no colorable claim that this would, in any way, run afoul of constitutional protections in that regard. This is simply an attempt to relieve the burden in Cook County on senior citizens. Right now I can tell you from the volume of calls that I get to my districts from seniors who have a heart condition or have diabetes or some other health problem that they say, "Gee, I would be happy to serve on a jury, but why can't they call me to Rolling Meadows? Why are they calling me to Markham?" And therefore, they end up having me call, and I seek to get them off. Now, a couple of years ago Senator O'Malley passed a good bill that said that the jury commission is supposed to take steps to make sure that jury service is not unduly burdensome in Cook County. But, unfortunately, the jury commission has not been responsive enough and we still have this problem that I have particularly identified from the -- the sheer number and volume of calls to my office that this is a great burden for seniors in Cook

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County. And for those of you who live in the downstate districts, it may no sound much to drive from, say, Steve Rauschenberger's district in far west -- northwest suburban Cook County, drive forty miles to Maywood or whatever, but in Cook County in rush hour in gridlock, you almost need a helicopter to get around the county. And it really is a problem for senior citizens. And there aren't -- there's no way you can get a Metra train from Hanover Township to Markham. And I'm telling you, it just doesn't work - our current jury system. Now, there have been several good concerns that have been raised by the lawyers on the other side of the aisle, but I have to take my hat off to Senator Hendon, who is not a lawyer and who, perhaps for that reason, is better able to apply common sense here. There's no race anywhere in this bill or anywhere in the intent in this bill, and this benefits senior citizens of any race or gender. It would lift the burden off of them, and I would ask you -- I certainly if -- as -- if this bill gets over to the House, I will certainly make sure that there are conversations. Nobody from Cook County objected to the bill as it was amended. Maybe it should be made optional. That's -- that's for -- 'cause there are some seniors who can get around very well and it's not a problem. But we can take that up in the House. But if you want to help the senior citizens in Cook County, and I think you will get more of them on juries than you are now if you take some of the burden off them. I'd certainly appreciate a favorable vote. Thank you very much.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. The question is, shall Senate Bill 303 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this issue, there are 31 Ayes, 22 Nays, none voting Present, and Senate Bill 303, having received the required constitutional majority, is

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declared passed. Senator Berman.

SENATOR BERMAN:

Well, my first comment was, I was going to suggest an amendment that we keep bankers off of juries. My second request is that we verify the roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Berman... Senator Berman has requested a verification. Will all Senators be in their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Bomke, Burzynski, Butler, Cronin, Dillard, Donahue, Dudycz, Fawell, Fitzgerald, Geo-Karis, Hawkinson, Karpiel, Klemm, Lauzen, Luechtefeld, Madigan, Mahar, Maitland, Myers, O'Malley, Parker, Peterson, Petka, Radogno, Rauschenberger, Sieben, Syverson, Walsh, Watson, Weaver and Mr. President.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR BERMAN:

Senator Burzynski.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is Senator Burzynski in the Chamber? He's sitting in his seat.

SENATOR BERMAN:

Yes. I see. Senator Hawkinson.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hawkinson is in the back. He's waving at you, Senator Berman.

SENATOR BERMAN:

Senator Madigan.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Senator Madigan is in the Chamber.

SENATOR BERMAN:

Luechtefeld.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Luechtefeld is in his seat.

SENATOR BERMAN:

I won't -- I won't ask about the President. That's okay.
Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

On a verified roll call, the Ayes are 31, the Nays are 22, those voting Present are none, and Senate Bill 303, having received the required constitutional majority, is declared passed. Senate Bill 314. Senator Parker. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 314.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Because of technological advances and changing practice patterns, the practice of medicine is occurring with increasing frequency across state lines. Currently the Illinois Medical Practice Act does not address telemedicine. As a result, any person, whether a qualified physician or not, can communicate a diagnosis from outside Illinois to any other Illinois resident. This bill creates the Telemedicine Licensure Act. It requires a person participating in telemedicine communication to be an Illinois licensed physician. I will be pleased to answer any questions, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Is there any discussion? If not, Senate Bill 314 -- the question is, shall Senate Bill 314 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this bill, there are 56 voting Aye, none voting Nay, none voting Present, and Senate Bill 314, having received the required constitutional majority, is declared passed. Senator Fawell, on Senate Bill 316. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 316.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the bill that I brought up the other day and then held. It's the health care workers background check being done by the task force. I have since found out that the task force will not meet until March 21st. I would like to keep this bill moving, get it over in the House. It is a -- a commission that is equally represented by both sides of the aisle. And I would be more than happy to hand this bill to someone on the other side of the aisle over in the House, if that is required, but I -- I would like to keep it moving. It is a task force. I think it's an important problem, and would like to see something done by this spring.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, should -- shall Senate Bill 316 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On this bill, there are 51 voting Aye, none voting Nay, 3 voting Present, and Senate Bill 316, having received the required constitutional majority, is declared passed. Senator Syverson, on Senate Bill 317. Senator Philip. Senate Bill 320. Senator Rauschenberger. Senate Bill 321. Senator Rauschenberger. Senate Bill 331. Senator del Valle. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 331.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This is the same bill that came out of here last year on a 54 to nothing roll call and was stuck in Rules in the House. It's a bill that was on the Agreed Bill List, and it just simply has scholarship recipients who receive the family practice residency scholarship and who commit to practicing in designated health shortage areas to pay back, with interest, the loan if they fail to meet their obligation to practice.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 331 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this issue, there are 55 voting Aye, none voting Nay, none voting Present, and Senate Bill 331, having received the required constitutional majority, is declared passed. Senate Bill 340. Senator Cronin. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 340.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam Speaker -- or, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 340, the content of it, the proposal in the bill, was actually brought to -- to my attention by former Senator Rock, a former Senate President who had an experience with a Lieutenant Showstrom from Oak Park Police Department, and this bill would rectify a situation. It makes child endangerment -- it provides that endangering the life of a child is a Class 3 felony for a first offense and a Class 2 felony for a second offense. And it amends the Criminal Code in such a way that it separates the offense into two sections: endangering the life and endangering the health. Right now if a parent or guardian is investigated for suspicion of injuries to a child - in this case, in the Oak Park case, it was severe burns - and if the parent doesn't take the child to the hospital and the burns are of such a serious nature that the child could die, there's very little that the law enforcement can do. The maximum penalty that someone would suffer endangering the life of a child would have been a one-year penalty for a misdemeanor. So this makes the -- the crime more serious. It also talks about endangering the health of a child. If you sit by and do nothing while your child is dying, that's a crime. So I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 340 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record. On this question, there are 57 Ayes, none voting Nay, none voting Present, and Senate Bill 340, having received the required constitutional majority, is declared passed. Senator Cronin, on Senate Bill 341. Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This...

PRESIDING OFFICER: (SENATOR KARPIEL)

I'm sorry, Senator Cronin. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 341.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin.

SENATOR CRONIN:

Yes. Thank you very much, Madam President. This bill amends the Juvenile Court Act and requires a court, upon application, to waive liability for support or legal fees if the person who's liable shows that full payment will result in financial hardship. This came out of -- from the DuPage County Board. They've had some experience in DuPage County where juveniles are sentenced to some certain term and they have to get counseling. In some cases these juveniles can't afford the counseling. They genuinely have financial hardship. They don't complete their sentence, and so there is a -- there's no resolution of the case. And so this is a necessary step that the DuPage County Board is seeking to take. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 341 pass. Those in favor will vote Aye. Opposed,

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vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question, there are -- take the record, Madam Secretary. On this question, there are 54 voting Aye, none voting Nay, none voting Present, and Senate Bill 341, having received the required constitutional majority, is declared passed. At the top of page 16 is Senate Bill 347. Senator Mahar. Senator -- Senate Bill 348. Senator Mahar. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 348.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President and Members. Senate Bill 348 merely extends by one year the time for the -- time period for the Illinois Pollution Control Board to promulgate rules dealing with the Brownfield legislation we passed a year ago. I know of no opposition and would ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will yield.

SENATOR WELCH:

Senator, what's taking them so long? This was supposed to be this great economic development tool to put businesses into areas that were contaminated and everybody was gung ho last year. Why do they need another year to make up rules?

PRESIDING OFFICER: (SENATOR KARPIEL)

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Senator Mahar.

SENATOR MAHAR:

All I can tell you, Senator Welch, it's a very complicated issue and they're doing the best they can.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

Well, it didn't seem so complicated last year. They acted like it was as simple as slicing bread, and it sailed out of here because everybody said what a great idea it was. It doesn't make sense that the rules are -- are slow to come. They told us exactly what the rules were going to be. If it's contaminated a certain percent, they could go ahead and not clean it up as long as they assumed liability. You know, they're -- I don't understand why the EPA is dragging its feet. As chairman of that committee, you should be on them and raising hell with them.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any further discussion? If not, the question is, shall Senate Bill 348 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 55 voting Aye, 2 voting Nay, none voting Present, and Senate Bill 348, having received the required constitutional majority, is declared passed. Senate Bill 358. Senator O'Malley. Senate Bill 363. Senator Hawkinson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 363.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hawkinson.

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SENATOR HAWKINSON:

Thank you, Madam President. This bill amends the Juvenile Court Act and, more specifically, the evidence Section of the Juvenile Court Act, which provides those circumstances in which evidence by a minor is admissible, and particularly previous statements of a minor. The bill changes one word. It changes the word "the" minor to "a" minor. It's meant to address -- and the suggestion come to us out of the Peoria County State's Attorney's Office. It's meant to address that situation where an abuser - for example, an abusive father - might have stepchildren and might be an abuser in more than one family or more than one child. And this says that if the child has made a previous statement, that that statement can be introduced within the juvenile court proceedings. Be happy to answer questions. The current law, which is not changed, also provides that if it's uncorroborated or not subject to cross-examination, it shall be not sufficient in itself to support a finding of abuse or neglect, but this would allow it into evidence. Be happy to try and answer questions. Otherwise would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, shall Senate Bill 363 pass. Those in favor will vote Aye. Those 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, Madam Secretary. On this issue, there are 55 voting Aye, none voting Nay, none voting Present, and Senate Bill 363, having received the required constitutional majority, is declared passed. Senate Bill 369. Senator Dudycz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 369.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Originally Senate Bill 369 deleted the authority of the mayor, aldermen, village president and trustees, marshals, deputy marshals and park district board members from being conservators of the peace. I believe we've reached accommodation to those municipal officers. Now they can maintain that designation as conservators of the peace, but they should, before they -- they can be designated that, must receive a certificate attesting to successful completion of a training course administered by the Police Training Board. And the bill authorizes the Police Training Board to initiate and conduct a training course for these officials.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This had a lot of debate in committee, and there -- there was a lot of us that had some -- some initial problems with it. There was a feeling that we were attempting to take away the power from the mayors and the councilmen. The way it ended up, I don't think that's the case. I think what we're trying to head in this particular piece of legislation is to ensure that any conservator of -- of the peace is either a) qualified, or b) if they are a mayor or city councilman who want to feel they're a conservator of the peace without actually getting that title, can do so, but they better do so with -- with a lot of concern, because we've had a lot of councilmen, in particular, and a few mayors, I know, that flash those badges around pretty quick and get, not only themselves, but everybody else around them in trouble. And I urge an Aye vote.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Yes. Will the sponsor yield? Senator...

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will. Senator Trotter.

SENATOR TROTTER:

Thank you. Senator Dudycz, you said there has to be some training involved before these individuals can be actually considered conservators?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCH:

Yes. Senator Trotter, as you know, if you are a conservator of the peace, that means you have authority of arrest and the powers of enforcement. So what -- what we are saying is that the Police Training Board will be administering a training course for those officials who are designated as conservators of the peace. If they wish to be -- to be able to use these powers, they should be able to know their -- their responsibility as well as their authority.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Trotter.

SENATOR TROTTER:

Does this legislation allow for those individuals who are now carrying a badge to be grandfathered in, or do they too must have -- have training?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCH:

No. This doesn't grandfather anybody in, Senator Trotter. I -- I truly believe that if they -- if they wish to -- to use those

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powers that they have designated to them, they should go through the training. That includes the existing officials, as well as future ones.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Butler.

SENATOR BUTLER:

Well, speaking as a -- as a former mayor, in our town we did give badges, but we made it very, very, very clear that these were souvenirs. They had absolutely no power whatsoever. Unfortunately, there are occasions when these badges assume more importance than are -- they are supposed to. We have a case right now that's in the newspapers. Many of you may have read where a trustee is flashing his badge all over the place, and -- and in doing so, luckily, is getting himself in trouble. I would -- I would urge this to pass simply to make sure everybody understands that they -- they have no legal authority, even though they may be carrying a souvenir badge. It probably -- you know, we should look at this -- those badges as nothing more than we used to get in Cracker Jack boxes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall Senate Bill 369 pass -- Senator Dudycz, to close.

SENATOR DUDYCHZ:

Yes -- yes. Thank you, Madam President. Just, Senator Butler, you know, this -- I have some badges in my office that have been given to me as examples. One was -- looked like a police star. It was given to a ward committeeman in the City of Chicago. A ward committeeman has -- they are authorized by some unknown power to carry these badges, and it's very, very identical or very similar, other than the wording on it, to my Chicago Police star. We also have legislative aides stars that are floating around the City of Chicago that have been issued to, I'm

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sure it's previous, Members of the General Assembly, but they're still out there. For the Members of this Body, if anybody is interested in -- in obtaining a badge, I have some junior deputy Cook County Sheriff's badges if -- and you can have these and your satisfaction will be met then. I ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. The question is, shall Senate Bill 369 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 47 voting Aye, none voting Nay, none -- 9 voting Present, and Senate Bill 369, having received the required constitutional majority, is declared passed. Senator Rauschenberger. Senate Bill 373. Senate -- Senate -- Senate Bill 382. Hawkinson. Senate Bill 385. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 385.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 385 corrects a deficiency and brings into line current practices under the Plat Act. The bill amends a Section of the Act that had not been amended for many, many decades, and just brings in line the Plat Act with current selling practices of home builders, primarily in the Chicago area. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Geo-Karis.

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SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will yield.

SENATOR GEO-KARIS:

But what does it actually do? Can you tell us?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Senator Geo-Karis, this one-hundred-plus-year-old Act in the old days said that you could not offer for sale any parcel of property in a plat and that it was a criminal violation. Everyday in the State of Illinois people without all of the sections of a plat having been sold are offering certain homestead sites for sale. I think many, many realtors, home builders, developers were not aware that this archaic Section of the Illinois Statutes actually made it a petty offense to talk to anybody about selling a particular parcel of property until the entire plat had been sold. And so what we say is, nothing in this Section shall prohibit an offer of sale or acceptance of deposit by a seller before compliance with the requirements of this Act, provided that the compliance occurs before the conveyance of any deed to the property. All we're doing is clearing up a very, very archaic Section of the Plat Act. It's a simple one-sentence change, and I really, quite frankly, think a lot of people have been out in the State of Illinois, for years, actually committing a petty offense.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there further discussion? If not, the question is, shall Senate Bill 385 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 56 voting Aye, none voting Nay, none

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voting Present, and Senate Bill 385, having received the required constitutional majority, is declared passed. Senate Bill 408. Senator Cullerton. 423. Senator Fitzgerald. Senate Bill 429. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 429.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. This particular piece of legislation comes from Mike Dall. He's a deputy sheriff in Clinton County, my district. And he has some concerns about the current law that allows for someone to point a -- a weapon -- a deadly weapon at a police officer, and he -- and the result is a very small penalty, a Class A misdemeanor. What this does is raises that to a Class 4 felony. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 429 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 55 voting Aye, none voting Nay, none voting Present, and Senate Bill 429, having received the required constitutional majority, is declared passed. Senate Bill 432. Senator Butler. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 432.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Senator Butler.

SENATOR BUTLER:

Thank you very much. Ladies and Gentlemen, Senate Bill 432 is an -- is an effort initiated by the State Board of Elections to -- to prevent some of the gross abuses that are taking place when people require assistance in the voting booth. It -- it covers several very specific things that a person giving that assistance must -- must do. It -- first of all, the State Board of Elections will provide a written instructions on how assistance shall be provided. And then secondly, they will include such penalties for attempting to influence the voter's choice of candidates or a party or a vote in relation to any question. They have to swear to not -- not to influence the voter's choice of candidates. And also this would also apply to absentee ballots and applications. There is a serious void in the present law in that it is -- it is too vague, and we believe this would tighten up the -- the assistance -- the kind of assistance given to people needing help in the voting booth. I think it's a good government bill and I think we all should be on board.

PRESIDING OFFICER: (SENATOR KARPIEL)

Are there any -- is there any discussion? Senator Bowles.

SENATOR BOWLES:

Thank you, Madam President. I stand in strong support of Senator Butler's bill concerning the -- the issues of absentee voting and assistance in the voting booth on election day. As a former election official, there are problems, and I think that this bill addresses some of those problems and I -- I would join him in asking for an affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

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PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates...

SENATOR COLLINS:

Senator, I'm just screening on my computer trying to look at the -- the part as it relates to absentee ballot. I did file a bill myself which was not given the privilege of having a hearing on. It's in the subcommittee, as most other Democratic bills are. But on your absentee ballot Section, could you just tell me specifically, are you doing anything about the fact that so many people -- elected officials can go down and get a list of those persons requesting absentee ballots, deliver the ballots to the people, they mark them in their presence, and then have them mailed back? I think that is something that we need to deal with. Even though it -- it may have, in many instances, helped my party, it's still something wrong. And -- and if -- if this bill have attempted to address that issue.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

There are some obvious difficulties in -- in trying to follow an absentee ballot. But the bill does provide that the same instructions giving -- given in person at the -- at the polling place will be included in the absentee ballot mailing and also the applications.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Collins.

SENATOR COLLINS:

Senator, in Cook County there is -- anytime anyone requests an absentee ballot there is a printout list there that's posted prior to the mailing of those ballots back to the -- to the county. What I would have liked to -- to have seen done was that list not be published until after the people had sent their ballots back to

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the -- to the -- to the board. What happens in many cases the -- the ward committeemen, the candidates, they go down and they get the list, so they know who has absentee ballots in their ward. That's what the real problem was several years ago. And I -- and I don't know if some of them under investigation about that at this time. But to avoid that problem, the list of the names of persons requesting absentee ballot should not be published. However, it is a matter of public record. If these people are listed and the list, after they vote, goes to the polling places when the absentee ballot period closes, they should be then sent out to the polling places for election day so that they can be included in the count. That's my great concern, and until you do that, we are not going to change the problem and the fraud and the interference in the absentee ballot process. That's the only way you're going to do it. What you have here, if it doesn't do that, it's not going to do anything. ...amend this bill and make sure that -- that we -- that we can -- can do -- deal with that particular problem, 'cause that is where the bulk of the problem arises from.

PRESIDING OFFICER: (SENATOR KARPIEL)

Could we have a little order, please? We would like to -- all of us would like to get out of here, and we can do that better and faster if we have some order and some quiet. I don't know if that was a question, Senator Collins. We have a few more speakers. Senator -- Senator Butler, did you want to answer that, or in your closing?

SENATOR BUTLER:

Well, merely to mention, I'm aware that you have a bill that very specifically does that, and I guarantee that in the subcommittee, as we -- as we said at the meeting -- at the hearing, that will be given great consideration. I -- I promise that.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will yield.

SENATOR WELCH:

Is -- is there a -- is this a Mandate Act exemption? Who pays for this?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

Well, the only cost that I can discover would be the printed instructions. And that -- that can't be too costly.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

How is it determined -- when does a person who assists a disabled person get those instructions? When they walk into the polling place, or whenever a absentee ballot is sent out to a disabled person?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

The bill requires that this must be done prior to entering the voting booth.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

How is the county clerk going to know which voters are disabled so that a letter can go to them, number one, to tell them that if they have somebody help them, that person has to read this

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letter of instruction; and number two, how is the county clerk going to be sure that the person helping the disabled person has read those instructions?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

Well, I suppose you could -- I suppose you could send along a book about the size of any one of our code books and try and cover every tiny possibility. I think this bill -- if the person's coming into the polling place and somebody's literally carrying them in, which I understand has happened, that would kind of be a signal to somebody that this voter is going to require assistance and that the person carrying them in is going to give that assistance. I don't know how to answer that. There are probably forty-two jillion kinds of instances, what-ifs. But if we can cut out 99.9 percent of some of the problems that are created. We've got instances where literally the -- the voter requiring assistance didn't even go in the voting booth. The assister went in there and voted for 'em. Now that's -- that's wrong. And we should do what we can to stop the -- stop as much as we can.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

Well, Senator Butler, your bill says that if you influence a voter, it becomes a felony. Isn't that the whole purpose of precinct committeemen, is to influence voters to vote in a certain -- for a certain party? So anytime that a precinct committeeman comes in with a disabled person, it would seem to me there would be a presumption they're influencing their vote, because they sure wouldn't -- I don't know in your area, but in my area we probably wouldn't bring in too many disabled Republicans. So it -- it seems like we're -- this is the committeeman felony Act of 1997.

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I think the State Board of Elections has really gone overboard. They see a problem, and instead of using a hammer, they've got a bazooka out here to try to take care of it. I think they've really overreacted, and they -- and on top of that, they haven't addressed the real voting problem, which is voting by individuals who are mentally ill who may not have any idea what they're doing. Does this make felons out of anybody who helps them? Are they considered disabled under this bill, as well?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator is rhetorical, or is that a question? Senator Butler.

SENATOR BUTLER:

Unfortunately, the federal motor voter law right now says that a mentally incompetent person judged by -- judged to be mentally incompetent may vote. Secondly, to your point about the -- the precinct committeemen, or precinct captains, I know of no Republican precinct captain who is not a man of great integrity or a lady of great integrity, who wouldn't honor the oath. I don't know how you can go beyond the -- honoring the -- the oath.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there further discussion? Senator Welch.

SENATOR WELCH:

You're sitting next to Senator Fitzgerald. This sounds like his logic about lawyers a little while ago, to me. So I -- thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR BUTLER:

Well, I -- I wouldn't touch Senator Welch's last statement with a ten-foot pole. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. The question is, shall Senate Bill 432 pass. Those

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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, Madam Secretary. On this issue, there are 46 voting Aye, 3 voting Nay, 4 voting Present, and Senate Bill 432, having received the required constitutional majority, is declared passed. Senate Bill 433. Senator Butler. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 433.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

Ladies and Gentlemen, Senate Bill 433 is an attempt to clear up some of the -- the gross -- the gross problems that are created when people just totally ignore the requirements for petitions. First of all, let me make it clear, I had some communications from county -- from county clerks regarding local elections. This does not apply to local elections. It's only for State and legislative offices. What it requires is that the State Board of Elections make a preliminary judgment as to whether or not the petitions meet the -- the basic requirements for filing. I had this personal experience: I had a person file against me with forty signatures, and there was nothing the State Board of Elections could do if I did not challenge it. Well, I did challenge it. It cost me three or four hundred bucks, but I got 'em off the ballot. Now, the problem we have is that, as you know, unless a -- the -- the applicant is -- is challenged, the State Board of Elections has no authority to stop the petition process. The says that the -- that the State Board of Elections are -- will -- will check to be sure that a required number of signatures are -- are written,

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that all of the required statements and oaths are included. It does not require - does not require - the State Board of Election to verify signatures. I would be pleased to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? Senator -- oh, you've really -- Senator Demuzio.

SENATOR DEMUZIO:

Senator Butler, let me, if I might, if the Senator will yield, I'd like to ask a couple of questions, if I might. Number one, how many members of the State Board are there?

PRESIDING OFFICER: (SENATOR KARPIEL)

I'm sorry. Senator Butler.

SENATOR BUTLER:

I don't know, Senator. This is not my first bill, incidentally.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

That's probably why you don't know the answer. There are eight members. Now, I haven't read thoroughly your bill either, but as -- as I understand what you're attempting to do here, is you are attempting to give the authority of the State Board to make the determining decision with respect to petitions with -- as it is now, it goes to a court. Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

If it is -- if it is, indeed, challenged.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

Well, then -- there are eight -- there are eight members of

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the State Board of Elections - four Democrats and four Republicans. If somebody's absent, if someone is ill for whatever reason, or out-of-State or what have you and so forth, what constitutes a majority vote of the State Board of Elections?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

I would assume the normal Robert's Rules or whatever apply would apply there. I don't -- I don't get the thrust of that. If you're saying that it is fine for someone to -- to -- as has happened where there was something like five thousand signatures required and the person filed one page, if you think that's an acceptable operation, I -- I don't and I think this would prevent that.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

Well, again, I assume that there are a number of other speakers, but it'll give me an opportunity to --- to reread the bill that I just glanced at, but it just seems to me that there's all kinds of mischief that could be, in fact, begun with the provisions of this bill. And I don't think it's such a good idea. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Link.

SENATOR LINK:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR LINK:

Senator Butler, as you know, I voted for this in committee, but I want to get a clarification again on the Floor. We are only

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talking about verifying the amount of signatures. We aren't -- and the forms that are necessary to be filed. We are not talking about crossing the Ts, dotting the Is, the paper clips, any other things, the numbers on the pages. Those are challenges which has become -- has to come about from the -- either the candidate -- the opposing candidate or someone of the other party. Am I correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

Well said.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator -- oh, I'm sorry. Senator Link.

SENATOR LINK:

So -- so, in essence, though, we are still staying with the same challenging system that we have right now. The only thing we're changing is -- and this is only with the State Board of Elections - we are not putting this onto the county clerks, we are not putting this in local elections, we are only doing it with the State Board of Elections, and they are only going to that what we are -- you are calling for. Correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

Well said.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. Senator Butler, I like this idea, 'cause I had the same situation. I had a libertarian candidate that filed against me. He had thirteen signatures, and it was my initiative that had to be undertaken in order to get him off, and

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there certainly was -- very identifiable that there's a difference between thirteen signatures and I think it was twenty-two hundred and thirteen was the number that was required. Why don't we want to do this for local elections?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

I -- I think that's a logic first step. The -- some of the county clerks got worried about this, and I can seem them building up some resistance to -- to making those kinds of decisions, probably for political reasons. I'd be happy to cosponsor with you to bring this down to the -- to the local -- to the local level. Not on this bill, though. But I think we ought to stop this while we can.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Bowles.

SENATOR BOWLES:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR BOWLES:

Senator Butler, for clarification, if the State Board should rule that the petitions are not in conformity with the requirements of -- of the Election Code, the -- the candidate would still have recourse to the court, isn't that correct? With an electoral board, and then -- the electoral board and then the court?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

Within five business days, the Board is required to notify the

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candidate that -- notify the candidate that his or her petitions are not in conformity and then also advise them, at the same time, they can appear before the Board. And then I think the final adjudication would be -- would be in the court. The -- the bill says in the judicial review.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Bowles.

SENATOR BOWLES:

I simply wanted to point that out as a point of clarification, that the decision of the State Board of Elections is not the final action. There is other recourse. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor. Senator Butler, in -- in a case -- I'm going to give you an example of a case that I had. In speaking with the State Board and also the Secretary of State's Office that issues the certification stamp that they have to be certified, the opinion of both of those State agencies was that a person who was notarized in the petitions, that they had to be authentic signatures of the notary. The local Cook County Board had a whole different opinion. In other words, you could use a rubber stamp. What happens, in that case, if the State Board see those petitions with duplicate signatures and then the -- the challenger files against the Board, which comes before the -- the Cook County Court, and they rule that those signatures with a rubber stamp is authentic and legitimate? What happens in -- in a case like that under your...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

Well, as I said, we're not requiring the State Board of

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Elections to verify signatures. That must be done by a challenge.
Was that your question?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Collins.

SENATOR COLLINS:

No. No. You misunderstood me. The -- each of the sheets have to be notarized, and -- by a notary. A notary seal or notary stamp should be, by all notary laws, authentic - that signature on the stamp. If when they glance these -- the Board glance through the -- the petitions filed, and they look and see that a notary is a rubber stamp, would that constitute them making a ruling that the petitions are just not in order? That's not verifying signatures. You're just verifying the fact that either they're notarized or they're not notarized.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Butler.

SENATOR BUTLER:

The bill does not provide for -- or, authenticity of the -- of the notary, if that's your question. Is it?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Collins.

SENATOR COLLINS:

Senator Butler, let me just say this. I've heard over and over this Session that we should not deal with things piecemeal, and that's the reason for most of the Democratic bills being held in committee. I agree with you that there is a tremendous need and a great sense of urgency, I would say, for election reform in the State of Illinois. But I think what you're doing is going about it piecemeal. It ought not to be a partisan issue. We should have all had the opportunity. Many of us have put in bills this year with some ideas, and I happen to think some good ideas, for election reform that could have been of -- of great service

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not only to the Board, but to the sanctity of the electoral process for the citizens of the State of Illinois, had you been willing to do that. Now, just to say that your name is on a bill and you -- you're sponsoring some legislation on election reform is just not going to get it. We need some serious thought at what's going to go into this, and I would hope that if this bill pass, that Madigan will stop it in the -- in the House; that we can come together and actually put together some well meaningful, well-needed election reform for the State of Illinois. So I hope this bill doesn't pass.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there's no further discussion, Senator Butler, to close.

SENATOR BUTLER:

Just one final comment. Senator Collins, I assure you, as we promised, your bill -- your ideas will be considered in the subcommittee meetings we're -- we said we would have. Secondly, what we wanted to do was to take some actions within the capability of the State Board of Elections right now. If they were to verify tens of thousands of pages of signatures and other, you know, some of the other things that might be in question, it would inundate them. We're trying to do as much as we possibly can. Given the existing conditions, we've got to stop some of the fraud, at least. And I would urge a Yes vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 433 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 47 voting Aye, 4 voting Nay, 4 voting Present, and Senate Bill 433, having received the required constitutional majority, is declared passed. Senate Bill 437. Senator Butler. Senate Bill 443. Senator Berman. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 443.

(Secretary reads title of bill)

3rd Reading of the bill.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. Senate Bill 443 specifies that a necessary preventive service for seniors under the Department on Aging shall be designated to include home-delivered meals. What this bill does is to take home-delivered meals outside of the discretionary choosing of services and makes it a necessary preventive service. The bill was supported in committee by AARP. We've circulated a letter from the Department on Aging regarding the cost factor, which they say quote "results at no new costs or savings." And it came out unanimously in committee. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. I'd just like to remind the Body and the sponsor, although this may be a well-intentioned, good idea, what it in effect does is it converts a home-delivered meals program, which we worked on a bipartisan basis to fully fund through the supplemental and which the Governor's Office has fully

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funded in this next fiscal year, into an entitlement program. We've been working for a long time here to control costs and to control the Department of Aging. Anyone who's sat on Appropriation for the last few years knows the Department of Aging has a very difficult time assembling numbers. This program is administered by area agencies on aging and I would respectfully suggest everyone take a hard look at whether we should take this outside of the appropriation process and turn it into an entitlement. I would suggest people think very hard about casting a Present vote or a No vote. It's fully funded. There's no problems with the program. We took care of it under supplemental funding and it's fully funded for next year. Converting this to a -- an entitlement program only kind of recharges the problems we're having in other entitled programs. I'd suggest a Present vote. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR BERMAN:

Thank you. Ladies and Gentlemen, I understand the point that Senator Rauschenberger raises, but let me point out to you that as far as probably the best program, from a money-saving point of view, to keep seniors and the elderly and the disabled in their own homes is home-delivered meals. All that we're doing by this bill, I would suggest, is not an entitlement program, but instead of the use of the word "may" for a list of about a dozen or so different services, we are specifying that, quote, "For purposes of this Section, home-delivered meals provided to eligible individuals through a nutrition provider funded by an area agency on aging shall be considered a necessary preventive service." That's the truth. That's where it ought to be. That's where our seniors want it to be. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

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The question is, shall Senate Bill 443 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 31 voting Aye, 2 voting No, 16 voting Present, and Senate Bill 443, having received the required constitutional majority, is declared passed. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd seek a verification of that roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger has requested a verification. Will all Senators be in their seats. The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Berman, Bowles, Carroll, Clayborne...

PRESIDING OFFICER: (SENATOR KARPIEL)

Madam Secretary. Senator Berman.

SENATOR BERMAN:

With leave of the Body, I'll put this on Postponed Consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Motion is granted, Senator Berman. Senate Bill 444. Senator Halvorson. Senator Halvorson, do you wish this bill returned to 2nd Reading for purposes of amendment? Senator Halvorson seeks leave of the Body to return Senate Bill 444 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 444. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Halvorson.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Halvorson, on Amendment No. 3.

SENATOR HALVORSON:

I'm going to take it out of the record for now, because the third amendment here on the Floor has to be taken care of.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. ...the record on that Senate Bill 444. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 22, offered by Senator Dudycz. It's substantive.

Senate Joint Resolution 23, Constitutional Amendment, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No objections have been filed, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Joint Resolution 17.

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(Secretary reads HJR No. 17)

Adopted by the House, March 13, 1997.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 17. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver has moved for the adoption of House Joint Resolution 17. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Is there further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Radogno moves the Senate stand adjourned until noon, Monday, March 17th.

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