

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

25th Legislative Day

March 18, 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 the Father Pat de Meulemeester Holy Family Catholic Church, Lincoln, Illinois.

FATHER PAT de MEULEMEESTER:

(Prayer by Father Pat de Meulemeester)

PRESIDENT PHILIP:

Senator Sieben 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 Wednesday, March 12th; Thursday, March 13th; Friday March 14th and Monday, March 17th, 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 objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator O'Malley, Chair of the Committee on Financial Institutions, reports Senate Amendment 2 to Senate Bill 685 Be Adopted; and Senate Amendment 1 to Senate Bill 690 Be Adopted.

Senator Sieben, Chair of the Committee Agriculture and Conservation, reports Senate Amendment 3 to Senate Bill 305 Be Adopted; and Senate Amendment 2 to Senate Bill 908 Be Adopted.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Amendment 2 be Senate Bill 5 Be Adopted; Senate

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Amendment 1 to Senate Bill 7 Be Adopted; Senate Amendment 2 to Senate Bill 13 Be Adopted; and Senate Amendment 1 to Senate Bill 895 Be Adopted.

PRESIDENT PHILIP:

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 242, offered by Senator Fawell.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

If I can have your attention for a minute. It's the intention of the Chair to go to 2nd Readings and plow right through the Calendar. So without further ado, top of Page 2 Senate Bills 2nd Reading. Senate Bill 4. Senator Karpel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 4.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 30. Senator Parker. Senator Parker. Senate Bill 30. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 30.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

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PRESIDENT PHILIP:

3rd Reading. Senate Bill 54. Senator Mahar. Senate Bill 54. Senator Mahar. Take it out of the record. Senate Bill 63. Senator Madigan. Take it out of the record. Senate Bill 65. Senator Trotter. Senate Bill 65. Senator Trotter. Take in out of the record, Mr. Secretary. Senate Bill 73. Senator Lauzen. Senate Bill 73. Senator Lauzen. Take it out of the record, Mr. Secretary. Senate Bill 74. Senator Lauzen. Senate Bill 74. Take it out of the record, Mr. Secretary. Senate Bill 75. Senator Lauzen. Take it out of the record, Mr. Secretary. Senate Bill 77. Senator Lauzen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 77.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 141. Senator Mahar. Senate Bill 141. Senator Mahar. Take it out of the record, Mr. Secretary. Senate Bill 156. Senator Jacobs. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 156.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 171. Senator Farley. Senate Bill 171. Senator Farley. Take it out of the record, Mr. Secretary. Senate Bill 175. Senator Petka. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 175.

(Secretary reads title of bill)

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

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3rd Reading. Senate Bill 182. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 182.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted one amendment.

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 203. Senator Lauzen. Take it out of the record, Mr. Secretary. Senate Bill 204. Take it out of the record, Mr. Secretary. Senate Bill 206. Take it out of the record, Mr. Secretary. Senate Bill 225. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 225.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation 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 250. Senator Rea. Senate Bill 250. Senator Rea. Take it out of the record. Senate Bill 305. Senator Sieben. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 305.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Amendment No. 3, offered by Senator Sieben.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Yes. Thank you, Mr. President. Amendment No. 3 deals with ag chem facilities and provides a mechanism for them to contribute to the fund so they can receive the protection for the clean up of -- of contaminated soils, and I'd move for its adoption.

PRESIDENT PHILIP:

Any further discussion? Any discussion? Senator Sieben moves the adoption of Amendment No. 1 to Senate Bill 305 -- excuse me, Amendment No. 3. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. 3rd Reading. Senate Bill 306. Take it out of the record. Senate Bill 307. Senator Viverito. Senate Bill 307. Senator Viverito. Take it out of the record. Senate Bill 345. Senator Cronin. Senate Bill 345. Senator Cronin. Take it out of the record. Senate Bill 350. Senator Jacobs. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 350.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 378. Senator Mahar. Take it out of

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the record, Mr. Secretary. Senate Bill 381. Senator Fawell.  
Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 381.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary 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. Senate Bill 406. Senator Rauschenberger. Read  
the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 406.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 417. Senator Dillard. Take it out  
of the record, Mr. Secretary. Senate Bill 438. Senator Parker.  
Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 438.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 459. Senator Luechtefeld. Take it out of the record, Mr. Secretary. Senate Bill 493. Senator Weaver. Take it out of the record, Mr. Secretary. Senate Bill 495. Senator Geo-Karis. Senate Bill 495. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 495.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation 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. Senate Bill 521. Senator Jones. Senate Bill 521. Senator Jones. Take it out of the record, Mr. Secretary. Senate Bill 543. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 543.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

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3rd Reading. Senate Bill 549. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 549.

(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:

Amendment No. 2, offered by Senator Hawkinson.

PRESIDENT PHILIP:

Senator Hawkinson, to explain the amendment.

SENATOR HAWKINSON:

Thank you, Mr. President. Amendment No. 2 was requested by members of the Revenue Committee and it clarifies that the bill, which provides a airline fuel exemption, would apply only to out-of-state businesses. That's a clarification requested by the committee in -- in which I'm in agreement and I would ask for your favorable support for Senate Amendment No. 2 to Senate Bill 541 {sic}.

PRESIDENT PHILIP:

Is there any further discussion? Any further discussion? If not, Senator Hawkinson moves to -- adoption of Amendment No. 2 to Senate Bill 549. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. 3rd Reading. Top of Page 4, Senate Bill 604. Senator Sieben. Take it out of the record, Mr. Secretary. Senate Bill 663. Senator Farley. Senate Bill 663. Senator Farley. Take it out of the record, Mr. Secretary. Senate Bill 664. Senator Butler. Senate Bill 664. Take it out of the record. Senate Bill 672.



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Senator Hawkinson. Senate Bill 672. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 672.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 674. Senator Sieben. Take it out of the record, Mr. Secretary. Senate Bill 685. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 685.

(Secretary reads title of bill)

The Committee on Financial Institutions adopted Amendment No. 1.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator Walsh.

PRESIDENT PHILIP:

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Amendment No. 2 was an agreement of the Committee - it passed the committee yesterday - which states that these installment loan sites will not be within a thousand feet of either a racetrack or a riverboat. And I would just ask

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for favorable consideration.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Walsh moves to adopt Amendment No. 2 to Senate Bill 685. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. 3rd Reading. Senate Bill 686. Senator Walsh. Take it out of the record, Mr. Secretary. Senate Bill 711. Senator Parker. Take it out of the record, Mr. Secretary. Senate Bill 713. Senator Dudycz. Take it out of the record, Mr. Secretary. Senate Bill 716. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 716.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 753. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 753.

(Secretary reads title of bill)

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

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. Senate Bill 755. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 755.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 762. Senator Dudycz. Take it out of the record, Mr. Secretary. Senate Bill 781. Senator Parker. Senate Bill 781. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 781.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education 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. Senate Bill 795. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 795.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

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SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 796. Senator Dillard. Senate Bill 796. Senator Dillard. Take it out of the record, Mr. Secretary. Senate Bill 800. Senator Fawell. Senate Bill 800. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 800.

(Secretary reads title of bill)

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

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. Senate Bill 801. Senator Madigan. Take it out of the record, Mr. Secretary. Senate Bill 815. Senator Mahar. Take -- take it out of the record, Mr. Secretary. Senate Bill 860. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 860.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 861. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 861.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 890. Senator Shadid. Senate Bill -- take it out of the record, Mr. Secretary. Senate Bill 895. Senator Molaro. Senate Bill 895. Senator Molaro. Take it out of the record, Mr. Secretary. Senate Bill 899. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 899.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 912. Senator Berman. Senate Bill 912. Senator Berman. Take it out of the record, Mr. Secretary. Senate Bill 922. Take it out of the record, Mr. Secretary. Senate Bill 944. Senator Petka. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 944.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Okay. Senate Bill 945. Senator Petka. Senate Bill 945. Senator Petka. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 945.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 950. Senator Fawell. Senate Bill 950. Senator Fawell. Take it out of the record, Mr. Secretary. Senate Bill 952. Senator Dillard. Senate Bill 952. Senator Dillard. Take it out of the record, Mr. Secretary. Senate Bill

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1009. Senator Petka. Read the bill, Mr. Secretary. Okay -- okay. All right. Senate Bill 1002. Senator Shaw is not here. Senator Halvorson is a hyphenated cosponsor. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1002.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1009. Senator Petka. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1009.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1020. Senator Dillard. Senate Bill 1020. Senator Dillard. Take it out of the record, Mr. Secretary. Senate Bill 1032. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1032.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1041. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1041.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved

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for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Parker.

PRESIDENT PHILIP:

Senator Parker.

SENATOR PARKER:

Yes. Basically, all this does is -- is repeals the present UIFSA -- the former URESA revisions so that we can go ahead with the one that we have now for child support. So it is just really a technical amendment.

PRESIDENT PHILIP:

Is there any discussion? Is there any discussion? If not, Senator Parker moves the adoption of Amendment No. 1 to Senate Bill 1041. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. 3rd Reading. Senate Bill 1048. Senator Jones. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1048.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1052. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1052.

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(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1053. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1053.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1058. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1058.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1072. Senator Berman. Senate Bill 1072. Senator Berman. Take it out of the record, Mr. Secretary. Senate Bill 1074. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1074.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1105. Senator Dudycz. Senate Bill 1105. Senator Dudycz. Take it out of the record, Mr. Secretary.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Can we have your attention, please? Ladies and Gentlemen of the Senate. Please turn to Page 18, on the Order of Motions in Writing to Consider -- Consider the Vote -- to Reconsider the Vote. Senate Bill 689. Mr. Secretary, will you please read the



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Motion?

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 689 failed.

Filed by Senator Donahue.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Madam President. This is the bill that we had kind of the fiasco on yesterday, and I would respectfully request your support to reconsider the vote by which Senate Bill 689 failed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue having moved -- voted on the prevailing side moves the reconsider the vote by which Senate Bill 689 was heard. Those in favor, say Aye. Those opposed, say Nay. All in favor say Aye. Roll call. All those in favor, please vote Aye -- the motion to reconsider. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 52 voting Aye, none voting No, none voting Present. The motion to reconsider passes. On the Order of 3rd Reading is Senate Bill 689. Mr. Secretary.

SECRETARY HARRY:

Senate Bill 689.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Could we have your undivided attention? Thank you. Senator Donahue.

SENATOR DONAHUE:

Thank you, Madam President. As you all know, we went through this situation yesterday and the reason that the bill -- we had to

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do what we did, was because there was an amendment filed for committee which we had missed signals. So, in order to move the bill I can't recall it since it's been -- I can't put the amendment on because of the procedure we just had to go through with the Motion to Reconsider. So I'm asking you if you will support this legislation. I guarantee you that it will be amended. All it's trying to do is take care of audit situation -- an audit finding within the Department of Emergency Management, and that's why I would ask for your support for this one more time.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

She indicates she will.

SENATOR CULLERTON:

So you're guaranteeing us, and promising us, that -- that we will amend it in the House. Is that what you're saying?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue.

SENATOR DONAHUE:

Yes. And if it doesn't, it isn't going anywhere, I promise you that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

But, how do we know, since you don't have any absolute control in the House, that it will be amended in the House? Isn't that one of the -- at least one of the three great lies -- that I'll amend it in the House?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Donahue.

SENATOR DONAHUE:

Actually, Senator Cullerton, I might ask you to help me to guarantee that. Can I ask you that, and -- and -- and make sure that that is -- that takes place. But, I will certainly leave this Floor and go over there and make sure that happens.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

I would be happy to go over with you and talk to the Speaker and make sure that we have an acceptable sponsor so that the bill will indeed be amended or not move.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is shall Senate Bill 689 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, we're going to start with Page 6, Senate Bills 3rd Reading, and we're going to first go to the Order of Recalls on some of those bills. So those of you who have amendments by committee and are ready to proceed we ask you to do so at this time. Senator Radogno, do you wish to proceed in Senate Bill 5 on a recall? Senator Radogno seeks leave of the Body to return Senate Bill 5 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. The -- on the Order of 2nd Reading is Senate Bill 5. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Yes, thank you, Madam President. Senate -- Senate Floor Amendment No. 2 is in response to some concerns raised by the Illinois State Bar Association. That amendment was heard in committee this morning and passed out favorably, so I would appreciate favorable consideration on this amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, all those in favor say Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it and the amendment's adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 7. Senator Radogno. On Senate Bill 7, Senator Radogno wishes to return this bill to 2nd Reading for purpose of amendment. And hearing no objection, Mr. Secretary, leave is granted. And on the Order of 2nd Reading is Senate Bill 7. Are there any Floor amendments, Mr. Secretary, approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno, to explain your amendment.

SENATOR RADOGNO:

Thank you, Madam President. This amendment also is in response to concerns raised to this bill by the State Bar Association, as well as some committee members. It was heard in Judiciary this morning and passed out unanimously so I would

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request favorable consideration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, please signify by saying Aye. All opposed, Nay. In the opinion of the Chair the Ayes have it and the amendment is adopted. Any further Floor amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 9. Senator Radogno, do you wish this bill returned to 2nd Reading for purpose of amendment? Senator Radogno seeks leave of the Body to return this bill 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 9. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Yes. Thank you, Madam President. This amendment is primarily technical in nature. It just deletes a few words that may have caused a confusing situation with respect to the constitutionality of the bill. It clarifies, that is all. And would request favorable consideration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, please signify by saying Aye. All opposed, Nay. In the opinion of Chair, the Ayes have it, and the amendment's adopted. Any further Floor amendments approved for

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consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 13. Senator Luechtefeld, do you wish this bill returned to 2nd Reading for purpose of amendment? Senator Luechtefeld seeks leave of the Body to return Senate Bill 13 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 13. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld, to explain your amendment.

SENATOR LUECHTEFELD:

Yes. Amendment No. 2 restricts the language in this particular bill to only in cases of murder, rather than other -- other cases.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, please signify by saying Aye. All opposed, Nay. The Ayes have it, in the opinion of the Chair, and the amendment's adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 123. Senator Hawkinson, do you wish this bill returned to 2nd Reading for purpose of amendment? Senator Hawkinson seeks leave of the Body to return Senate Bill 123 to the Order of 2nd Reading for the purpose of amendment.

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Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 13 -- 123, rather. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. This bill deals with the creation of a Sex Offender Management Board as proposed by the Attorney General. Senator Cullerton and public defenders in committee asked that we amend to clarify that one member of this board shall be the Cook County Public Defender or his or her designee, and that another member be the State Appellate Defender and his or her designee, and I'm agreeable to that amendment, as is the Attorney General, and would ask for its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, those in favor, please signify by saying Aye. Those opposed, Nay. In the opinion of the Chair, the Ayes have it, and the amendment's adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Please look on your Calendar on Page 10. Senator Halvorson. Senate Bill 444. Do you wish this bill returned to 2nd Reading for the purpose of amendment? Senator Halvorson seeks leave of the Body to return Senate Bill 444 to the Order of 2nd Reading for the purpose of -- of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 444. Mr. Secretary, are there any Floor

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amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

Yes. The Senate Amendment No. 3 is a clarification. What it does is tell you when the notification has to be given. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, all those in favor, say -- signify by saying Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it, and the amendment's adopted. Any further amendments -- Floor amendments adopted -- approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 574. Senator Obama. Page 11. 574. Do you wish this bill returned to 2nd Reading for the purpose of amendment, Senator Obama? Senator Obama.

SENATOR OBAMA:

Madam Chairperson, this is a technical clarification only.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Wait just a second.

SENATOR OBAMA:

I would like...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama seeks leave of the Body to return Senate Bill 574 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 574. Mr. Secretary, are there any Floor



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amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

This is a technical amendment clarifying the administrative adjudication bill only.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor, signify by saying Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it, and the amendment's adopted. Mr. Secretary, are there any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 626. Senator Demuzio. Is Senator Demuzio here? Senator Demuzio? We'll go further then to -- Senate Bill 677. Senator Jacobs, do you wish this bill returned to 2nd Reading for purpose of amendment? Senator Jacobs seeks leave to -- of the Body to return Senate Bill 677 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 677. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. This is a technical amendment requested by a member of the committee to remove a population guideline and that's all this amendment does. Ask for your approval.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any discussion? Any discussion? Hearing none. All those in favor, say -- signify by saying Aye. All those opposed, signify by saying Nay. In the opinion of the Chair, the Ayes have it. The amendment's adopted. Are there any further amendments -- Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Weaver, do you wish Senate Bill 690 to be returned to 2nd Reading for purpose of amendment? Senator Weaver seeks leave of the Body to return -- to return Senate Bill 690 to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 690. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver, to explain your amendment.

SENATOR WEAVER:

Thank you, Madam President. This deletes from the Act, Section 5, which alludes to the investment of public monies by foreign banks. I'd move adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver moves adoption for amendment to 690. Is there any discussion? Hearing none. All those in favor, please signify by saying Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it, and the amendment's adopted. Are there any

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further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 776. Senator Halvorson. Senator, do you wish this bill returned to 2nd Reading for purpose of amendment? Senator Halvorson seeks leave of the Body to return Senate Bill 776 to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 776. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson, will you explain your amendment?

SENATOR HALVORSON:

Yes. Senate -- thank you, Madam President. Senate Amendment No. 2 clarifies that the Section of the Code of Criminal Procedure prohibiting certain persons from furnishing bail or supervising bail bond condition does not apply to parents or legal guardians of an accused. It was requested by the members of the Judicial Committee, and I request your favorable consideration for clarifying this amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none. All those who are in favor of this amendment, please signify by saying Aye. All opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment's adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 827. Senator Radogno. Senator Radogno -- do you wish -- wishes -- do you wish this bill returned to 2nd Reading for the purpose of amendment? Senator Radogno seeks of the Body to return Senate Bill 827 to the Order of 2nd Reading for purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 827. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno, to explain your amendment.

SENATOR RADOGNO:

Yes. This amendment really is just clarifying language. It's not substantive. So I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none. All those in favor please signify by saying Aye, in adopting this amendment. And all those opposed, say Nay. And in the opinion of the Chair, the Ayes have it, and the amendment's adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senate Bill 908. Senator Luechtefeld, do you wish this bill returned to 2nd Reading for the purpose of amendment? Senator Luechtefeld seeks leave of the Body to return Senate Bill 908 to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order

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of 2nd Reading is Senate Bill 908. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld, to explain your amendment.

SENATOR LUECHTEFELD:

Amendment No. 2 simply makes the funding of this particular measure subject to -- which goes to agriculture, subject to appropriations. If there's no appropriations, then -- then it simply is not funded.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, all those in favor of the amendment please signify by saying Aye. All opposed will say Nay. In the opinion of the Chair, the Ayes have it, and the amendment's adopted. Any further Floor amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Ladies and Gentlemen of the Senate, we'll be going -- we're going now to the subject of 3rd Reading of the Senate Bills, and starting on Page 6, in the middle of the Page, 3rd Reading. Senate Bill 1. Senator Philip. Out of the record. Senate Bill 2. Senator Philip. Senate Bill 3. Senator Bomke. Out of the record. Senate Bill 6. Senator Radogno. Mr. Secretary, read the...

SECRETARY HARRY:

Senate Bill 6.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Radogno.

SENATOR RADOGNO:

Yes. Thank you, Madam President. This is an initiative of the Attorney General. It's currently a shell bill, and it attempts to address the fact that many sexually violent persons are extremely difficult to rehabilitate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is Senate Bill 9, am I correct? Or is it -- I'm sorry, Senate Bill -- Senate Bill 6. It's on 3rd Reading, Senate Bill 6. I will honor your request to ring the bell. And I -- now you know where you're at, Senator Cullerton? I'm glad. Senate Bill 6. Senator Radogno -- Radogno.

SENATOR RADOGNO:

Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Thank you. As I said, this is an initiative of the Attorney General. It attempts to address the fact that many sexually violent persons are extremely difficult to rehabilitate and tend to be repeat offenders. It's intended to create the Sexually Violent Persons Commitment Act. It's currently a shell bill. It's intended that this would allow for the civil commitment at the conclusion of a criminal sentence of persons determined by a court to be in continuing danger of committing sex crimes. Currently civil commitment can be used as an alternative to criminal sentencing. This legislation, however, will allow for both criminal sentencing and then civil commitment. Several other states have similar laws, including Wisconsin, Kansas and Washington. And there's also a similar bill in the House sponsored by Representative Tom Dart. I'd ask for a favorable vote on this so that we can continue working on this concept.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 6 pass? Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill -- on the page -- on the top of Page 7, Senate Bill 21. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 21.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 21, as amended, does two things. For townships in Cook County only it authorizes the township board to levy a special tax on certain parcels to pay for sidewalks, street lighting, street repairs or traffic controls. Such tax may not be levied unless the owners of fifty-one percent or more of the parcels file a petition agreeing to the improvement. This authority is currently given to townships and counties with populations between three hundred thousand and three million, but by backdoor referendum. The additional language in the bill authorizes townships to maintain parks up to twenty-five acres, now ten acres. Currently the law allows townships to use eminent domain for park purposes up to twenty-five acres and this just brings -- brings that into conformance with the eminent domain Section.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Viverito.

SENATOR VIVERITO:

I rise in favor of this bill. I think it's a good one. It'll help out the unincorporated areas and give our townships much more opportunity to help in areas of safety and need. I hope everyone will vote Yes on it. Thank you, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Senator Peterson, to close. The question is, shall Senate Bill 21 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 48 voting Aye, 7 voting Nay, 1 voting Present. And this bill, having received the required constitutional majority, is hereby declared duly passed. Senate Bill 46. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 46.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. This bill has to do with the Senior Citizens Real Estate Tax Deferral Act, and it just provides that the approval of the mortgagee is not required for participation in the program. We've had some problems, especially with out-of-state mortgagees that won't sign off and so the seniors then cannot participate in the program, and we're just taking them out of the Act altogether. I'd appreciate your



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approval of Senate Bill 46.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 46 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, there are 56 voting Aye, none voting No, none voting Present. And this bill, having received the required constitutional vote -- majority, is hereby declared duly passed. Senate Bill 55. Senator Mahar. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 55.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President, Members of the Senate. We have been working in a bipartisan manner for the past two years on the issue of deregulation of the investor-owned electric utilities in this State. It is clear that we're not going to have a conclusion on this by our deadline on Thursday. I'm working with Representative Phil Novak in the House and we have agreed that in order to continue the dialogue that we would each move two vehicle bills, this is one of them. And I would ask the Body to support me in this effort.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Welch.

SENATOR WELCH:

I have a -- I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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He indicates he will yield.

SENATOR WELCH:

Senator Mahar, how many hearings has the Senate held on the deregulation bill within the last year?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President. We have, over the past two years, Senator Welch, we have worked in a bipartisan manner with the Joint Committee of House Members and Senate Members as formed by Senate Joint Resolution 21. And we have held hearings all over the State of Illinois.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Well, why are all the bills House Bills? Why is the House handling all three deregulation bills and the Senate having none? The Senate having no hearings of committees. The House is doing all the work and having all the input, and apparently there's -- the only bill that was introduced in deregulation in the Senate was sent to a subcommittee and died immediately. I'd like to know why the Senate isn't getting our two cents in on this very important legislation?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are you addressing the question to Senator Mahar?

SENATOR WELCH:

It...question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar.

SENATOR MAHAR:

First of all, Senator Welch, and I -- I have been invited and -- but I don't know that you have been invited to the House

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committees. They are having hearings on subject matter only. They're having hearings on absolutely no bills. We are -- on -- on our side - in the Senate side - we are under negotiations virtually every day over here on public policy that can be a consensus bill that we can all embrace, whether we're Republicans or Democrats. This is not an issue that has just surfaced over the last few months, since January of this year, but rather this is an issue that has been around and we've been working on for two years.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Senator, I don't need to be reminded how long this issue has been around. I sponsored this issue back ten years ago, so I don't need to be lectured on deregulation and how long it's been around. My point is this, the Senate has nothing to do with this. This is going to affect every consumer's utility bill in the State of Illinois and we have nothing to do with it. This is a -- this is a sham, and the way this is being run is pathetic. The House is the one taking the lead. They are doing all the negotiations. They've got the three bills from the three groups and we are doing nothing. We're sitting back and waiting for them to send something over to us that's going to result, from what I'm hearing on these three bills, is a major increase in consumer utility bills. And I think there should be somebody there, hopefully from the Senate, saying that we don't have to pass on the cost of building all these nuclear power plants to consumers. There is a method to do it, where it's paid for out of the excess capacity of these companies. But nobody's bringing that to the Floor, because none of us Senators have anything to do with it. I think it's -- I think it's ridiculous to pass a -- a vehicle over there to let the House continue to run the show is a mistake. We should take

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their vehicles over here and start Senate hearings immediately. I urge we vote No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Mahar, to close.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Well, thank you, Madam President. Once again, this is an issue that is going to affect every consumer in the State of Illinois. And it's an issue that we have been working on diligently for the past two years. We have been working on it in a bipartisan manner. We have been working on it with House Members, from both -- both sides of the aisle, and we have had hearings all over the State of Illinois. Now I don't know where Senator Welch has been during this two-year period, but it's clear that we have -- not going to reach a conclusion that's in the best interest of Illinois consumers by this Thursday. And I am working with Representative Novak, once again, who has taken the leadership issue -- side on this issue in the House, and we both agreed that we would move these two vehicle bills and we would accept two vehicle bills from them. So I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 55 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 31 voting Aye, 25 voting Nay, 1 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 56. Senator Mahar. Mr. Secretary, will you read Senate Bill 56.

SECRETARY HARRY:

Senate Bill 56.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President. This is the second bill in our agreement with the House to move over two vehicle bills, and I would ask for the same roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 56 pass. Those in favor will vote Aye. Those opposed will vote No. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, Mr. Secretary, there are 31 voting Aye, 25 voting Nay, 1 voting Present. And this bill, having received the required constitutional vote majority, is hereby declared passed. Senate Bill -- Senator Welch, for what purpose do rise, sir?

SENATOR WELCH:

I'd request a verification.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Of Senate Bill 56? Your request is in order. Mr. Secretary. Request for verification. Senator Welch has requested it. Will all Senators be in their seats. The Secretary will read the affirmative or negative votes.

SECRETARY HARRY:

Following Members voted in the affirmative: Bomke, Burzynski, Butler, Cronin, Dillard, Donahue, Dudycz, Fawell, Fitzgerald, Geo-Karis, Hawkinson, Karpel, Klemm, Lauzen, Luechtefeld, Madigan, Mahar, Maitland, Myers, O'Malley, Parker, Peterson, Petka, Radogno, Rauschenberger, Sieben, Syverson, Walsh, Watson,

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Weaver and Mr. President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh, do you wish to challenge -- Welch, rather, you wish to challenge anyone?

SENATOR WELCH:

...Fitzgerald.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fitzgerald. He's sitting in his seat, sir.

SENATOR WELCH:

Senator Walsh.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Walsh is right back in the last row.

SENATOR WELCH:

Senator Maitland.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland? He's right at his seat. Couldn't be any bigger.

SENATOR WELCH:

Oh, there he is. Senator Philip.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We don't usually do that, you're out of order.

SENATOR WELCH:

Pardon me.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I thought there was a standing rule here that the leaders...

SENATOR WELCH:

I thought that the rule was if the leaders were both together negotiating with the Governor -- we didn't. That's always been the rule that I understood. Is there a new rule? Okay. Senator -- Senator Mahar.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar. He happens to be in his seat.

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SENATOR WELCH:

Senator Dillard.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard is out quoting the rules.

SENATOR WELCH:

Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley is in his seat.

SENATOR WELCH:

Senator Cronin.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin's waving to you.

SENATOR WELCH:

That's the usual response. Do you see anybody, Madam President?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I see them all. Do you see them all? That's the question.

SENATOR WELCH:

All right. I -- I have no further challenge.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On that question, on a verified roll call, the Ayes are 31, the Nays 25, the vote -- 1 voting Present, and this bill, having received the required verified roll, has the constitutional majority to be passed -- and is duly passed. Senate Bill 79. Senator Rauschenberger. Out of the record. Senate Bill 81. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 81.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

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SENATOR O'MALLEY:

Thank you, Madam President, Members of the Senate. Senate Bill 81 amends the property tax extension limitation law to exempt extensions for joint recreation programs under Section 5-8 of the Park District Code. Incidentally, that portion of the Code permits joint recreational programs for -- for the handicapped. This -- this grows out of a situation that was brought to my attention in the Eighteenth District involving the Village of Merrionette Park. Village of Merrionette Park is a small community of about two thousand people. There's a pressing need for providing these services as part of their recreation program. The most efficient way to provide this service is through a joint program being administered in the south suburban area through an organization called, the South Suburban Special Recreation Program. And I'd appreciate the support of the Chamber. I -- I also would be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR RAUSCHENBERGER:

Senator O'Malley, is this -- does this bill remove a levy from under the restrictions of the tax cap that we passed just two years ago, much like the park district bonds did?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

This -- this allows those communities that did not have -- were not levying for this under their authority prior to the implementation of tax caps to do so, Senator. And the limitation



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on it is .04 percent of their EAV.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger. Senator -- further discussion?  
Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR JACOBS:

Senator, as I read it, and following up on Senator  
Rauschenberger's question, this, in fact, then becomes a -- a tax  
increase does it not and -- and is it a front-door referendum in  
order to do this?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, actually I -- I would contend that it is not a tax  
increase. This will actually save the citizens of Merrionette  
Park a substantial amount of money based on the information  
provided to me by the Mayor that was based on a public hearing  
they had in their community.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

But again, doesn't it state that any downstate or suburban  
park district may levy a .04 percent rate for the purpose of  
providing funding for the district's share of a joint agreement?  
Is that, in fact, a -- a tax increase or is it not?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

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Again Senator, I'm not trying to avoid your question. What I'm trying to deal with reality as I know it. And the information provided to me indicates that the cost to actually implement this program in the village not by a joint program would be substantially more expensive.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

So, in effect, what we're saying is even though there may be the ability to raise this .04 percent there may be an overall savings to these park districts by virtue of doing so, is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

When it is done as a joint program the savings are phenomenal.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 81 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 34 voting Aye, 20 voting Nay, 2 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 85. Senator Donahue. Senate Bill -- take it out of the record. Senate Bill 86. Senator Mahar. Senator Mahar. Mr. Secretary, will you please read Senate Bill 86.

SECRETARY HARRY:

Senate Bill 86.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President. This bill increases the fine, by fifty dollars, for speeding in a school zone. And that fifty-dollar increment will be paid to the local school districts for mandates such as driver's education or bike safety or whatever. It is supported by the -- by ED-RED, SCOPE, the IEA, the Illinois Chiefs of Police. It passed out of our committee unanimously. And I would ask for -- it has nothing to do with electricity, and I would ask for your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, on -- that question is, shall Senate Bill 86 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 106. Senator Butler. Out of the record. Senate Bill 129. Senator Dudycz. Out of the record. Senate Bill 131. Senator Madigan. Out of the record. Senate Bill 132. Senator Madigan. Out of the record. Senate Bill 138. Out of the record. Senator Madigan. Senate Bill 140. Senator Radogno. Out of the record. Senate Bill 151. Senator Mahar. Out of the record. Senate Bill 159. Senator Weaver. Mr. Secretary -- Madam Secretary, will you please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 159.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. The purpose of this legislation continues to be a greater efficiencies and fairness through inclusion of all benefitting properties in a single special assessment district. The amendment does the following: It requires that the special assessment include property outside current district boundaries to be initiated only by the property owners and not the district; it requires that the request of the property owners be made by at least the majority of the property owners served by the project; and it guarantees that all objections currently available to property owners remain in effect with the one exception that they are technically outside the current, but soon to change, district boundaries. I know of no objection. I'd be happy to answer any questions anyone might have.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 159 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 52 voting Aye, 3 voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 165. Senator Walsh. Madam Secretary, will you please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

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SENATOR WALSH:

Thank you, Madam President. Senate Bill 165 amends the Illinois Funeral and Burial Funds Act to specify that the Comptroller shall, by rule, develop a booklet for consumers in plain English describing all disclosures required under this Act. In addition, it makes minor technical changes in the short title of the Cemetery Care Act and Pre-Need Cemetery Sales Act for vehicle purposes. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR HENDON:

Senator Walsh, this was rather controversial last year or so, and I just want to make sure before we vote on this that the Members are clear on it. As far as it being a vehicle, what will be in -- placed in the vehicle once this goes over to the House, do you have any idea?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR WALSH:

It -- nothing -- nothing will be done unless there is some type of an agreement. This is something that needs to be done for the Comptroller's Office, this -- this description, and this is going to serve some benefit to the consumers who purchase pre-need funerals.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Is there anything or any conversation in the House to allow

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the -- the cemeteries to invest this money in a broader way than they currently can?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR WALSH:

Not that I am aware of.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

Well I just want to caution the Members of this Body on this piece of legislation. There was an attempt, if you followed Silver Shovel, to tie in legislators to this type of legislation - maybe not on its face - but if amended to allow the pre-burial cemeteries to invest this money in all kinds of ways and if a person died, they could find out that there's no hole in the ground to put them in because the pre-sales people lost the money in speculation and in the stock market or whatever. So I would be very, very cautious about voting on this bill without an assurance, and maybe I should ask, Senator Walsh, will you give us in this Body - in this Senate - an assurance that if that kind of legislation is attached to the -- in the House, that you would not go along with that legislation and would nonconcur with any amendment that would change and allow them the ability to invest this -- this -- this money.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR WALSH:

Senator, what's in the bill is very clear. Now if something comes back we'll have to take a look at it, but anything is going to have to be an agreement between the funeral directors, the cemetery workers, the Comptroller's Office and -- and when it comes back, we'll take a look and see if there is any type of an

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agreement and we'll -- we'll analyze it at that time.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

So you're not willing to give this Senate your guarantee, as many Members always do, that if an amendment is attached this that will allow the cemeteries to invest this money on the stock market or on bean bags or anything else, that you're not going to nonconcur, you will not give your word on that?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR WALSH:

Could you -- could you say it was -- it was the stock market and what else?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

Stock market, bean bags, whatnots, widgets, anything. Right now and I'll be finished, I just want everybody to be clear. Right now -- and the reason this is important to me, because I was one of the targets that they tried to send to the penitentiary with this legislation. They didn't get me because I didn't take the money. But you should be very clear on what they attempted to do and the reason why it is a bad thing to allow cemeteries to invest money that people have given for a little burial plot. When you die, some people want to know I'm going to be buried right over there. And if they put that money in they want that hole in the ground to be there. That's their final request. Nothing is wrong with that. But to allow the cemeteries to invest this money and risk someone's cemetery plot is very, very dangerous. All I am asking you, sir, in order to get my vote, and I believe there should be many in this room who are concerned

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about this, that you would just give your guarantee that if in the House - 'cause strange things happen in the House - that if in the House they put an amendment that will allow them to invest this money of people who simply want to make sure that they are able to be buried in a hole that they picked. If -- if you will not give your -- I'm asking will you give your word that if that kind of amendment is added, regardless of the type of investment, that you will nonconcur.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR WALSH:

If -- if it's -- if it's bean bag -- if it comes back that they can invest in bean -- bean bags and widgets I will not concur.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Bowles.

SENATOR BOWLES:

Thank you -- thank you, Madam President. As cosponsor on this bill, I joined with Senator Walsh in this because we have had some terrible problems with this very kind of prepayment in cemeteries in my area. I think that this bill will allow the Comptroller's Office to have greater oversight over the investment of these funds and take it out of the hands of the private cemetery owners who have faulted terribly in -- in misplacing and misusing the prepaid cemetery funds. I would suggest that we -- we monitor it, of course, very, very carefully when it goes over to the House, but I am supportive of this bill by the intent of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Other discussion? Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Madam President. As Chairman of the committee that this bill went through, I just want to assure you that there's



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nothing that I can tell in -- in this legislation which would, in any way, relax the requirements for handling the funds upon the sale of pre-need burial contracts. In fact, this bill would help the Comptroller's Office to provide a booklet to consumers who are thinking about buying pre-need burial funds to understand exactly what -- what they're getting into. And I can assure you, as the Chairman of State Government Operations Committee, if an amendment comes over from the House that would somehow relax the oversight, that our committee would -- would take a very close look at -- at the legislation. And I would also note, I think Comptroller Didrickson has a pretty good record on taking steps to assure the safety of the trust funds. So I just wanted to reassure the Members on that, in that regard. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Walsh, to close.

SENATOR WALSH:

Thank you, Madam President. I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 165 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 voting Aye, none voting No, 2 voting Present. And this bill, having received the required constitutional majority, is hereby -- is hereby declared duly passed. Senate Bill 194. Senator Madigan. Senate Bill 196. Senator Madigan. Senate Bill 198. Senator Madigan. Senate Bill 209. Senator Carroll. Senate Bill 209. Senator Carroll? Senate Bill 228. Senator Dudycz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senate Bill 228, as amended, creates the Illinois Equal Benefit Opportunity Act of 1997 by stipulating that, notwithstanding any law to the contrary, any unit of local government or school district that grants benefits to same-sex couples under any criteria must provide equal benefits to heterosexual couples under the same criteria. I'll be more than happy to answer any questions, and I would ask your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 228 pass. Those in favor, vote Aye. Those -- opposed will vote Nay. The voting is open. Senate Bill 228. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 40 voting Aye, 10 voting Nay, 2 voting Present. This bill, having received the required constitutional majority, is hereby declared duly passed. Senate Bill 230. Senator Lauzen. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Two weeks -- two weeks ago today

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we heard extensive testimony in Judiciary Committee, before it was passed 7 to 2. I'd like to provide a brief summary of what that testimony included. First of all Registered Nurse Brenda Pratt Shafer gave us -- gave us her eye witness report of what this operation is all about. This is what the nurse saw.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen, would you wait just a moment. This is a very important bill, and I think your undivided attention is thoroughly requested, Ladies and Gentlemen of the Senate. Proceed, Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Madam President. In September 1993, Brenda Shafer, a registered nurse with thirteen years of experience, was assigned by her nursing agency to an abortion clinic. Since Nurse Shafer considered herself very pro-choice, she didn't think the assignment would be a problem. But she was wrong. This is what Nurse Shafer saw, and her quote, "I stood at the doctor's side and watched him perform a partial-birth abortion on a woman who was six months' pregnant. The baby's heartbeat was clearly visible on the ultrasound screen. The doctor delivered the baby's body and arms, everything but his little head. The baby's body was moving. His little fingers were clasping together. He was kicking his feet. The doctor took a pair of scissors and inserted them into the back of the baby's head and the baby's arms jerked out in a flinch, a startle reaction, like a baby does when he thinks that he might fall; then the doctor opened the scissors up; then he stuck a high-powered suction tube into the hole and sucked the -- the baby's brains out. Now the baby was completely limp. I never went back to the clinic, but I am still haunted by the face of that little boy. It was the most perfect angelical face I have ever seen." Next we heard testimony from a Roman Catholic Bishop Gregory, who comes from the

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Belleville area. He's an expert in the moral aspects of what this process is about. He asked two rhetorical questions. Basically: What have we come to as a society that we would even need to debate such a horrible act? And number two: How close to infanticide does a procedure come before it is actually recognized for what it is? Number three, Doctor Pamela Smith, who's Director of Medical Education at Mount Sinai. She's recognized as an expert obstetrician-gynecologist, and President of Physicians Ad Hoc Coalition For Truth. Her testimony included, quote, "There are absolutely no obstetrical situations encountered in this country which require a partially" -- "a partially delivered human fetus to be destroyed to preserve the health of the mother." She also then testified as far as how many of these procedures are performed, and the number, if I recall correctly, was in the area of four to five thousand across the country. Number four in the lineup of six was Doctor Donald Helfer. He is an expert anesthesiologist, and what he talked about during his testimony was the pain that's inflicted on the baby whose life is ended in the process of being delivered. Next came Attorney Mary Hallan, who's the lawyer for Archdiocese of Chicago. She's an expert in constitutional aspects of what we're talking about today. And then, finally, Jeannie French shared with us her personal experience of carrying a severely ill baby to term. I think that it was her quote toward the end of her testimony that summarized what it is that we're about today, when she said, "Our response to human imperfection, disability and deformity can not be violence and killing; it must be love and acceptance." I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

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Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, there are -- are many of us that are -- are pro-choice in -- in this Body, and are -- are that because of many reasons. One of which is not the reason, and that's being pro-abortion. And I think that that is something that we have to keep in mind during these debates. And we further understand that, somewhere along the line, there must be limitations and protections, and those things must be provided. But to the bill, I have some questions which I have some -- some definite concerns with and would like to just run those by you. Number one: What is the definition of a late-term abortion?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Partial-birth abortion means an abortion in which the person performing the abortion partially vaginally delivers a living human fetus or infant before killing the fetus or infant and completing the -- the delivery. The term -- the terms "fetus" and "infant" are used interchangeably to refer to the biological offspring of human parents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

With the -- the judicial system, it's my understanding that there is no definition and -- and -- of partial-birth abortion, and therefore, this is going to pose a problem to the courts. Can you respond to that?

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END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Yes. I believe that this is defined specifically in what was just read, and the expert testimony from the doctors who came forward, both here -- and this is basically the same bill that was offered at the national level. Basically they're saying that anyone who wants to understand what this is will understand it, and that -- the doctors who testified said that it is a clear concept, as opposed to what some of the opponents of the ban are saying.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, according to your opening remarks, Senator, I didn't get the idea that there were any opponents to this because you didn't make any remarks regarding what the opponents may have testified to. But regardless of that, don't we currently have a third-trimester prohibition in the State of Illinois?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

I believe that the answer is no, because... And, to buttress that, if we did have a prohibition, how could these procedures be taking place?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

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SENATOR JACOBS:

Well, first of all, to my knowledge, I don't know of any that have been. I'm sure you have more knowledge, being in the committee, of those that have been done on the -- the -- in the State of Illinois, and I would guarantee you that they're probably not that many, if there are any at all. Beyond that, you know, Senator, I really feel that this bill could probably be supported by almost every group in the State of Illinois with one minor change, and I think that it's unfortunate that we didn't put it in there. I do give the sponsor credit that he did put in there a provision to save the life of the mother, but there is no provision in this bill which -- which refers to the health of the mother. And I think that's a real important point. I would like to see that, and hopefully in the House. 'Cause this is going to pass out of here, and it's going to pass out of here, I think, fairly overwhelming and probably with my vote. But I do have some serious concerns with this bill, and hopefully, in the House, they'll clean up some of this to ensure that not only the life of the mother, because the life of the mother is very important, but so is the sanctity of her health very important, especially if there are other children involved. So I think it's something that we -- we truly need to clean up whenever it gets over to the House. I know we don't have time to do it now, and I don't like to rely upon the House. But I just want to state again that as a pro-choice Democrat, and proud to be a pro-choice Democrat for my own reasons, I feel that there are limitations that need to be done, and this may be one of those, but I still think it needs some clean up. And just wanted to ask those questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Weaver.

SENATOR WEAVER:

I would move the previous question.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

There are eight additional speakers. Any further discussion?  
Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I share the concerns of Senator Jacobs, and I do hope that that will be taken into consideration in the House. I -- I, frankly, think that abortion should never be used as a lifestyle. I'm definite about that; however, in the cases where there's a severe impact on the woman's health, I think that might have to be considered. But the bill is not a bad bill, because, as I said, I don't feel abortion should be used as a lifestyle; it should be used only in the case of extreme need for the health and safety of the mother. And I will vote for the bill. But I have those concerns...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I am pro-choice. Everyone understands that. I've been pro-choice and voted that way consistently. Today, I'm going to support Senator Lauzen's bill. When he brought it up last year, I voted Present and was very close to supporting it then. We have to look at where we're going, and in these days while they're cloning - I believe they're probably cloning people already; they're just not telling us about it - sometimes for research or the purpose of research or in the interest of science, we get a little carried away and go a little bit too far. And I think that this should be banned, and I'm -- I just -- I'm thankful that Senator Weaver moved the previous question so that Senator Lauzen does not have to be as graphic as he can be describing this -- this late-term, partial-birth abortion procedure. So I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)



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Any further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Will the sponsor yield for...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Dillard.

SENATOR DILLARD:

Senator Lauzen, recently I've read media reports of someone who throughout their life, I think, characterized themselves as a pro-choice advocate, who somehow, I guess, had a change of heart and admitted that they were lying about the number of abortions or procedures that were committed in this country. Has that gentleman -- his recantation of his statistics, does that involve the partial-birth abortion?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Yes, it does.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

So that person who suddenly said, jeez, I lied for all of these years and we're doing several more partial-birth abortions in America, that was about this. How many partial-birth abortions are committed in the United States annually?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

There are very wide -- there's a very wide range of what those estimates are. C. Everett Koop has said that there's -- a former Surgeon General of the United States, has said that there's between four thousand, five thousand, and I understand that

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Planned Parenthood has not disagreed with that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Just so I'm clear then: Four to five thousand partial-birth abortions annually in the United States?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

To the bill, Mr. President: I rise in support, strongly, of Senate Bill 230. Anyone that watched Senator Lauzen and his witnesses in the Judiciary Committee I think really had their eyes opened with respect to this procedure. In a civilized society, I just find it incredible that we could allow such a literally barbaric procedure take place. Taking a scissors, putting it in the skull of a -- of a child, a young person coming out into life, and then literally sucking the brains out of that child, to me is beyond comprehension that we could allow something like this to go on in a country like the United States that calls itself civilized. And I guess the last point I make on this bill: If anybody follows this procedure, you have to understand that they keep the fetus, the child, in the mother's birth canal right up until the end when they stick the scissors or jam the scissors in the child's head. The reason that they do that is so that -- literally under the law of Illinois as it stands, the reason they keep that child in the birth canal is because if they took it out of the birth canal, under our criminal laws, it would be murder. And there's a good reason that it would be murder. It's because

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this is a barbaric act, and I cannot believe in 1996, in a civilized country like the United States, where in a State like Illinois, we allow this procedure to be performed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

WAND-TV has requested permission to videotape. Hearing no objection, leave is granted. Any further discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Halvorson.

SENATOR HALVORSON:

Senator Lauzen, I just want to ask you: Would you consider putting on an amendment in the House that will also put these so-called partial-birth abortions -- allow them in cases where, in the physician's opinion, that her health will be endangered if the procedure's not performed?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

The answer is no, and this is why: Doctor Pamela Smith, during the proceedings -- is the head of Medical Education at Mount Sinai Hospital; Doctor John Gianopolous, Loyola Hospital, head of the Department of Gynecology and Obstetrics; two other Springfield experts, were there to answer questions - the Illinois Medical Society - have all written statements and, in some cases, oral testimony that this procedure has no medical necessity; that there is no case - again, repeating what Doctor Pamela Smith had said in a written statement, which I mentioned before - that in no case does this help -- by destroying the life of the baby that's being born, does that in any way help the health of the mother.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further -- Senator Halvorson.

SENATOR HALVORSON:

Well, I will say that I plan on supporting Senate Bill 230, but I believe - I really believe - that it needs to be improved. I will work with the sponsors in the House to get them to add the amendment and if -- this amendment would allow so-called partial-birth abortions only in the cases where, in the opinion of the physician, that her health will be endangered if it's not performed. Now, I feel that this is an improvement to the bill because it gives the doctors more say over the woman's health. They are the ones that should be given more authority for this. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President. I just want to make a brief comment here. I have spoken to many people who've called my office, and I'd have to say almost all the calls have run in favor of Senator Lauzen's bill. But one resident in my district called me and made what I would term the typical pro-choice argument. She said to me: "Senator Fitzgerald, I'm against this bill because it would deny women the right to choose and I think women's right to choose should not be in any way impaired." And I said to her, I said: You know, that was the same argument Senator Stephen Douglas made when he debated Abraham Lincoln in the 1858 U.S. Senate debates in Illinois when talking about another subject - slavery. Senator Douglas said he didn't know whether a Negro was a person or a property, as the Dred Scott decision had recently declared, that Negroes were property at that time. And he said, since he didn't know, he said, therefore, in his opinion, he would give his friends the right to choose. And he said he'd give states -- new

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states coming into the Union, he'd give them the right to choose whether they want to come in as free states or slave states. And Abraham Lincoln's response to that argument was that, Senator Douglas, you'd give choice to your friends, you'd give choice to your slaveholding friends, to new states coming into the Union, and you'd deny the choice to the one that's most affected by your decision. And I think that's a very dangerous argument that Senator Douglas made. It's obvious to all people today that the Dred Scott decision from the 1800s was wrong. People of all races are people, not -- they're persons entitled to constitutional protection; they're not property. Now, it may not be obvious to everybody in the room that an unborn child is also entitled to constitutional protections. To me, I believe that life begins at the time of conception. And if there's any doubt in anybody's mind, I would encourage all of you to think: Wouldn't it be better to err on the side of humanity in this case? Because if we're potentially making the same mistake that Stephen Douglas made or that some slaveholders used to make in thinking that Negroes were not persons, that they were property, the results are truly catastrophic. So all of you, I -- I think this is a wonderful bill, and, Senator Lauzen, I commend you. This procedure, in particular, is grotesque and inhumane, and I would encourage everybody to vote for this good bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. The proponents of this bill have built up a lot of support, a lot of public support, and I think, in part, because as -- as was described, it's a -- the procedure itself is grotesque, and it's -- it's normally used when a -- a fetus is viable. And the -- the other thing, I think, is that people learn that Roe v. Wade allows

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abortions in the third trimester for the health of the mother, and there's a concern that since that is a decision that the mother can make, that that could be done for frivolous reasons. And that's why I think there's a lot of public support to pass this bill. I believe that the bill is unconstitutional, and it will be struck down. The reason for that is that the definition that Senator Lauzen referred to is not describing medical terms, but instead it's very broad. And in fact, it's so broad that it probably covers other abortion procedures which are utilized during the second trimester, and, by the way, which to me are equally grotesque and barbaric. Instead of the -- the procedure that Senator Dillard described, it's -- it's, in effect, dismemberment of -- of a fetus, and that's allowed, and that's not even the aim of this particular bill to prohibit. And if you get up and describe that, it makes me just as sick to hear that as it does to hear this procedure. This bill is patterned after an Ohio bill, which was found to be unconstitutionally vague and violative of due process. I think the -- the thing that the testimony made me do was to go back and -- and look at this Roe v. Wade standard. And the law says, whether you like it or not, that nonviable fetuses -- we cannot pass any laws that place a substantial obstacle in the path of a woman who's seeking an abortion. And as I said, because of the broad definition, this bill would prohibit some of those second-trimester, previability abortions, and as a result, that's why it would be found unconstitutional. And for post-viability, we can pass laws which proscribe those abortions, but the Roe v. Wade decision and subsequent decisions say that the woman with her doctor can decide, for medical purposes, that if they need it for life or health, that they can have it. And that's what the decision says. So you need to have an exception for the health of woman or it's unconstitutional, and this bill doesn't have one. Many people have called it the "partial truth

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abortion bill" because of the testimony that was listed earlier. An abortion rights leader announced that he had said that he had lied when he said there was only five hundred of these, when really there were five thousand. Well, again, like it or not, there's a million and a half abortions performed every year in the United States, so it is a small percentage. And you wonder why someone would choose to have this procedure. It cannot be a whimsical decision made by a woman or a doctor. I think that the women don't make that decision. A woman doesn't say, "Oh, give me one of those types of procedures." It's a physician that tells her that this is the safest way to do it, and that's why she does it. So, enactment of this bill if it was constitutional, which I don't think it would be, but if it was, it would severely limit the second-trimester abortions, which is probably the -- one of the ultimate goals of the proponents. And if it's unconstitutional, we're just going to be spending money on lawyers to defend it, as we have for many years in the -- in the State of Illinois, as we attempt to pass these bills. The sad part about this particular bill is, after listening to the testimony, I believe that there is a way to ban these in a constitutional way. And, you know, the ACLU is not going to try to help the proponents of this bill to amend the bill to make it constitutional. That's not their role. But there is a way to pass a bill like this, but I guess in this particular area, we don't have any agreed bill process. No one really wants to seek a middle ground. It's just confrontational. And as a result, we're going to end up going to court and spending money, and it's not going to be helpful for the proponents. It's not enjoyable for people who are pro-choice to get up and have to debate this as well. It's a -- it's a very tragic situation, and unfortunately, it's just going to end up in court.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Cronin.

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SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, there has been a fair amount of discussion about the constitutionality of this bill, and Senator Cullerton pointed out himself, just a moment ago, that we are precluded by the Supreme Court decision Roe versus Wade. We may not place substantial obstacles in front of a woman seeking an abortion. But this bill does not do that. I direct the Body's attention to the Casey decision, other Supreme Court decision, that said legislatures may regulate with reasonable restrictions but shall not prohibit access in total. And this bill doesn't do that. All this bill does is -- is prohibit one particularly gruesome procedure. You know, we talk about to save the -- the life of the mother and why don't we include a health exception. Well, the line's got to be drawn somewhere. We'd like to trust the doctor's judgment, but to save the life of the mother means life-threatening health consequences. To protect the health of the mother, doctors on both sides - I listened to the testimony - the doctor for the opponent of this bill could not cite one instance where she had observed or was aware of this procedure being performed, which meant to me that she couldn't see a justifiable use for it, yet she wanted to be given the discretion to use it if they needed to in some certain circumstance. Didn't make sense to me. The logic didn't make sense. She couldn't talk about how it was necessary from a health standpoint, but she didn't want any restriction placed upon her. Doctors -- the doctor for the proponent of this bill discussed how this procedure itself threatens the health and life of the mother, to turn the child breech, to go through that violent procedure offends the health of the mother and is threatening to the health of the mother. Doctors are permitted {sic} every day in our laws from doing harm. A doctor is not prohibited from performing an abortion by this bill. They're not



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prohibited at all. They can just take another avenue. I know and we all know how controversial the issue of abortion is, and I know that people have a hard time reconciling it. Many people do. But consider the irony of when you pick up the newspaper and you read the story about the newborn baby that's thrown out the window or dumped in the Dumpster. I mean, consider the irony. Would the doctor that performs these abortions be better off just letting the child be born and then throw the -- the child out the window? I mean, I -- I don't get it. The difference of about thirty seconds makes the doctor a -- a murderer, and -- and here we're talking about a reasonable restriction. For once, you know, if we're going to try to ever find any common ground on this issue, for once, please, let's come down on the side of the baby. I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen, to close.

SENATOR LAUZEN:

Thank you very much. In closing, I'd first like to introduce two little friends up in the gallery above the President's Desk: Lorien VanZwieten and Savannah Murphy. I would just like to welcome them to the Senate. One is three weeks old; the other is six weeks old. I'd like to...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to the Illinois Senate.

SENATOR LAUZEN:

Then I'd like to ask one question of those who oppose the ban on partial-birth abortion: Is nothing sacred anymore? These children were in the womb three and six weeks ago. Why do most of us cringe with profound sadness when we imagine the brutality of the procedure we ask you to ban today? It's because we recognize that the amount -- that -- that the moment the scissors plunge into the back of the skull, with the startle reaction, a life just

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like ours has ended. This isn't just grisly; it's inhuman. Hold a baby, a daughter, a son, a grandchild, for just a moment, and you appreciate God's gift to us of innocent life, God's goodness grasping our hand with their chubby little fingers, joy and happiness reflected in the sparkling eyes and rosy cheeks on a cold winter's day, peace personified as a baby finally sleeps quietly at night. Yes, there are limits to what one person can choose for another, but this is common ground in the abortion debate. Just as responsible pro-life advocates agree that there should not be violence outside abortion clinics, reasonable pro-choice advocates recognize the inherent evil in the savage act of partial-birth abortion. This is a defining moment in our State's history. You'll have few chances in your lifetime where you'll vote on an issue of such clear humanity and mercy. Let the innocence of these partially born children appeal to what Abraham Lincoln called "the better angels of our nature". I ask for your Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 230 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 7 Nays, 5 voting Present. And Senate Bill 230, having received the required constitutional majority, is declared passed. Senate Bill 239. Senator Rauschenberger. Senate Bill 240. Senator Karpel. Senate Bill 248. Senator Fitzgerald. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 248... Pardon me. Senate Bill 248.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 248 would allow children who go to day care homes in Illinois - day care homes are homes that take three to eight children in for day care - it would allow these children to bring a sack lunch to the day care center -- not -- and I've got to be careful. I don't want to confuse it. To the day care home, not day care centers. Right now there is an internal DCFS rule that provides day care homes must have a catered lunch for all the children, and this bill arose because I had a call from the operator of a day care home in Arlington Heights who took in just a few kids, kids who lived in her neighborhood or subdivision, and she said, "Were you aware that, under this internal regulation, kids can't bring a sack lunch to the day care home", and she said, for that reason, she was getting out of the business. So my idea here is to -- to override that internal DCFS rule. I think that doing so would increase the affordability and availability of day care in Illinois. This is something we can do that won't cost any taxpayer money, and it would just make it easier and more affordable for kids to get good day care in Illinois. DCFS wound up being neutral on the -- on the bill. So, I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. Just a comment about this, and I -- I understand where the sponsor is coming from and I think it's wonderful to think about if they can bring their lunch. However, a couple of weeks ago I was at a Day Care Council meeting, where they had a seminar in the evening. I was there with Representative Ronen, and we were speaking to them on day care

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issues. And several of them came up to me and talked about this concept because what they're concerned about, and why they're concerned about allowing children to go to day care centers with separate lunches, is what about the child who comes in with the Twinkies or something that another child would like. Right now, the way it is, everybody is -- is eating the same thing, and there aren't that arguments that there can be with those younger children at that age. So they were very concerned, and they expressed their concern to me about the bill; they had mentioned it, about the opportunity of children bringing in their own lunch, because it could cause squabbles within that day care group. So I would be very cautious on this. I -- I would actually respectfully ask the sponsor if maybe we couldn't look at this further and talk with the Day Care Council people. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know -- would -- would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

You know, I feel that I'm getting up too much, which many of you probably will agree with. But, you know, I sit here and listened to the previous bill and -- and heard the sponsor talk about the protection and the care of the children, and what I understand in this bill, that -- that the original reason that they -- they put in the rule prohibiting the children from bringing a lunch was established to -- to protect the children. You know, having six children of my own and thirteen grandchildren, number fourteen on the way, you know, I -- I'm for the kids, and -- and this is one thing that I think is -- is very

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important. And I just don't know why we're doing this, especially under the -- the guise of the -- the last discussion, which all rendered around being pro-children, pro-child, and I think here's a case where we're coming back and throwing it open to a hit-and-miss chance. And I think we should vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you very much. For once -- for someone who had the responsibility of -- of monitoring day care centers and day care homes and nutrition of -- of the -- of the particular meals that the kids are served, I think I have some knowledge of why the concerns and why the rules was established in the first place. There's another issue in addition to what Senator Parker has said and Senator Jacobs, is a question of liability also. If a child brings food in from home, and by some reason that food is contaminated and the child gets sick because it was improperly prepared or -- or cared for, then who then bear the responsibility for liability of that child getting sick after having a meal in that -- in that particular day care home or day care center? So it's not a simple issue. I think you should take heed to what Senator Parker has said, take it out of the record, take a closer look at it, before we go on and do this. It may seem like a very simple solution to a problem, but it could cause more problems than -- than what we are attempting to solve. So, I would just impress upon you to listen to what Senator Parker had said.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

I think we're getting a little crazy around here. I have -- I happen to have grandchildren that are now in junior high, and every week I buy 'em a lunch ticket and every week there comes a

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day when they don't like what's on the -- the menu, and every week they make a peanut butter and jelly sandwich and take it to the -- to the school. It just seems to me that if the parents want to give their kid a peanut butter and jelly sandwich instead of some tuna casserole or something that somebody's made up in their home, we ought to let 'em do it. This is -- this is getting nuts when we get to the point we won't even let the parents pack a lunch for their kids. I think we ought to vote for this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Viverito.

SENATOR VIVERITO:

I certainly understand what Senator Fitzgerald is trying to do, but very honestly, I think -- to think that every mother out there is responsible enough to make a meal, prepare it and then go to work in the morning in a rush, I think a lot of cases a mother might not even be able to prepare a meal. A child may very well be without one. And I think that it ought to be monitored, it out to be protected, and a person ought to be able to observe that those children are being fed properly. The owner probably will end up sometime not being able to take care of that child simply because the mother doesn't prepare their meal properly. And I think, unfortunately, he's missing the intent of a licensed procedure that is necessary in protecting our young in these particular environments. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think you need to understand that what we have here, to some extent, is an access issue. The Executive Branch, over the last two years, has made a heroic effort to increase access to subsidized day care. Last year the Governor's budget included a

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fifty-million-dollar increase in -- in day care availability, and this year he's proposed an additional seventy million dollars. What you need to understand about this bill is it does not permit day care homes to -- to go into the kitchen and start making tuna fish sandwiches. What this permits is for a mother to pack a sack lunch for their own child to take to a day care home. The -- the issue of affordability is critical here, because if you start forcing day care homes to provide catered-in lunches, number one, people will leave the business, and number two, we'll be addressing rate increases. Every time you increase the rate of -- of what child care costs, you reduce the access. So if we're going to provide access, which is critically important to the welfare reform, critically important to working families across the State of Illinois, this is a good bill. This permits a mother to make a peanut butter and jelly sandwich for their own child to go to a day care home. These day care homes are selected by the parents. This is a good bill, and it's an access bill. Voting against this bill makes it more difficult for us to provide adequate child care.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I just rise in support of this piece of legislation. Senator Fitzgerald had this in our committee two, three weeks ago. We had a tremendous amount of testimony on this bill in opposition at the same time that we had another bill relative to allowing felons to provide day care and become foster parents. And the same people that opposed this bill supported the other bill. So I find that kind of interesting. Senator Rauschenberger hit the nail right on the head: This is an accessibility and affordability issue. In addition to that, this is a bill that also says a parent can take responsibility for

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their own child, if they so desire to do that. I support it, and I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. Well, you know, I don't know. I really don't understand it. I'm not on Appropriations, so I can't really address what it means in affordability and -- and what it's going to do to the whole day care system in the State of Illinois. My guess would be not much. I don't think this is going to save the State of Illinois by allowing someone to bring a peanut butter and jelly sandwich. The reason that this is the rule now and why we're trying to change it seems pretty simple. It's not a money issue; it's a safety issue. We're talking about day care facilities where these kids are three, four and five years old. Now, in grammar school and high school, you can bring a lunch in, and it would seem to me that as these kids get a little older, they can decide for themselves. They could take a look and see, "I don't like this sandwich. I'm allergic to this. I don't like the way this looks. I don't like the way this smells." One of the reasons you have this rule is that when I drop a daughter or son off at day care and you drop your daughter or son off and we drop them off, we want to make sure that the meal that someone might be bringing in isn't being prepared by their eleven-year-old sister, because, sad to say, the mother and father may have had to leave for work and the eleven-year-old sister is preparing something that's rancid, that isn't good. These three- and four-year-olds tend to share meals. I would like to know and like to be protected that if my three- or four-year-old is in a day care center, he's not or she's not going to be willy-nilly picking on food that could be contaminated, could be wrong. This is for the safety of the child. That's -- that's why this rule was put here,



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for the safety of the child. Yes, there's no question that -- it's no question easily to say, "Well, my kid should be able to bring their own peanut butter and jelly sandwich." Well, that makes sense. However, it's not that simple. This rule was put there for the protection of the child, and to say, hey, we want to bring it back because we save a few dollars, I think is wrong. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR FITZGERALD:

You know, listening to this debate, Senator Molaro and others, I have to ask what the world is coming to. My mom - we had five kids - every day for the eight years that I went to grade school, she made a lunch for me and sent me off to school with my brothers and sisters. And we're all fine, Senator Molaro. We didn't get sick. We -- we somehow survived. If you ask the average guy on the street if he knew that it's illegal in the State of Illinois for a mom to make a sack lunch of peanut butter and jelly sandwich and send the kid off to day care -- and I'm talking about day care homes. This bill doesn't apply to the big day care centers who tried to kill the bill because they're trying to put the homes out of business 'cause they're competition. That's why they got that internal DCFS rule, to snuff out their competition. And the lady who called me ran a day care home and she said it's impossible to provide affordable day care when you have a State mandate that the parents can't provide a sack lunch for their kid. A day care home is for three to eight people. Normally it's a lady who lives on your block or in your subdivision who has a couple of her own kids and she might take in a couple of kids from down the street. Now, you want to tell the average voter in your district that you think it should be illegal for those kids' moms to prepare a sack lunch for them? That's absurd. This -- the reason for that rule has

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nothing to do with protecting kids. The reason for that internal rule is because the big business day care centers, and there's a lot of money now in day care for those centers, they're trying to snuff out their competition, and they're succeeding at it, and they're making day care unaffordable in this State. Now, if what you're saying is true, Senator Molaro, I suggest that you introduce a bill...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald, I beg your pardon.

SENATOR FITZGERALD:

Senator Molaro, I suggest you introduce a bill to make it illegal for a kid to bring a sack lunch to school, because our schools allow kids to bring sack lunches. As Senator Fawell noted, she'll make them for her grandchildren. This is a commonsense bill. There's nothing wrong with a mom making a sack lunch for her kid and sending them off down the street to a day care home run by a neighbor. I encourage a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 248 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 10 Nays, 1 voting Present. And Senate Bill 248, having received the required constitutional majority, is declared passed. The Chair will remind the Membership that so far at this point we have gone through twelve bills on 3rd Reading. On today's -- on today's Calendar there is a total of one hundred and eighty-six bills. At this rate, Ladies and Gentlemen, prepare to stay here Thursday evening and all day Friday. Senator Severns, for what purpose do you rise?

SENATOR SEVERNS:

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Thank you, Mr. President, for the warning, and I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SEVERNS:

I -- I'm honored today to have with us in the gallery friends from the Shelby County Farm Bureau, who I want to assure that eventually we will get to the issue -- more important issues like educational funding and property tax relief. I would like the Senate to join me in welcoming my friends from Shelby County to the Illinois Senate today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized? Welcome to Springfield. Senator Collins, what purpose do you rise?

SENATOR COLLINS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. Given that I have not had an opportunity to have any bills heard this year dealing with welfare reform and getting people off of welfare, the bill that we just passed a few minutes ago is most certainly a bill that will impact upon our ability to move people from welfare to work, because there -- there's no enough day care homes or day care centers to accommodate the needs of the population who are -- have dependent children and who will need and have to go to work. One thing, though, I think, why we haven't done anything constructive and probably won't do is because there's such misnomer of information. Now, anyone who really think that there is a surplus of day care resources out there is sadly, sadly mistaken. So if you're going to pass some

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-- some laws, know the facts, research the issues, before you bring forth some legislation to pass.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Collins.

SENATOR COLLINS:

...just want to pass it for political reason, do so, but try not to deceive the people.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 255. Senator Rea. Senator Rea. At this rate we'll be here Saturday, too. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 255.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. Senate Bill 255 requires the publication of an ordinance to issue bonds. It requires a petition to submit a bond ordinance to referendum to be signed by five percent or more of the district voters who voted in the last general election. I know of no opposition and would ask for your favorable...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 255 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 255, having received the required constitutional majority, is declared passed. Senate Bill 256. Senator Rea. Senator Rea. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill -- Senate Bill 256.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. Senate Bill 256 amends the River Conservancy Districts {sic} (Act). It requires the bond entered into by each of the river conservancy district trustees to be held in a bank or trust company qualified to do business in Illinois and located within the district. It also deletes the provision allowing a number of trustees smaller than a quorum to adjourn from day to day. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Link.

SENATOR LINK:

Mr. President, just on the previous bill, Senate Bill 255. I tried to push my button to push a Yes vote and it wasn't recorded.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record -- the record will so reflect.

SENATOR LINK:

Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 256 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 256, having received the required constitutional majority, is declared passed. Senate Bill 265. Senator Demuzio. Senator Demuzio. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 265.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Mr. -- Mr. President and Ladies and Gentlemen of the Senate. This is simply a vehicle bill for the -- for the blind and there's been some discussion as to a -- a bureau or a -- or a commission, and we'd like to send it over to the House and keep working on it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 265 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 265, having received the required constitutional majority, is declared passed. Senate Bill 287. Senator Luechtefeld. Senate Bill 299. Senator Rauschenberger. Senate Bill 304. Senator Sieben. Senate Bill 317. Senator Syverson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 317.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 317, for all practical purposes, is a vehicle bill that we're using on the -- for the

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welfare reform projects that's still in negotiations, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would just talk to this side of the aisle over here. I want to discourage you, this -- the Members of our side in voting Yes on Senate Bills 317, 319 and 321, because these bills will be used for unknown issues concerning the implementation of federal welfare reform. We had these bills in our committee and they were totally like vehicle bills. There was no meaning, and we didn't know what we were voting for, so we all voted No on this. And so I -- until we find out what they're going to do with these bills, I request and I suggest to the people on this side of the aisle to just vote -- or, Present or -- until we find out what it is. Because I think this is going to be a vehicle for this new program that's coming up in July, and we don't know anything about it. And until we are better informed, I think we should just vote Present...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator, you -- you've mentioned several times that there were negotiations going on in terms of -- of the content of -- of this welfare reform package. I'm on the task force, and I -- I want to know why have I not been included, or is it -- there are only two Democrats on that task force, and it's my understanding there's

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only one minority with the vote. When do we get a chance to see what you're negotiating?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

What we are waiting for is the initial language that the Governor's Office is -- is going to put forward. Because we don't have that language yet, we don't have really a starting ground for the negotiations for TANF, which we know has to be put into place. That's why we need to keep this legislation alive. We'll work on it with the House Members, the Governor's Office, to come up with language that we all can agree with, that we know we have to implement by the July 1st date.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Collins.

SENATOR COLLINS:

My question is: Will the task force have an opportunity to review this language prior to it coming to being in the form of legislation...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator...

SENATOR COLLINS:

...before the legislators get it? Or, you know, are the task force members excluded and the process is going on now in the negotiation? They're included in the negotiations?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

I'm not sure what task force we're talking about. Maybe you can enlighten me on what task force you're talking about?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Collins.



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SENATOR COLLINS:

It's the Human Service Consolidation Task Force, which this legislation has -- federal legislation has a profound impact upon our ability to ensure that the new consolidation, Department of Human Services, can carry out the mandate of welfare reform. That's what it's all about.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SMITH:

Please, I'm sorry. I -- I wanted to just say to Senator Syverson: I understand that there's legislation supposed to be coming over from the House about the bill -- these (3)17, (3)19 and (3)21 that has not been revealed to us. We don't know what we are voting for. That's why I'm requesting that until we find out something concrete, that we just vote Present. I don't...

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SYVERSON:

Senator Smith, I -- I agree with your concerns, and I don't have that language as well. That legislation will come back to this Body. The Public Health Committee will have an opportunity to have hearings on this, have an opportunity to have input in what is going to happen with this legislation. There is still plenty of time, and certainly it'll be an open process from now until when that bill comes back. And I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 317 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 2 Nays and 23 voting Present. And Senate Bill 317,

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having received the required constitutional majority, is declared passed. Senate Bill 319. Senator Philip. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 319.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 319 amends the Department of Human Service Act establishing a Task Force on Human Service Consolidation effective immediately. Quite frankly, we're not sure what the administration or the Department has in mind. It is a shell bill. Like to get it out of here, and if they come back to us and make a recommendation, perhaps during this Session, we will probably try to do something...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 319 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, no Nays, 10 voting Present. And Senate Bill 319, having received the required constitutional majority, is -- is declared passed. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would like to re-refer to Rules Committee Senate Bill 1008, Senate Bill 1013, Senate Bill 1014, Senate Bill 1015.

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Hearing no objection, leave is granted. On the top of page 9, on the Order of Senate Bills 3rd Reading, is Senate Bill 320. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A little over a year ago when we set up our Medicaid triage line, we required that telephones for that triage line be answered by nurses, specifically including licensed practical nurses. Over the last year or so there have been some problems with implementing that, and it's now kind of the -- the assorted wisdom that we ought to limit the nurses who can answer the triage line to registered nurses. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 320 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 320, having received the required constitutional majority, is declared passed. Senate Bill 321. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 321.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. Senate Bill 321 would require the General Assembly, by joint resolution, to approve any contracts entered into between the Department of Public Aid and a managed care company. I'd appreciate a favorable roll call. This inserts this into the process and also, perhaps, give us -- gives us a bill that we might need later through the budgetary process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and Ladies and Gentlemen. Again, I am sincere about this. It was in committee. It was a partisan roll call. And I am saying, until we know something definite. I don't think we should be treated as children. I think that we should just vote Present with this legislation until we know where we are going. I don't think it's fair for the new -- the new program that's coming out this year in July, for the State of Illinois -- the people cannot come into these Chambers, but we are here. And if we don't speak for them, nobody else will speak for them. So I say, until we know, let's vote Present.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 321 pass. All those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 5 Nays and 21 Present. And Senate Bill 321, having received the required constitutional majority, is declared passed. Senate Bill 327. Senator Parker. Senate Bill 347. Senator Mahar. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 347.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 347 amends the Illinois Chemical Safety Act to allow facilities to incorporate the Illinois Chemical Safety Act Chemical Safety Contingency Plan requirements within a single, functional document integrating multiple contingency plans. The integrated, one-plan approach is detailed within the national response team's integrated contingency plan's guidance document. This comes to us -- this is requested by the U.S. EPA and comes to us from the Illinois State Chamber. I know of no opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Yes. Thank you, Mr. President and Ladies and Gentlemen of the Senate. Just real quick. As we indicated, and we voted for in committee, that we don't have any problem with reducing paperwork, but we do want to make sure it -- that this does not reduce regulations. It's my understanding that there is some ongoing negotiations with this bill that's going to be cleared up along the line.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 347 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 347, having received the required constitutional majority, is declared passed. Senate Bill 351. Senator Carroll. Senate -- Senate Bill

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356. Senator Parker. Senate Bill 358. Senator O'Malley. Senate Bill 366. Senator Parker. Senate Bill 372. Senate Bill 373. Senator Rauschenberger. Senate Bill 374. Senator Lauzen. Senate Bill 382. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 382.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

This is a shell bill. It deals with the subject of P-tickets. We are currently having negotiations by all affected parties, but they're not going to have language ready this week. Nothing's going to move finally unless everybody's on board. All the parties are moving, and I would hope to move this over to the House to continue the negotiations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 382 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 382, having received the required constitutional majority, is declared passed. Senate Bill 404. Senator Smith. Senator Smith. Senate Bill 408. Senator Cullerton. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 408.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We have a law in Illinois that -- it's called the Entry on Adjoining Land to Accomplish Repairs Act, and it allows someone to go onto another person's property for the limited purposes of repairing their own property and it's limited to single-family residences. It's kind of like an easement based on necessity. And apparently it was an oversight, but it does not apply to condominiums, and what this bill does is to extend it so that it does apply to condominiums. This would be a situation where you had to go onto -- into the -- another unit within your building in order to make a repair on your own building, on your own unit. Again, it was approved by the Chicago Bar Association, and I think that if Representative Levin was here, he would even support it. So I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

I reluctantly rise in opposition to this bill. I think that -- I think as explained it's -- the idea is good. My problem with it is that it would not only allow the -- the condominiums to do this that look like single-family residences, but would allow a thirty-story high rise that happens to be condominiums to go onto an adjoining land for this purpose. And I'm not asking anybody else to vote No, but I think if it makes it to the House, we ought to clarify that we're going to allow condominiums to do this which are in the nature of single-family homes and not those that are in the nature of large apartment buildings or commercial buildings which do not have this privilege under current law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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SENATOR CULLERTON:

Yes. The way I envision this actually working is in a condominium, when you go on someone else's land, you're not really going on the ground; you're going to go into some else's unit. Say you want to put an outlet in your -- on a wall that's a common wall with an adjoining condominium and you need to get into the other person's unit to get -- to put that -- that outlet in. This would give you an opportunity, if you had to get to the point where your neighbor was refusing entry, you could go to court and you could gain entry, just like you could if you were trying to put some siding up on the side of your house and you have to put the ladder on your -- on your neighbor's property. That's what it's about. So it doesn't make any difference to me whether it's a thirty-story or a hundred -- I have a hundred-story condominium in my -- in my district. It's -- it's -- it should be treated the same way as -- as single-family residences are and that's why I advanced the bill, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 408 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 9 Nays, 1 voting Present. And Senate Bill 408, having received the required constitutional majority, is declared passed. Senate Bill 418. Senator Cullerton. Senator Cullerton. Is that a yes or a no? Madam Secretary, read the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 418.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.



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SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This would permit the Department of Human Services, as the successor to the Department of Mental Health, to install closed circuit televisions in quiet rooms. The Department supports this. A quiet room is a room used in certain facilities as a temporary area for patients who are causing problems for other patients or who are acting out. This actually is not only supported by the Department, but I think it would work both ways where if there's ever any allegations that someone was mistreated, there'd be evidence of the fact that they weren't because this -- this could be monitored through a television -- closed circuit television. So I would again ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 418 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 418, having received the required constitutional majority, is declared passed. Senate Bill 423. Senator Fitzgerald. Senate Bill 428. Senator Sieben. Top of page 10 of your regular Calendar, in the Order of Senate Bills 3rd Reading, is Senate Bill 431. Senator Hawkinson. Senate Bill 435. Senator Butler. Senate Bill 436. Senator Butler. Senate Bill 437. Senator Butler. Madam Secretary, read the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 437.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

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SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen. Senate Bill 437 is an effort on the part of municipalities to improve the caliber of their police and fire personnel. It is -- it first authorizes that they may impose higher education requisites on applicants for police -- police position. It also allows the Board of Fire and Police Commissioners to, by rule - by rule - require police applicants to have obtained an associate's or bachelor's degree prior to employment. I emphasize "by rule" they can do that. It also changes the preference points in -- for employment in municipal fire and police departments. It -- it gives preference to persons who have associate's degree in law enforcement, criminal justice, the fire service, et cetera, et cetera, or a bachelor's degree from an accredited college. There are a number of other requisites, but the basic thrust of this is to permit municipalities to increase their -- their hiring standards so as to improve the caliber of their officers. I would welcome any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 437 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay and none voting Present. And Senate Bill 437, having received the required constitutional majority, is declared passed. Senate Bill 454. Senator Halvorson. I -- I beg your pardon. 454. Senator Fawell. Senate Bill 444 was recalled earlier for an amendment so we can't deal with that one today, Senator. Senator -- Senate Bill 454. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 454.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. We have a task force that is bipartisan and right now they're working on the -- the weight code concerning wheel and axle loads. And their work is not quite finished. What 454 is is the shell bill to put in the final report, and I would appreciate your Aye vote so we can continue this work.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 454 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 454, having received the required constitutional majority, is declared passed. Senate Bill 457. Senator Parker. Senate Bill 460. Senator Cullerton. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 460.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. Very simple bill. It just says that the Supreme Court "shall" establish a division probation services. Right now it's permissive. We want to make sure that all of the -- the rules and the regulations and the salaries that are spelled out in the Statute remain the same, and that's the purpose of the

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bill. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 460 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, 1 voting Present. And Senate Bill 460, having received the required constitutional majority, is declared passed. Senate Bill 467. Senator Burzynski. Senate Bill 469. Senator Klemm. Senator Klemm. Senate Bill 475. Senator Radogno. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 475.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill amends the Pollution Control Act with respect to local siting of pollution control facilities, which are things like incinerators, transfer stations, those sort of things. The bill, as it's been amended, requires that a host agreement, whether it's written or oral, that's been entered into prior to the local siting decision shall be disclosed and made part of the public proceeding. This is simply an attempt to let the public have access to all the information that may be relevant to the siting decision. It doesn't apply to negotiations; it only applies to the decision. As amended, it passed unanimously out of committee, so I'd ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall Senate Bill 475 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting -- voting Present. And Senate Bill 475, having received the required constitutional majority, is declared passed. Senate Bill 476. Senator Fawell. Senator Fawell. Senate Bill 483. Senator Walsh. Senate Bill 490. Senator Madigan. Senate Bill 507. Senator Shadid. 509. Senator Shadid. Senate Bill 522. Senator Watson. On top of page 11, in the Order of Senate Bills 3rd Reading, is Senate Bill 524. Senator Watson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 524.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. As most of you know, the coal industry throughout this State has suffered greatly over the last decade and most recently as a result of the Clean Air Act. High-sulfur coal is -- is on the decline, and we're trying to create a situation by which we can revitalize the coal industry throughout the State. And this bill was presented before the Revenue Committee, and Senator Berman offered an amendment that we had accepted that changed the direction of the legislation, but I think still gives the incentives out there that were necessary, hopefully, for individuals to come in and reopen coal mines and bring back the coal industry in this State. What we've done here is allow for those eligible under the requirements of the

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legislation to tap into the Bond Fund, the Illinois Coal Resurgence Program under the Energy Conservation Development Act, which establishes the bond -- bonds for this. It just expands those that are eligible for it. And it passed out unanimously on an attendance roll call out of the Revenue Committee, which is remarkable in itself, and it's -- the United Mine Workers support this, Illinois Coal Association and people in my district, which ultimately have been impacted by the closing of the Alvers Coal Mine.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not... Senator Berman. No. The question is, shall Senate Bill 524 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 524, having received the required constitutional majority, is declared passed. Senate Bill 529. Senator Cronin. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 529.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a shell bill. It just makes a minor technical change in the event that the Community College Association wants to do something. They asked me to advance this, so I ask for your consideration. I don't have any specific plans whatsoever.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is -- is... Is there any discussion? If not, the question

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is, shall Senate Bill 529 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 529, having received the required constitutional majority, is declared passed. Senate Bill 531. Senator Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 531.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Senate Bill 531 is identical to Senate Bill 1211, which passed last year with a vote of 52 to nothing. It prohibits a unit of local government from enacting or enforcing an ordinance or resolution that would have the effect of controlling the amount of rent charged for leasing private property, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 531 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 6 Nays, and 2 voting Present. And Senate Bill 531, having received the required constitutional majority, is declared passed. Senate Bill 545. Senator Karpiel. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 545.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Committee Amendment No. 1 becomes the bill, and the original provisions of the bill are deleted. The Senate Bill 545, as amended, creates the Measurement and Reporting Standards Task Force, and it more clearly defines the term "municipal waste" and revises the method of determining the recycling rate under a county waste management plan. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 545 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. In that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 545, having received the required constitutional majority, is declared passed. Senator Dillard, on Senate Bill 547. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 547.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR BOMKE:

Like to recognize behind us in the gallery, schoolkids from



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Rochester.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized? Welcome to the Senate. We're on Senate Bill 547. Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I assume that's Rochester, Illinois, not Rochester, New York. That's a long trip. Senate Bill 547 amends the Illinois Horse Racing Act. It's a bill that has previously passed out of here and was held in the House last year, and it provides that any racetrack shall be exempt from making charitable contributions for its backstretch workers required by the Act for years when there is no live racing going on at that particular track. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, I'm trying to get a copy of the bill up here. Does the -- as I understand this, the -- the current law requires a seven-hundred-and-fifty-thousand-dollar contribution that is collected annually to charity to provide assistance to people who live and work in the backstretches of Illinois' racetracks. And apparently you're -- you're not changing -- I guess my question to you is, are you changing that amount of money that has to be collected and donated to charity?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

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You are right, Senator Cullerton. Seven hundred and fifty thousand dollars is the amount that goes into that fund. Let me -- and the Illinois Economic and Fiscal Commission said this, and I think it answers your question: Senate Bill 547 would not change the total amount contributed to the racing industry charitable foundation but, rather, the amounts of those who continue to make contributions would have to make. So I guess in theory, everybody else would have to pay a little more to make up for the estimated thirty thousand dollars that Quad City Downs would no longer pay.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

So, Quad City Downs is owned by Arlington, and so this bill saves Arlington thirty thousand dollars, even though they continue to have off-track betting operations that make money, so that the other racetrack owners have to make up the difference. So...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator...

SENATOR CULLERTON:

...I guess my question to you is: Are the other racetrack owners in favor of picking up this thirty-thousand-dollar tab for the owners of Arlington International?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Senator Cullerton, Arlington International would also, in theory, have to pay more to pick up the pro rata share of the thirty thousand that the Quad City Downs would no longer make. I don't know where the other racetrack owners - I don't regularly converse with racetrack owners - in this State are on this particular bill. But in fairness -- I mean, if you just look at

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the -- look at the reason for the bill, if you're not racing at a particular racetrack, I think it's unfair to make shadow contributions when you don't even have any backstretch employees. You should not have to make back -- or backstretch charitable contributions if you're not racing at a particular track. And I would urge you to notice I have a great cosponsor on this, Senator Cullerton, as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. {sic} President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, on the off-track betting, does that count as a contribution whenever this tax is to be figured?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

I don't know, Senator Jacobs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator Dillard, to close.

SENATOR DILLARD:

Just appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 547 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 51 Ayes, 6 Nays, none voting Present. House {sic} Bill 547, having received

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the required constitutional majority, is declared passed. Senator Cronin, on Senate Bill 557. Out of the record. Senator Peterson, on -- out -- Senate Bill 558. Out of the record. Senator O'Malley, on Senate Bill 560. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 560.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Members of the Senate. Senate Bill 560, as amended, requires the State Board of Education, after they have adopted goals, to forward those goals to the General Assembly for consideration and ratification. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 560 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 51 Ayes, 6 Nays, none voting Present. Senate Bill 560, having received the required constitutional majority, is declared passed. Senator Watson, on Senate Bill 568. Out of the record. Senator Karpel, on Senate Bill 570. Out of the record. Senator Obama, on Senate Bill -- oh, recalled. Sorry, sir. Senator Farley, on Senate Bill 580. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 580.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Farley.

END OF TAPE

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SENATOR FARLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 580 is a -- a bill that was brought to us by the Department asking for some technical changes, some clean-up language and, in addition, the permission for someone who is a spouse or a person to be able to purchase a -- a license for another individual. What we're talking about here is if there is somebody coming in to hunt from California, for instance, I would be able to or you would be able to purchase that license for that person and he would be able to hunt. It's an accommodation that they feel is a needed accommodation, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 580 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 580, having received the required constitutional majority, is declared passed. Senator Peterson, on Senate Bill 593. Out of the record. Senator Butler, on Senate Bill 594. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 594.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

Thank you very much. Ladies and Gentlemen, Senate Bill 594 answers a problem that has arisen once in a while through an interpretation of when an employee of a company is -- has a conflict of interest if they are, in some form, a trustee or an alderman or someone connected with a municipality. This bill was brought to my attention because one of the trustees in one of the cities in my district was told by the legal counsel of the -- of the community that should she vote on the purchase of a automobile of -- by GM -- or built by GM, she would have a Class 4 felony because of a conflict of interest. Unfortunately, the only problem -- the only connection this person had with the company was through a mutual fund where she held a very, very, very, very, very minor interest. So this -- this bill attempts to clarify that a member of a governing body may have a one percent ownership in a -- in an entity -- in a community -- or, I'm sorry, in a company, rather, providing materials or services to the -- to the governing body if the member publicly discloses the interest before or during deliberations of the contract. It also goes into several other instances. But in essence what it does is the -- it clarifies a matter that someone owning a few shares of stock in a huge corporation does not indeed have a conflict of interest, if that ownership is less than one percent of the -- of the company and the person declares it. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Radogno.

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SENATOR RADOGNO:

I have a question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Radogno.

SENATOR RADOGNO:

Would this also apply to special uses and zoning variations when a village official had to vote on those sorts of things?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

I believe, yes, it would.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the question is, shall Senate Bill 594 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. 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 594, having received the required constitutional majority, is declared passed. Senator Cullerton, on Senate Bill 600. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 600.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill, at the request of the committee, was made into a shell bill. It deals with a very controversial topic which was featured in yesterday's -- front page of yesterday's Tribune. The bill, when it was originally introduced, would give adoptees access to all

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their adoption records and court documents at age eighteen, regardless of whether the birth parents want to be found. There was a similar piece of legislation dealing with the same subject matter, I think, that Senator Cronin sponsored, that dealt with an adoptee to gain access to their adoption files by appealing to a court and having a court-appointed intermediary facilitate the opening of the files. It is a very emotional issue. It's something which is very controversial. We -- we have established a procedure where the proponents of the bill, who are representing the Illinois Coalition for Truth in Adoption, are negotiating with representatives of the Chicago Bar Association, which had opposition to it, and we are -- believe we are making some progress. There's a similar House bill which is advancing. So I would ask that we continue the process by passing this bill, and obviously when we -- if there is an agreement, we'll come back, go to committee and present it to you and see if we can make it easier with an agreed bill for adoptees to gain access to their -- their past. I'd be happy to answer any questions and urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Cullerton, you said that the adopt -- adoptive children are negotiating with the Chicago Bar Association. What about adoptive parents? What rights do they have here?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:



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Right. That's a good point. The adoptive parents are the people who -- who tend to be the ones that are very concerned about the passage of such a bill. And it turns out that the -- I mentioned the Bar Association, because the Bar Association has representatives who have studied this issue who have -- also have concerns about the bill, but my -- my attitude is any -- anybody who has indicated an opposition to the bill is part of the process and negotiating with it. And I can tell you that Senator -- Representative Feigenholtz, who is herself an adoptee, is advancing this bill and has been engaged in -- in conversations with -- with anyone who has indicated an opposition to the bill, as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- Senator Welch.

SENATOR WELCH:

Well, who's representing the mothers who decided to give up these children for adoption? Who's representing their interests?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, I don't know if there's an association of people who have formed to take up that position, but certainly if you personally believed that way, then you would vote No on any such bill that would be presented, if -- if there -- if you have opposition to it. So I don't know how else to answer it. I don't know of any coalition of adoptive parents who have formed to say they're opposed to the bill. It's a shell bill now. I can assure you that, and that it would -- it would only be likely to be presented if there's some type of an agreement among the people who have expressed an interest. It's a widely publicized bill. There was a front-page article in the -- yesterday's Tribune, and I would like to encourage anybody who has any input in the bill to

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come forward and I'd be happy to include them. We don't have an agreement yet. I could try to advance the bill as originally drafted, but I chose not to do that because I want to try to get an agreement. So that's why we made it into a shell bill. I'm trying to buy some time in the process by advancing the legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, usually when you have an agreed bill, it's because all the parties are at the table. What you've got here is one party. Mothers who give their children up for adoption who don't want to be known, in many instances, they want to remain anonymous. How the hell are they going to be sitting at this table negotiating this? And how about the parents who have adopted kids? What about those of us who don't want our kids going out there finding and looking around thinking that their parents - their birth parents who gave them up - somehow offered this better life for them and they think they're going to find it. Sure, you've got one story in the front-page of the Chicago Tribune about an adoptive child, who is age twenty-eight, where it worked out. That's fine. How many hundreds, in comparison to that, are there where they don't work out? So why should this go forward and come up with an agreement when you don't have all of the parties there and you can't have all the parties there? What this bill is going to do, if you do come up with it, it's going to reduce the number of adoptions because the -- the anonymity given to a mother who gives up the child is going to be gone. So I think you should vote No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, I had suggested an amendment on the bill that the adoptees not be permitted to go into the records until they are at least twenty-two years of age. Is that amendment on the bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- or, Senator Cullerton.

SENATOR CULLERTON:

Yes, Senator, I agree with that. We did adopt that amendment initially to make it twenty-two before you could get these records, but then at the request of the committee, we made the whole bill a shell bill to advance it. But I -- that -- that is -- that provision that you have suggested undoubtedly -- if there is an agreement, will undoubtedly be what the age will be raised to, from eighteen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I've had more letters and more calls and more visits on this subject, and when you look at it completely, I think it's worthwhile putting the bill out and let's see what we can do to make it a very feasible bill. And I can share the concerns of the prior speaker about the parents. Maybe the parents don't want to be known. But I think we've come to an age now that if -- if the amendment sticks on the bill or when it's drafted together, allowing the -- the adoptees to check into their records after they're twenty-two years of age, they're mature enough to do it by that age, and I think this bill should get out and give it a chance to be worked on so that we can come out with something feasible. I support the passage of this bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Cronin.

SENATOR CRONIN:

I -- I kind of rise reluctantly in opposition to the bill and I share some of the concerns that Senator Welch expressed moments ago. I understand this is a shell bill, but because the nature of this issue is so emotional and because this bill in its original form was -- was so emotionally -- so -- stirred up so much emotion and it was so vigorously opposed, and due to the nature of the issue of the difficulty in getting all the parties to the table, I'm not sure I want to advance it any further in the process. I wish we had a -- the agreement now. I wanted to pass it out of committee so that hopefully something would have happened between the committee passage stage and 3rd Reading, but nothing has happened. So, with all due respect to my colleague, I know he wants to try to do the right thing on this bill, but due to the nature of the issue and the process itself, I urge the -- my colleagues to vote No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Walsh.

SENATOR WALSH:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Walsh.

SENATOR WALSH:

I also -- I understand that this is a shell bill, but I -- I guess I don't understand the necessity for this other than possibly some type of medical problems that somebody might be having and they might want to find out if there's been a history of this type of problem. But is there some other need for this other than that?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Senator, there's -- there's two ends of the spectrum in the belief here. If you're -- if you're an adopted child and you're thirty-eight years old, you may have a desire to -- to meet your birth parent, and you may have difficulty in -- in arranging them. And there's some people in that category that want to have the records at a certain age -- when you're at a certain age - an adult - have records available so that you can reunite with your birth parent. There obviously is the opposite point of view, as expressed by Senator Welch in debate. You -- you give up your child with the assurances that there'll be - it will be anonymous, that the records will never be sealed -- will be sealed and -- and never know. So, the bill, as introduced, took one of those positions. I admitted it that it's a very controversial bill; there's an alternative method to obtain these records; that Senator Cronin had a bill to do that. That bill did not advance. So what we've done is made it into a shell bill so that we can at least sit down and talk. There's a meeting scheduled next Monday and Tuesday with the Bar Association who, I think, speaks for those people who are concerned about making these -- these records public and what about the position of the adoptive parents, and that's why I think it should advance. We're obviously not going to sneak some bill in and -- and pass some amendment that nobody knows about. This is just meant to advance the process so we can at least see if we can reach an agreement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Walsh.

SENATOR WALSH:

I understand that you're not going to sneak anything. I just -- I -- I truly wondered the necessity. And for the person that --

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that might be wondering, I mean, their parent did give them up, or their mother, or mother and father collectively decided that they -- they wanted to give the child up for adoption, and I don't -- you know, I don't know that -- that they should necessarily be revealed if they don't. And I can understand Senator Welch's argument that this might limit the number of adoptions. And -- and -- and if there's going to be a limited number of adoptions, and maybe it's a bit of a stretch, but I'm afraid it's going to increase the number of abortions. So I'm afraid of the implications that this might have down the road.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR CULLERTON:

I would ask for an Aye vote on the shell bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill -- or, Senate Bill 600 pass. Those in favor, 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 34 Ayes, 17 Nays, 1 voting Present. Senate Bill 600, having received the required constitutional majority, is declared passed. Senator Molaro, for what purpose do you rise?

SENATOR MOLARO:

Thank you, Madam President. This is a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR MOLARO:

If I can have the Members' attentions for a second. I know we all heard of people like Michael Jordan, Scottie Pippen in basketball. Frank Thomas in baseball. We've heard of people like

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Richard Petty, A. J. Foyt and Mario Andretti in car racing. With us today, for those of you who follow the sport, the worldwide sport of harness racing, we have two of the stars, not only in Illinois, but of national prominence, with us today in the gallery. The two star drivers that I'm speaking of are Anthony Morgan and Dave Magee, from the State of Illinois. If you can also rise.

PRESIDING OFFICER: (SENATOR DONAHUE)

Hey! Please rise and be recognized. Welcome to Springfield. Senator Molaro.

SENATOR MOLARO:

Also with them - I don't want to forget - is Gerry Hanson, one of the trainers from the State of Illinois. They're down here lobbying. If you don't recall, Anthony Morgan just set a record for the most wins of anybody in the nation - I think it was about eight hundred or so - and he has that distinction. And of course, Mr. McGee is one of the top drivers in the country. So, thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome to Springfield. On the bottom of page 11 is Senate Bill 605. Senator Madigan. Out of the record. Senator Madigan, on Senate Bill 608. Out of the record. Senator Burzynski, on Senate Bill 610. Out of the record. Senator Demuzio, do you wish to return to 2nd Reading Senate Bill 626 for the purposes of an amendment? Senator Demuzio seeks leave of the Body to return to the Order of 2nd Reading, for purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 626. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Demuzio.

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Senator Demuzio, on Amendment No. 1.

SENATOR DEMUZIO:

Thank you, Madam President. This simply changes the effective date from 7/1/97 to 7/1/98. I would move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Clayborne, on Senate Bill 645. Out of the record. Senator Lauzen, on Senate Bill 658. Out of the record. Senator Madigan, on Senate Bill 659. Out of the record. Senator Maitland, on Senate Bill 665. Out of the record. Senator Maitland, on Senate Bill 666. Out of the record. Senator Madigan, on Senate Bill 667. Out of the record. Senator Dillard, on Senate Bill 675. Out of the record. Senator O'Malley, on Senate Bill 678. Out of the record. Senator O'Malley, 679, 680. Out of the record. Senator Walsh, on Senate Bill 682. Out of the record. Senator Butler, Senate Bill 691. Out of the record. Senator Rauschenberger. Out of the record. I will caution you guys. We're on our last bit. We better call them. Senate Bill 700. Senator O'Malley. Out of the record. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 707.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.



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SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is a bill that had a pretty thorough hearing in committee. It's kind of complicated. We have members from the construction industry coming forward and seeking some changes in the way that IDOT and CDB lets contracts, not only the -- the process of letting the contracts, but the actual content of the contract themselves. I believe that this bill distributes the risk more equitably. It gives all contractors an even, fair chance, rather than just the case where I think may be happening where certain favored few continually get business and others who don't comply do not. I ask for your favorable vote, and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Garcia.

SENATOR GARCIA:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Garcia.

SENATOR GARCIA:

Senator Cronin, I voted for this bill in committee; however, I'm looking at my current analysis, and I'm wondering, if you would, why it has so many entities opposing the bill, including the Capital Development Board, the Department of Transportation, the City of Chicago, the CTA, the Chicago Building Commission, the Illinois Municipal League and Township Officials?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Well, I would -- I would suggest that it's -- it's because it -- it changes a procedure that's been very easy and acceptable and

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one that they're very much akin and accustomed to. So I think it offers some changes. A lot of people don't like change. And I think that -- I haven't been able to discern any specific objection to any specific part of the bill that causes any specific onerous duty. And that was what I think we deduced in committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia.

SENATOR GARCIA:

To the bill: Again, I couldn't find anything very obviously wrong with it, but I hope that the House will debate this and analyze it a little bit more. And, good luck.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

...you -- thank you, Madam President, Ladies and Gentlemen of the Senate. I stand in support of this legislation. I just want to make one thing clear, though, Senator, that it's my understanding that some of the problems that DOT had -- you have tried to negotiate with them in good faith, and it's my understanding they have just turned their back and said no and that's it. So I think that there comes a time, whenever they quit negotiations, you've got to continue on.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? The question is, shall Senate Bill 707 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 707, having received the required constitutional majority, is declared passed. Senator Fitzgerald, on Senate Bill 709. Out of the record. Senator Fitzgerald, on

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Senate 10 -- Senate Bill 710. Out of the record. Senator Karpziel, on Senate Bill 712. Senator Karpziel, on Senate Bill 712. Out of the record. Senator Cronin, on Senate Bill 720. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This, again, is another vehicle. Got a lot of vehicles out there. We're ready to work on the school funding issue, as we continue to negotiate with all the various parties. This bill doesn't do anything of any consequence. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Let's keep our voices down a little bit. We're getting a little rowdy again. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 720 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 720, having received the required constitutional majority, is declared passed. Senator Karpziel, on Senate Bill 723. Out of the record. Senator Fawell, on Senate Bill 730. Out of the record. Senator Fitzgerald, on Senate Bill 737. Out of the record. Senator Fitzgerald, on Senate Bill 740. Out of the record. Senate Bill 747. Out of the record. Senator Carroll, on Senate Bill 777. Out of the record. Senator Karpziel, on Senate Bill 778. Out of

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the record. Senator Fawell, on Senate Bill 798. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 798.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill that was requested by the Illinois Department of Transportation, and all it does is it allows the Department to install signs beside rural State highways to alert motorists to tourist-oriented businesses. It's to help the -- the rural communities in their -- in their antique businesses and their farmstands and what have you. Be glad to answer any questions; otherwise, I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 798 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 798, having received the required constitutional majority, is declared passed. Senator Mahar, on Senate Bill 814. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 814.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

SENATOR MAHAR:

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Thank you, Madam President...

PRESIDING OFFICER: (SENATOR DONAHUE)

Excuse me, Senator Mahar. Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

Point of inquiry, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR HAWKINSON:

As I note the computers along these rows, they appear to all be frozen and we're not getting the analyses.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay...

SENATOR HAWKINSON:

Some of them say "need more memory," but for the last bill and this one, we don't -- there's no way to tell what we're voting on.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay. Okay. Hold on, Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Are we ready, Mr. President, to proceed?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar, I've been informed that the computer experts on the Floor are going around to your desks and unfreezing your computers.

SENATOR MAHAR:

Okay. Okay.

PRESIDING OFFICER: (SENATOR DUDYCZ)

So the Members can follow the proceedings.

SENATOR MAHAR:

Thank you, Mr. President. In presenting Senate Bill 814,

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under current law, third parties may appeal permit decisions regarding RCRA permits for hazardous waste disposal sites. This bill creates a similar third -- right of third parties to appeal a decision by the EPA to issue a national pollution discharge elimination system permit. A third party with a standing may petition the Pollution Control Board for a hearing to -- to contest the decision of the Agency. This comes to us as a requirement from the U.S. EPA. I know of no opposition to this bill, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 814 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 814, having received the required constitutional majority, is declared passed. At top of page 14 of your regular Calendar is Senate -- is the Order of Senate Bills 3rd Reading. Senate Bill 819. Senator Mahar. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 819.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 819 does...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Mahar. Will the Members please take your conferences off the Floor? Senator Mahar.

SENATOR MAHAR:

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Thank you, Mr. President. Senate Bill 819 does several things. It is -- it is an EPA bill. It requires payment of the initial fee for an air pollution operating permit within thirty days of permit issuance. It extends the practice of issuing lifetime State air pollution operating permits to all sources that are not subject to the Clean Air Act permit program and that are not required to obtain a federally enforceable State operating permit. It incorporates Title IV of the Clean Air Act. And current law provides that beginning of the fiscal year '96, Clean Air Act permit fees be refunded in proportion to original fee payments to the extent that permit fees collected and deposited in the Clean Air Act Permit Fund exceed a hundred and fifteen percent of actual expenditures. I'll be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 819 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, none voting Present. And Senate Bill 819, having received the required constitutional majority, is declared passed. Senate Bill 827. Senator Radogno. Senate Bill 844. Senator Cullerton. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 844.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is

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hopefully the last of a long series of bills dealing with the Condominium Act. This would allow for the board of a master association or a community association to have the same power to levy and collect fines from members for violations of -- of the bylaws as a regular condominium association. A master association is a -- is an overarching body that governs a group of neighboring condominiums, kind of like if you're familiar up in Chicago with the Sandburg Village - that type of association. So you've got a number of different condominium buildings. The master association is the one that would have the common areas, that might parks or other facilities shared by all the different condominium associations. This just gives them -- that master association the same power as already exists in the individual associations. It's not controversial. Supported by Ellis Levin. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 844 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 844, having received the required constitutional majority, is declared passed. Senate Bill 857. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 857.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

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



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Senate. This is an agency bill. I think everything is agreed to. There might be one aspect that does have to have some discussion later, but certainly it's in final form.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 857 pass. All those -- those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. And Senate Bill 857, having received the required constitutional majority, is declared passed. Senate Bill 862. Senator Fitzgerald. Senate Bill 866. Senator Weaver. 867. The bottom of page 14, on the Order of Senate Bills 3rd Reading, Senate Bill 902. Senator Burzynski. Top of page 15, Senate Bills on the Order of 3rd Reading, Senate Bill 910. Senator Luechtefeld. Senate Bill 921. Senator Shadid. Senate Bill 927. Senator Rauschenberger. Senate Bill 929. Senator Rauschenberger. Senate Bill 930. Senator Rauschenberger. Senate Bill 934. Senator Klemm. Senate Bill 937. Senator Watson. I beg your pardon. Senate Bill 939. Senator Watson. Senator Watson. Senate Bill 942. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 942.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 942 comes from a former Member of this Body, now the Chief Justice of the Supreme {sic} Court, Roger Sommer, and it is an omnibus clean-up bill dealing primarily with technicalities of

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the Court of Claims and their procedures. It updates the Act a little bit. I don't want to bore everyone with the provisions. I believe it -- it came out of the committee - Judiciary - unanimously. It might have been on the Agreed Bill List. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 942 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 942, having received the required constitutional majority, is declared passed. Senate Bill 953. Senator Geo-Karis. Senate Bill 959. Senator Klemm. Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BURZYNSKI:

As many of our Members in the Chamber have noticed, one of our Members has some beautiful flowers on her desk today. I understand that Senator Parker and her husband Keith are celebrating thirty-one years of married bliss. Keith said thirty-one out of forty wasn't bad. But anyway, there's -- there's cake down here in the front as well to help them celebrate this occasion.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Congratulations, Senator Parker and Mr. Kathy Parker. On the Order of Senate Bills 3rd Reading, Senate Bill 939. Senator Klemm. Senate Bill 996. Senator Cullerton. Senate Bill 999. Senator Watson. Senator Watson. Senate Bill 1000. Senator Philip. Mr. Secretary, read the bill.

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SECRETARY HARRY:

Senate Bill 1000.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1000 changes the Illinois primary date to the second Tuesday in September. In 1998 the primary would be on September 8th. In presidential election years, the selection of national convention delegates and alternate delegates and candidates in the presidential primary shall be nominated at a presidential preference primary. This bill would -- would leave the date to remain the same: the third Tuesday in March. In every even-numbered year, the primary for congressional, State and local officers shall be held on the second Tuesday in September. That would be -- make the campaign for general election about eight weeks. That's long overdue. As you know, when Senator Rock was the President of the Senate and I was the Minority Leader, we had the similar bill. We passed it out of here. It certainly would shorten campaigns, and if you want to do something about campaign reform, shorten the time between the primary and the general election. We couldn't spend as much money and, in my judgment, it would be a step in the right direction. Happy to answer any questions. Like to see a lot of green lights up there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Link.

SENATOR LINK:

Yes. Mr. President, will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Link.

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SENATOR LINK:

Senator Philip, my one question is on this -- and I agree with you. I -- I proposed a bill to do a June primary, and I agree with you wholeheartedly, we have to shorten the cycle. But my one question is: Have we discussed this with the local county clerks, the local election authorities? Is this the best process of a September primary, or do we want -- are you stuck on September, or can we negotiate on a June or a July or some other date like that with the county clerks? I know they have a lot of concern about this being too short of a cycle for them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Senator Link, may I say this? My guess is, if we pass it out of there, it'll get over in the House and we'll end up in a conference committee and the respective county clerks - in my county, we have an election commission - will have their input. I have talked -- talked to the chairman of our election commission who, quite frankly, tends to favor this like I do.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator...

SENATOR PHILIP:

But I'll tell you...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

This certainly will probably not be the final version. My guess is that -- I've spoken to the Speaker of the House. He kind of likes the idea. He wants to review it. We'll probably get it over in -- in the House, get it in a conference committee and work out a reasonable compromise.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Link.

SENATOR LINK:

I think that was my question, Senator, is that we are looking for an assurance that we will work together on possibly with the county clerks, the board of elections and so forth to make sure we come up with the most desirable date to change this to.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Berman.

SENATOR BERMAN:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Berman

SENATOR BERMAN:

I've been advised that the Jewish Federation has some concerns about the September date because of a possible conflict with the Jewish high holidays. Are you carrying on discussions to address that concern?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Yeah, I have received the same letter you have. We have been in -- we have been in discussions. We haven't come to a conclusion. But as I say, it's only going to go over to the House. We'll be -- get it in a conference committee, and hopefully we'll be able to work out their concerns.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I certainly commend Senator Philip for producing this bill because I can tell you, the biggest complaint I have in my district is all the rhetoric that goes on for six solid months from the primary of

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April -- or March all the way to November. I think this is a step in the right direction. And the money -- a lot of the money could be saved to put to better purposes than just campaign purposes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator -- Senator Philip, to close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, a lot of us have been trying to do this for a long time. I think this last election, with the very low voter turnout, that people were kind of turned-off on campaigns, long campaigns and all the money that we have wasted reelecting people. So I think this is a step in the right direction and I hope we'd see a lot of green votes up there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1000 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 6 Nays, none voting Present. And Senate Bill 1000, having received the required constitutional majority, is declared passed. Senate Bill 1001. Senator Rauschenberger. Senate Bill 1005. Senator Maitland. Senator Maitland. Senate Bill 1007. Senator Karpel. On top of page 16 in the Order of Senate Bills 3rd Reading, Senate Bill 1010. Senator Maitland. Senate Bill 1011. Senator Maitland. Senate Bill 1012. Senator Weaver. Senator Weaver. Senate Bill 1016. Senator Philip. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1016.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Simply is a vehicle for the General Assembly. I'm not sure what we're going to end up doing. We may end up doing nothing with it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall -- any discussion? If not, the question is, shall Senate Bill 1016 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. And Senate Bill 1016, having received the required constitutional majority, is declared passed. Senate Bill 1017. Senator Philip. Senate Bill 1018. Senator Butler. Senate Bill 1019. Senator Karpziel. Senate Bill 1031. Senator Burzynski. Senate Bill 1039. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1039.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. This amends the Illinois Consumer Fraud Act, and it creates the Automotive Repair Act. This is the result of a task force that the Illinois Attorney General Auto Repair Task Force had come up with, which was all the interested parties, concerning consumer protection on automobile repair. There's requirements - and I'll briefly just give some of them: Written estimates are required, invoices are required, signs are required giving the consumer what their rights are. It prohibits

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the defective -- or, deceptive practices. It's got a list of several items that have been -- complaints that have been called to the Attorney General through the years. It's really an agreed bill. I do have one other language to be put on over in the House by the Retail Merchants. I think it's one word that they want. "Knowingly," I think, is what -- the only correction we have. It's too late to add it to this bill, but we've been working together, and I'd like to move the bill so they could add that in the House and then the bill will be in shape where there will be no opposition whatsoever. So, I do ask for your support on...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator, I -- I see -- and this -- does it still remain? On my analysis it said it delete the proposed requirement for auto -- repair facilities to return replacement parts to the consumer. One of the reasons why that provision was put into the existing law at the time, because there were so many unscrupulous repair people out there and people who didn't know very much about cars, they would pretend to be replacing parts and putting in new parts and all at the same time that they -- there as no verification that they were doing so. The returning of those parts and making them available there would give the owner of the car an opportunity to take the part and then maybe somebody else could say, "Well, there's nothing wrong with it." They would have an opportunity to -- to have a second opinion or even someone, for example, in their family may know a little more about, or a friend, whether or not the part was defective in the first place.



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So, why did you delete that provision, or is it still in this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, we removed a small portion of it before. The Retail Merchants had concerns about transactions of retail purchases, like saying I want running boards installed on my car. It's not really a repair of the automobiles. So you go to the -- to the dealer, the installer, if you will, buy running boards, they put them on. This isn't the same problem that we're having with car repairs for accidents, fender benders and all that, where the cars are tied up for two or three days, people can't get their vehicle, they don't know what to do, additional add-ons of repair - you need a new radiator and you didn't tell me about it - and the bill goes higher. These are the concerns we're doing, not the smaller ones that we talked about. It was felt by the task force that those were not the problems that we're trying to address, so that's the reason we took that out.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

You took it out of this bill, but did you amend the -- the existing Statute that already existed? I'm -- I'm -- did you tamper with the existing Statute?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

No, we did not.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR KLEMM:

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Just a favorable vote. I think it's an excellent bill for consumer protection, and we have all the provisions I think we need, except for one change, and we'll do that in the House. And thank you for your help.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1039 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 1039, having received the required constitutional majority, is declared passed. Senate Bill 1043. Senator Geo-Karis. Senate Bill 1044. Senator Geo-Karis. Senate Bill 1045. Senator Geo-Karis. Senate Bill 1059. Senator Parker. Senate Bill 1070. Senator Watson. Senator Watson. Senate Bill 1076. Senator -- Senator Severns. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1076.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This bill stems from an article that I've had passed out today on the Senate desks regarding private mortgage insurance. I spoke briefly with Chairman O'Malley and have placed a call to his counterpart in the House to alert him that hopefully it will be coming over and that it will still require work because we're dealing with the different organizations, financial institutions involved. But the bill, in a nutshell, is this: Testimony now provides evidence to say that once the owner of a home reaches twenty percent equity in

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their home, that private mortgage insurance, in most instances, is no longer needed. What I'm attempting to do through this bill, similar to a D'Amato bill that we've learned has been introduced as well at the federal level, is to alert on those annual statements indicating how much property taxes you've paid and how much you have in escrow, and so on and so forth, any potential homeowner, only on their chief residence, that if and when they hit the twenty percent equity amount, that they may no longer be required to possess private mortgage insurance - something that can cost an average homeowner anywhere from as low as twenty dollars a month to as high as one hundred and fifty dollars a month. We are working with the various different financial institutions to make certain that the language is as burden-free, as possible, but I believe it's a good idea. It's an idea that stemmed from my reading this article, passed out on the desk of each Member, in the New York Times a few Sundays ago. And it's a bill that I think warrants our support. It will return to this Chamber once language has been worked out to meet some of the concerns -- legitimate concerns that have been raised, but I would hope that the Body would pass it out with the understanding that we will see an amendment probably on concurrence motion later.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill -- Senate Bill 1076 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays and 1 voting Present. And Senate Bill 1076, having received the required constitutional majority, is declared passed. Senate Bill 1099. Senator Parker. The top of page 17, in the Order of Senate Bills 3rd Reading, Senate Bill 1100. Senator Cronin. Senator Cronin. Senate Bill 1101. Senator Rauschenberger.

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Senate Bill 1103. Senator Severns. Senator Severns. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. A bill similar to this, only a little more stringent, offered by Senators Mahar and Rauschenberger has passed this Chamber on several occasions before. We've narrowed the language to make it hopefully more palatable to those who expressed concerns, namely the Illinois Farm Bureau. It's a bill that says for municipalities with a population of seventy-five thousand or more it would ban leaf burning. By restricting it to municipalities of seventy-five thousand or more, the opposition of the Farm Bureau was removed. It is a bill that I think is necessary. I think medical evidence supports that children with asthmatic conditions or adults with respiratory conditions need to have language like this in place so that they can, like you and I, go out on any given day and breath air and not be restricted because of leaf burning. I would hope that the Chamber, as it's done in the past, will pass this bill to the House, in its more restrictive version, so cities like mine, in Decatur, could have this legislation on the books. I'll be happy to ask any -- answer any questions, and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. This is actually on the previous

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bill, 1076. I pressed Yes, but my button didn't come up.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Record will so reflect your intent.

SENATOR OBAMA:

Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Yes. Question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Syverson.

SENATOR SYVERSON:

Senator, you said that your city currently can't do this. Is there -- doesn't their city council have an opportunity to pass that regulation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Severns.

SENATOR SEVERNS:

Thank you, Senator. I didn't mean to suggest that they can't do it. They haven't done it. I was on the city council starting in 1983 and it's been discussed and debated for fourteen years. Some members of the council are delighted that we're trying to do this legislatively; others, perhaps, would be less thrilled. What I'm suggesting is the study and debate has taken on long enough. There are many communities with far less population than seventy-five thousand who has demonstrated the initiative to do this. I think we should do it in my community, and that's why I put forward the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Has your city council, then, voted against putting a ban on?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Severns.

SENATOR SEVERNS:

My city council has -- has debated this issue and has voted for different versions of it over the last fourteen years. What we're trying to do is suggest that communities of seventy-five thousand or more -- municipalities of seventy-five thousand or more should be required to ban leaf burning.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

So what we're asking us to do is preempt home rule, and even though the city council has -- who were elected by the people, have chosen not to do it, you're -- you're asking us to say in these larger populations that we're going to force something on local governments who have -- their elected officials have chosen not to put this into place. So I think this is a -- I think this is something that the local communities have a -- have a right to currently do, and it should be left up to them to make that decision.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President, Members of the Senate. Senator Syverson really made, I guess, my argument, and I -- Senator Severns, I don't refute any of the -- the medical information that you've given to us this afternoon. I -- I suspect there are some concerns and some obvious reasons there, but I, too, just question whether those of us in this Chamber, in our infinite wisdom, should pass judgment on the City of Decatur or any other city in this State as to what we ought to do. You indicated you sat on the city council. You were a council person

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and -- and made those tough decisions, and it's obvious that they didn't want to do it at that time. So for us, I think, to pass our wisdom upon local municipalities is wrong. And I just wondered: Does this exempt the State Mandates Act? Oh, it preempts home rule. Okay. I'm sorry. Right. Okay. All right. I just believe it's a -- it's a bad vote and believe that a city council ought to make that judgment themselves.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. It's just really ironic that I'm hearing from the other side of the aisle that we should not preempt home rules and that we should give discretion and respect to local units of governments to pass laws that impacts upon their citizens there. I'm just appalled at how many bills that have come through the Executive Committee this year, on that side of the aisle, doing exactly the same thing. So why is it so difficult to understand that if in Senator Severns district there is a hazard to the health and safety of her constituents and that she cannot get any relief at the local level, that it's -- all of a sudden it is not our responsibility, which I thought we took an oath of office to protect the -- the health and welfare of our constituents to do that. I think she's doing her job. It is something that needs to be done. Obviously they cannot find it within their wisdom to do so in her area. It is a health hazard. It's our responsibility, and we should all vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Excuse me. Just -- it is unfortunate. The -- Senator Collins just spoke very eloquently to

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-- to a real issue here. Unfortunately, too often in this Chamber, those -- we don't get to hear from those individuals who suffer the most. Those who suffer the most from asthma are usually children. They don't have big-time lobbyists, they don't have individuals who's going to city councils to tell them what they want. What they have is individuals like ourselves, have the physicians who came to our committee meetings to tell us, in fact, that this is a killer. We're killing our children in more ways than one because we want some nostalgia of leaf burning during the fall. That is not necessary. What we need, at this point in time, is to bite that bullet, to do what those -- those legislative leaders should have been doing in their hometowns and actually do something for the children and do something really good for the future of this State, and that's vote for this -- this particular bill and vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Mr. President. Just a point of inquiry. I'm a little confused here. Does this bill or does it not preempt home rule, which would require a three-fifths vote of this Body?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard, it's the ruling of the Chair that this bill does preempt home rule pursuant to Article VII, Section 6(i) of the Illinois Constitution. This is a concurrent exercise of power, and this requires thirty -- thirty votes for passage. Any further discussion? Senator Hawkinson, what purpose do you rise?

SENATOR HAWKINSON:

For purposes of appealing the ruling of the Chair on the vote requirement for the preemption of home rule.

PRESIDING OFFICER: (SENATOR DUDYCZ)



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That request is in order. Highly unusual. Senator Geo-Karis, state your point.

SENATOR GEO-KARIS:

I would like to get it straight in my mind. What exactly was your ruling? Was it thirty or thirty-six?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thirty. The question is, shall the ruling of the Chair be sustained. All those in favor of sustaining the ruling, vote Aye. All those opposed to sustaining, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 28. Having failed to receive the necessary three-fifths negative votes, the appeal fails and the ruling of the Chair is sustained. Senator Weaver. Senator Severns, to close.

SENATOR SEVERNS:

Thank you, Mr. Chairman in the wise ruling of the Chair -- Mr. President. The Illinois Clean Air Coalition, the American Lung Association, the Illinois Environmental Council, among others, have testified in support of this. We've tried to narrow it to make certain that only the largest of municipalities are impacted. I think that it's a good bill. I thought it was good when Senator Mahar had it, and when Senator Rauschenberger had it, and I think it's good even when I have it. And I hope that we can get enough votes to concur with the President's position on the previous ruling. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1103 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 13 Nays, and 7 voting Present. And Senate Bill 1103,

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having received the required constitutional majority, is declared passed. Senate Bill 1108. Senator Butler. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, I assume this is the first of many discussions on the whole matter of -- of reform of the way we finance campaigns. Senate Bill 1108 proposes four changes in the present Election Code. First, it would require that each campaign contribution report shall include the occupation and employer of contributors being disclosed. Current law now requires only the name of the contributor, the address, the amount and the date of such contributions. Number two, the bill lowers the threshold which triggers disclosure of campaign contributions from the current one hundred and fifty to one hundred dollars within any reporting period. Number three, it eliminates the requirement that persons who examine campaign finance reports shall complete an identification form. In other words, these are the D-3 forms now used by the State Board of Elections. So this would also, and concurrently, eliminate the automatic mailing of D-3s to candidates whose reports have been reviewed. And number four, it increases the maximum civil penalties, from one thousand to five thousand, which the State Board of Elections may impose on political committees which have been found to have violated the requirements of campaign finance disclosure law. I would welcome any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just make a couple observations here. I voted for this bill to get it out of committee, 'cause I assume that we're probably going to need some vehicles to get some issues out there that really deal with campaign reform. Keep in mind, what we're doing here, folks, is that if you get a five-hundred-dollar check and you don't file that within two days, you're going to be subject to a five-thousand-dollar civil penalty for the failure to report that. That's a lot of money. Also, there is nothing in this bill which talks about money from contractors and people such as MSI that have been involved in -- in many things which has been discussed many times in the media, unfortunately not by this Body. So I think that even though I wanted to let this bill get to the Floor so we could do some debating on it and -- and maybe use it as a vehicle, I think in its current form, I would have to vote No. Incidentally, I think, also, we should put something in these bills to where if you do accept money or campaign contributions from those companies or those contractors who turn out to be crooks and, by many people's own volition, liars, that those campaign funds should not in this case be refunded because they go to a -- a firm that has been designated as a crook, but be given to charity. So I think there's a lot of things that we could do with this bill, but I would ask the sponsor to pull it out of the record and work on it to where we can get some situation that really is meaningful.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Klemm.

SENATOR KLEMM:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates he will yield. Senator Klemm.

SENATOR KLEMM:

Senator Butler, just a couple questions. If -- if somebody were to receive a contribution check and they -- I guess they have two days to report this, do you put down the name of the group and then just put down the person who signed the check as being an employee? Because how would you know and how would you have two days to go back and get that information? Or then do you return the check and then ask them for that -- then ask them to send the check back again?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

I -- I believe the latter case would be the proper way of handling that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

So if you get a check and you don't know what that title of that person is and if they're an employee of a certain company -- because sometimes we get checks from PAC groups, and I'm trying to figure out who would be that person's employer which I'd have to report. I have no problem with what you're trying to do. I'm trying to think of the mechanics, because if the mechanics won't work, we're going to get violations. If we get violations, we make people not report it and we're back to where we are before of not doing anything decent or, you know, right about it. So I'm trying to find out how would we do that. How...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR KLEMM:

...do I find out who is the employer and -- and what their job

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is, when I only have two days and I just got it in the mail?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Well, I -- I think you'd handle it the same way you do now. You would -- you would ask the information as requested.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Just one last question. Then we -- then you're suggesting we return the check, because sometimes my mail getting back to that person takes three or four days, to ask them what your company is. Then you -- then it'd be best if we return the check with that letter until they could identify it and then resubmit it to you. Would that be a safe way of doing it somehow?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

You know, that's -- the devil is always in the details. I think that's a legitimate question, and I -- as this moves over, I would work on that specifically. Incidentally, I would respond to the question before about the fines. There is no basic change in the current way that complaints are handled. First of all, the State Board of Elections has to hold a closed hearing to determine whether or not the claim is justified. Then they have to give reasonable notice, so there's an opportunity to testify. And then if the Board decides that the -- that the complaint is justified, they must hold a public hearing. And then if they do, at that point, decide that a violation has occurred, it -- it shall issue an order, as it does now. Only -- only if the person fails to file a subsequent report following that Board order may the civil penalty be imposed. So the procedure is in effect right now.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator Butler, did -- were you aware of the fact that Senator Klemm had a -- a task force, a resolution for a task force to study campaign financing reform and to report -- there's an amendment to change the reporting date to November? And would you be willing -- I mean, granted you've heard some questions that you tend to agree that -- that need to be resolved with your bill, would you agree to maybe hold your bill and be -- become a part of that task force or -- or -- or participate in that task force? Because you are correct. I agree, and I think most of us agree, that there need to be some real meaningful campaign reform, because every time we reform the campaign disclosure laws, we really don't do anything except, you know, giving the public some impression that we are when we're not. In reality, this will not work. If -- if someone send you a contribution and they have a date on it of today, you may not even see it. Often, especially the PACs, they will have a check cut for a fund-raiser for you and you don't even receive it until a month after the date on the check. So how do you monitor that kind of thing? We have to be very careful about what you do so that whatever campaign disclosure laws and reform that we come up with, that they can be enforced. This is a typical example of what we already have on the books, and I think we can, if you just wait and participate into -- in that task force, sit down, come together and come out with some real meaningful reform, along with whatever is coming through the House, because I understand that there is some effort

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on the part of the Speaker, also, for real campaign reform this year. So, we shouldn't just pass a bill just to be passing it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Butler, your -- your penalty for not filing within two days is quintupling the -- the amount from a thousand to five thousand dollars, which seems pretty extreme. Could you tell me how -- how many incidents, how many violations there were in the last election of someone not filing a report of a five-hundred-dollar contribution within two days? Do you have a -- do you have a number as to how many times that happens?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

No, unfortunately, I don't.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Is this bill from the Board of Elections? Is this their idea of what to do?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

There are parts of this that the -- the State Board has suggested.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

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SENATOR WELCH:

It just seems to me that, you know, anyone of us falls into this two-day trap, like Senator Collins said, where the check comes in and it's dated two days before. You try to file as soon as you can, and you get -- you don't get it there on time, at least according to the date on the check. It seems -- I don't see why we're doing this. If it's a five-hundred-dollar check, and there's already a thousand-dollar penalty, it seems to me a thousand dollars is probably sufficient, or what we should do is say it's double the amount of the donation that's not reported. Maybe that would make more sense.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is that a question? Senator Butler.

SENATOR BUTLER:

That's a question. Let me make it clear: We're not changing anything in the present circumstances, other than the -- increasing to five thousand. So if you had trouble at a thousand, you're going to have five times as much trouble, I guess, at five thousand.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR BUTLER:

Does that...

SENATOR WELCH:

Well, that -- but that doesn't make -- that doesn't make a lot of sense to me. I mean, so what? A thousand bucks is a lot to pay out from your campaign committee, but five thousand dollars seems to be extraordinary if you only got a five-hundred-dollar check. You know, and a lot of this is handled by our campaign treasurers. I -- I just think that this two-day requirement is really not a good one, and especially making the penalty five thousand dollars makes it even -- even worse. I -- I think this



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is emphasizing the wrong portion of election reform, myself.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Walsh.

SENATOR WALSH:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Walsh.

SENATOR WALSH:

Senator Butler, I was just wondering what the need is to put the -- we're -- we're going to lower the -- the amount for the -- the reporting, but then we're going to also add for every hundred-dollar check that you receive, that you have to put the occupation. And I'm just curious as to why that would be -- you feel that that will be better or the -- the necessity for that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Part of the problem with -- with campaign contributions is that -- the link deposits; that is, who gave what on behalf of whom. And this is an effort to -- to give as much disclosure as we possibly can -- can get. It's -- it's shedding more light. If it causes somebody some problems, I -- I think this whole thing causes a few more problems, and after all, that's what we're after, is to -- to make sure that -- that there is as much light as possible shed on it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

And I -- and I don't doubt that. This is doing -- in the Governor's Message, he talked about campaign reform, but he talked about going the other way. He talked about -- he talked about increasing the threshold from a hundred and fifty dollars to two

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hundred and fifty dollars so that it would -- so that it would encourage people to -- to give contributions, encourage more of the ordinary citizens and discourage PACs and such. And I was wondering why you kind of did the opposite of what the Governor had recommended in his Address.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

I don't think this -- Senator, I don't think this will discourage it. And why not? Why not have as much disclosure as we possibly can get? It's going to cause a -- more work, obviously, but I think it, in the long run, it will do all of us good.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Just on the -- on increasing the fine now. That -- that -- you have the two days. Is it two days that it has to be in -- in the State Board of Elections, or is it you've got to mail it within two?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

It's the same as it is today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

There are -- there are alternate ways of reporting. That's the A-1 report. Can you fax that down to the State Board of Elections now?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

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SENATOR BUTLER:

I don't know.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

It -- the only thing is, is it does seem that it's a -- that's any check that's over five hundred dollars there's going to be a fine of now five thousand dollars. Now, that could -- that's going to go for the -- the penalty is going to be for the guy who receives a check for five hundred dollars and doesn't report it in two days, but it's going to be the same penalty for a guy who receives a check for fifteen thousand dollars, possibly, who's going to be penalized five thousand dollars. And it seems that that might be -- you know, maybe if it was a weighted scale, depending on the amount of the contribution, that it might be a better idea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Keep in mind, the five-thousand-dollar figure is "up to". The -- the State Board of Elections can determine it can be one thousand, as it is today. That does not change.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. Well, you know, it -- it is kind of funny when the Governor asks for two-fifty, and when he says two-fifty, I guess his reasoning was that, of course, if someone -- some small-time player would like to give some money or some neighborhood person would, I guess the reason you don't disclose it is so the ordinary citizen can get involved without fear of reprisal by somebody coming and pulling your D-1, D-2s, or

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whatever form it would be on, and therefore they don't have to worry about that someone in city or county or State government, or an incumbent or an opponent, going after the small-time person. And the assumption would be that if you contribute a hundred and fifty or two hundred dollars, you wouldn't be able to then so influence a candidate that we would have to disclose it. Now, that seemed to make sense. Now we have Senator Butler coming up and saying, I see it just the opposite way. And I don't know, that seems kind of strange. But -- that was a comment. Now let me ask my question, if you would yield for a question, and he's shaking his head. So let -- let me ask this: In the bill itself, or the amendment, it says, "and if the contributor is an individual, the occupation and employer of the contributor" would have to be listed. That's the wording. Now, when my guy fills his out -- or fills out my form and we list it, the reason we do that, we go to a fund-raiser or we mail out requests for funds and the checks come back, and they fill out who it is that sends it in. So, naturally, we list it and we use the name and address that's on the check. Now, most checks do not put down what your occupation is and it usually doesn't put down who your employer was. So, therefore, if I was going to give a check to, say, Senator Radogno or Syverson or one of my colleagues, obviously if it was a personal check, would just have my name and address. Now, therefore, does this force us -- can we put down "unknown", or do we now have to take the extra effort before we take the check, to go out and send a letter to them and saying, "Unless you give me your occupation and your employer, I cannot take this check"?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

I don't know quite how to answer that. The -- the problem we

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have is if we're going to have openness, shed light, et cetera, et cetera, this, in some form, would have to be essential. We would have to find out whether or not there are these tie-in contributions that add up to some sizable amount yet are maybe below some threshold. But, you know, I -- I -- I would say that as I opened -- in my opening remark, we're going to have to have a lot of work on -- on bills like this, and I -- I would hope this moves on so we at least have a base on which to argue. If we don't do it, we're going to be floundering around here for another few weeks until something takes hold. This at least gives us a foundation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

I -- I certainly believe -- we've moved a lot of vehicle bills forward, and I'm a -- I'm a big believer in vehicle bills because we do have to get together at the end of the Session and come up with something. It always makes me nervous when we're passing out laws that have some substance to it and then sort of calling it a quasi vehicle bill, because the good thing about a vehicle bill is that nothing happens to it. If it goes out here, it could be agreed to and -- and it becomes law, and that's not the intent. I would just say this: If we're going to pass a bill out that says we must list a contributor, his occupation and the employer of the contributor and we're trying to make a record, and the sponsor of the bills says, "Well, I really don't know how to answer that", which you probably don't, in good faith, know how to answer it, that's -- I don't think we have the right then to vote it out of here, because I don't even know what it means. So, therefore, until we get a little clarification, I'd rather take it out of the record and vote at -- at different time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Jacobs.

SENATOR JACOBS:

Move the previous question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are five additional speakers. Any further discussion?  
Senator Karpiel.

SENATOR KARPIEL:

Well, I'm -- thank you, Mr. President. I'm just -- I'm having trouble bringing up the entire bill on my screen. All I've got is this short analysis. Is what you've -- is what you are saying that if we -- if -- if I had a fund-raiser and I charged a hundred dollars a ticket, that when people came to the door and were to buy -- wanting to buy a ticket either by writing a check or -- or giving me cash, whatever, that they would have to also tell the person at the door what their -- who they work for?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR KARPIEL:

And...

SENATOR BUTLER:

At -- at some point you'd have to have that information.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Well, if that's the case, Senator, I don't know enough about campaign law as it is presently written other than a few things. I remember it used to be insurance companies -- the insurance business and used to be racing interests, I believe, but other than -- are there any occupations that are, by law, prohibited from donating to campaigns? Well, if there aren't any...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

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SENATOR BUTLER:

Not to my knowledge.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

Well, if there aren't any occupations that aren't prohibited from donating to political campaigns, then why do we have to know what everybody's occupation is and who they work for?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Again, it addresses the problem where you may have money distributed through a bunch of individuals. This way we can tie it all together.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator, I'm sorry. I frankly don't understand that. I don't understand how if I have ten people that come to my fund-raiser and they all work for one particular employer in town and, perhaps, all have different occupations, what that matters if there is no -- no particular industry or interest that is prohibited from donating. I mean, I -- I just don't see it. I also, Senator, have a problem with the part about doing away with the -- D-3s -- DC -- whatever they are -- D-3s. I'm getting Star Wars mixed up with this. I mean, after all, if we are going to be asked to be giving not only the amount of money that we are accepting but for all these poor ticket payers at your fund-raiser, everyone coming in, to have to be giving you their employer and occupation, in addition to all that now people are going to come and look at our records, and we don't even get to know that they're looking at 'em or why they're looking at 'em, I

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truly think this is a bad bill, Senator Butler. I'm sorry. I -- I love you, but as "Geo" always says: I love the sponsor, but it's a bad bill.

END OF TAPE

TAPE 4

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate -- Senate. First of all, I want to commend Senator Butler, because I believe that this is -- this is very needed. I'll tell you what -- but that's a start. And there's a few things we need to add, and...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Halvorson. Senator Butler, your...  
Senator Halvorson.

SENATOR HALVORSON:

Thank you. Again, I will start over. Senator Butler, I commend you. This is great. We need to do more. We need to limit campaign contributions, but we also need to work with the contractors and limit theirs. But I think the bottom line here is disclosure, and that's what we're trying to get at. I'm working closely with the campaign...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Halvorson. Senator Butler, are --  
I see a white flag flying over by you.

SENATOR BUTLER:

Well, those are pigeons really. My chief advisor came over a



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few seconds ago and suggested that I take it out of the record.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Senate Bill 1109. Senator Klemm. Senator Klemm. Senate Bill 1120. Senator Bowles. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1120.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Bowles. Will the -- will the Members please take the conferences off the Floor. Senator Bowles.

SENATOR BOWLES:

This -- 1120 is a vehicle bill, and Senate -- the Senate Amendment No. 1 deletes it all, makes it a vehicle bill. But there will be a subsequent Floor amendment, which will be offered in the House, which will establish a stormwater committee. We've been working on this is and the subsequent forthcoming amendment has the support of the Illinois Municipal League, who opposed the original bill. We -- we are continuing to have negotiations with the drainage districts, with the Realtors, with the developers. I would ask for an affirmative vote to move this vehicle to the House for further negotiations. I have discussed this with Senator Watson and Senator Luechtefeld in whose -- whose districts this bill falls, and they are in agreement to continued negotiations, and I would be happy to answer any questions. Otherwise, I would ask for an affirmative vote.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1120 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present, and Senate Bill 1120, having received the required constitutional majority, is declared passed. Senator Cullerton, what purpose do you rise?

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I just wanted to let the record reflect that I inadvertently was voted Aye on Senate Bill 228. It was my intention to vote No on that bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect. Senator Fawell, what purpose do you rise?

SENATOR FAWELL:

Thank you very much. For a purpose of an announcement. The Transportation Committee will meet in Room 400 at 4 o'clock. 4 o'clock, in Room 400.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski, what purpose to you rise?

SENATOR BURZYNSKI:

Purpose of an announcement. The Senate Committee on Licensed Activities will be meeting at 9 a.m. tomorrow morning, Room A-1, for the consideration of Floor amendments. That's the Licensed Activities Committee, Room A-1 in the Stratton Building, 9 o'clock a.m. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

To try to accommodate the Membership the Chair will allow the Members to have another run at Senate Bills 2nd Reading. This has been requested by our Democratic Colleagues, and the President of

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the Senate has agreed to allow Members to have their bills heard on 2nd Reading again. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Mr. President. I -- wish the record to reflect that this morning on Senate Bill 228, had I been on the Floor, I would have voted in the affirmative. I was downstairs in a -- in the Education meeting.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect. Senator Butler, what purpose do you rise?

SENATOR BUTLER:

For purposes of an announcement. The Local Government and Elections Committee will meet at 4:30 in Room A-1. 4:30, A-1, Local Government.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan, what purpose do you rise?

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of announcement that the Insurance and Pensions Committee will meet at 4 o'clock in Room 212 to consider Floor amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka, what purpose do you rise?

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR PETKA:

Standing immediately behind me is our distinguished Supreme Court Justice from the Second District -- the old Second District, Justice John Nickels.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to the Senate, Justice Nickels. Senator Syverson,

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what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. The Senate Public Health Committee will meet immediately following Transportation. So, approximately 4:30 in Room 400 to discuss some amendments. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan, what purpose do you rise?

SENATOR MADIGAN:

Thank you, Mr. President. I wish to correct myself that that meeting is not at 4 o'clock, it is at 4:30 in Room 212.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson, what purpose do you rise?

SENATOR HAWKINSON:

For purposes of an announcement, Mr. President. The Senate Judiciary Committee will meet at 9 a.m. in Room 400 tomorrow.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin, what purpose do you rise?

SENATOR CRONIN:

Thanks, Mr. President. The Senate Education Committee will meet at 4 o'clock. 4 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs, what purpose do you rise?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR JACOBS:

Sitting in the Democratic side over here, we have a number of township officials from my district, and I'd like to have them please stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized. Welcome to

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Springfield. On the top of page 2 of your regular Calendar is the Order of Senate Bills 2nd Reading. Senate Bill 54. Senator Mahar. Senator Mahar. Senate Bill 63. Senator Madigan. Senate Bill 65. Senator Trotter. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 65.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen, on Senate Bill 73. Senator Lauzen. Out of the record. Senator Lauzen, on Senate Bill 74. Out of the record. 75. Out of the record. 76. 77. Out of the record. Senator Farley, on Senate Bill 171. Out of the record. Senator Lauzen, on Senate Bill 203. Out of the record. 204. Senator -- Senate Bill 206. Out of the record. Senator Rea, on Senate Bill 250. Out of the record. Senator Sieben, on Senate Bill 306. Out of the record. Senator Viverito, on Senate Bill 307. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 307.

(Secretary reads title of bill)

3rd Reading of the bill. Pardon me -- 2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Cronin, on Senate Bill 345. Out of the record. Oh! Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 345.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on Senate Bill 417. Out of the record. Senator Luechtefeld, on Senate Bill 459. Senator Luechtefeld. Out of the record. Senator Weaver, on Senate Bill 493. Out of the record. Senator Jones, on Senate Bill 521. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 521.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Sieben, on Senate Bill 604. Senator Sieben. Out of the record. Senator Farley, on Senate Bill 663. Senator Farley. Out of the record. Senator Butler, on 664. Out of the record. Senator Sieben, on Senate Bill 674. Out of the record. Senator Walsh, on Senate Bill 686. Out of the record. Senator Parker, on Senate Bill 711. Out of the record. Senator Dudycz, on Senate Bill 713. Out of the record. 762. Out of the record. Senator Dillard. Read the bill -- on Senate Bill 796.

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Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 796.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Madigan, on Senate Bill 801. Out of the record. Senator Mahar, on Senate Bill 815. Out of the record. Senator Shadid, on Senate Bill 890. Senator Shadid. Out of the record. Senator Berman, on Senate Bill 912. Oh! Sorry. Out of the record. Senator Molaro, on Senate Bill 895. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 895.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Molaro.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro, on Amendment No. 1.

SENATOR MOLARO:

Thank you, Madam Chairman. What it does, this amendment, it gives a specific intent to the crime, that being knowledge, and also goes from a Class A misdemeanor, we're changing that to make it just a petty offense. This is part of my soft-on-crime agenda. So we're moving it from a Class A misdemeanor to a petty offense.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing

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none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Shadid, on Senate Bill 922. Out of the record. Senator Fawell, on Senate Bill 950. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 950.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Referred to Commerce and Industry Committee - Senate Amendment No. 1 to Senate Bill 417, Senate Amendments 1 and 2 to Senate Bill 469, Senate Amendment No. 2 to Senate Bill 476, Senate Amendment No. 1 to Senate Bill 716, and Senate Amendment No. 1 to Senate Bill 953; referred to Education Committee - Senate Amendment No. 1 to Senate Bill 558; referred to Environment and Energy Committee - Senate Amendment No. 2 to Senate Bill 299, Senate Amendment No. 2 to Senate Bill 483, and Senate Amendment No. 1 to Senate Bill 778,



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and Senate Amendment No. 2 to Senate Bill 815; referred to Executive Committee - Senate Amendment No. 2 to Senate Bill 912 {sic} (910) and Senate Amendment No. 2 to Senate Bill 1019; referred to Insurance and Pensions Committee - Senate Amendment 2 to Senate Bill 423, Senate Amendment 1 to Senate Bill 490, Senate Amendment 12 to Senate Bill 665, Senate Amendment 2 to Senate Bill 672, Senate Amendment 2 to Senate Bill 711, and Senate Amendment 2 to Senate Bill 1048; referred to Judiciary Committee - Senate Amendments 1 to Senate Bill 171 and Senate Amendment 2 to Senate Bill 358; referred to Licensed Activities Committee - Senate Amendment 3 to Senate Bill 372; referred to Public Health and Welfare Committee - Senate Amendments 1 and 2 to Senate Bill 240, and Senate Amendment No. 1 to Senate Bill 755; referred to Transportation Committee - Senate Amendment No. 3 to Senate Bill 30, Senate Amendment No. 2 to Senate Bill 225, Senate Amendments 2 and 3 to Senate Bill 543, Senate Amendment 1 to Senate Bill 730, Senate Amendment No. 3 to Senate Bill 800, and Senate Amendment No. 2 to Senate Bill 950; Be Approved for Consideration - Senate Amendment No. 1 to Senate Bill 85, Senate Amendment No. 2 to Senate Bill 428, Senate Amendment No. 2 to Senate Bill 436, Senate Amendment No. 2 to Senate Bill 723, Senate Amendment No. 3 to Senate Bill 952, and Senate Amendment 2 to Senate Bill 1001, and Senate Amendment 2 to Senate Bill 1020.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state...

SENATOR LAUZEN:

At -- at 4 o'clock there's going to be a Commerce and Industry meeting here on the Senate Floor.

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PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR WATSON:

Yes. Also, Madam President, for the purpose of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR WATSON:

Yeah. I -- I just want to bring the Body's attention to the fact that April 29th will now be the date of the House/Senate softball game. This is going to be the first announcement. I know we're going to be gone for a couple of weeks. Many of you'll be going to warmer climates, and I expect you to be out there throwing the ball around and getting loosened up. I don't know if you've gone over there in the last week or so, and see they've got some young bodies. That farm system called the "Election of '96" brought them considerable number of young people over there, and we've got to maintain our, you know, superiority in this -- in this softball game, and I know all of you take it very serious and that you'll be working out over spring vacation. Now, we've got a couple of guys, too, that look pretty good. Obama. I mean, look at him. Link. Luechtefeld. Look at Luechtefeld. Six foot five. But all I have to do is, anybody that watched the game last year, remember how good Jim Clayborne looked? Did anybody see him take -- did anybody see him hit the ball? He looks good in a uniform, but that is where it ended. So, anyway, I just want you to -- to make sure that all of you take a little time over the spring break and throw the ball around, get loosened up, get in shape, and we'll take them on once again. April 29th. Put it down on your calendar that -- we don't want a lot of conflicts that night. We want everybody out there.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Hendon, what -- for what purpose do you rise?

SENATOR HENDON:

Just for purpose of comment. I hope the Democratic Members have a better chance of making MVP this year, than getting our bills out of committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

We will be continuing. We are not done with our business. We were asked to go back to Order of 2nd Readings for purposes of moving bills, and we don't seem to be moving a lot of them. Senator Dillard, on Senate Bill 952. Out of the record. Senator Shaw. Earlier today we were asked to allow Senator Trotter as a hyphenated co-sponsor on Senate Bill 968. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 968.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on Senate Bill 1020. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1020.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This is nothing more than a technical amendment, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, No. The Nays -- the Yeas have it, and the amendment is adopted. Are there further amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Berman, on Senate Bill 1072. Out of the record. Senator Dudycz, on 1105. Out of the record. Now, we have three we're going back to pick up, request of the sponsor. Senator Rea, on Senate Bill 250. Senator Rea. Senator Rea, on Senate Bill 250. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 250.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dudycz, on Senate Bill 713. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Amendment {sic} 713.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dudycz, on Senate Bill 762. Read the bill, Madam...

ACTING SECRETARY HAWKER:

Senate Bill 762.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. I will inform the Body that you will have one more opportunity to move your bills off 2nd Reading tomorrow. And I think we need to heads up on that. If there is no further business -- is there further business? The Senate will stand adjourned until 10 a.m. Wednesday, March 19th. 10 a.m. Senate stands adjourned.

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